

November 27, 2010

California Contractor's
License No. 115753-A

Clerk of the Board
Air Resources Board
1001 I Street
Sacramento, CA 95814

RE: Comments Regarding Proposed Amendments to the Truck and Bus Regulation

Dear Honorable Board Members,

Nabors Well Services Co (NWSC) is submitting these comments and concerns as they relate to the California Air Resources Board (CARB) Staff Report: Proposed Amendments to the Truck and Bus Regulation (Truck and Bus Regulation). NWSC would like to thank the CARB Board and the CARB staff for the opportunity to participate in the development of the Truck and Bus Regulation. NWSC is committed to improving the air quality in California.

NWSC believes staff proposed amendments to the Truck and Bus Regulation is a positive step in revising the existing regulation. The original Truck and Bus Regulation placed a major financial burden on fleets with vehicle turnover and retrofitting of vehicles with PM filters. The proposed amendments have divided the regulation into lighter trucks and heavier trucks. The lighter trucks are exempt from the PM filter requirement which NWSC has found harder to retrofit with the PM filters. Starting in 2015, lighter trucks that are 20 years old or older must be replaced with a vehicle equipped with a 2010 model vehicle or engine. This provision would allow fleets to modernize and to achieve compliance with the regulation. Between 2012 and 2014, the proposed amendments require heavier trucks to install PM filters which would allow these vehicles to operate an additional eight years before being replaced. NWSC believes the optional phase-in schedule provision will allow fleets to spread out their compliance obligations over three years which will provide some financial relief. With this stated, NWSC would like to list our comments and concerns.

1. The proposed amendment provides a one year delay for heavier trucks. NWSC is suggesting that staff changes the proposed amendments to a two year delay for heavier trucks.
2. The optional phase-in provision is great. NWSC is suggesting that staff increases the period of time one additional year.
3. The proposed regulation states that yard trucks (yard goats) with on-road and off-road engines are affected by this regulation. During the workshops, staff made the statement that yard trucks can be in the Truck and Bus Regulation or the Off-Road Regulation. NWSC is suggesting that staff clarify the fact that yard trucks can be in both regulations.
4. The proposed regulation changed the new fleet requirements stating, "Owner of new fleets must meet the requirements of section 2025 (e) immediately upon bringing such vehicles into the State of California for the first time after ~~January 1, 2011~~ January 1, 2012." In addition, the proposed regulation states, "New fleets must report vehicles subject to the regulation to ARB within 30 days of bringing such vehicles into the State." NWSC is suggesting that staff keeps the January 1, 2011 date, and require the new fleet to report before starting operation in California.
5. The proposed regulation has a provision for adding vehicles to an existing fleet and states, "Before a fleet may operate a newly added vehicle in service, or operate a vehicle that was

previously reported as non-operational, in California, it must file a report with the Executive Officer that it has added a new vehicle, and the Executive Officer shall approve the vehicle for service operation upon the fleet demonstrating that the fleet, as newly constituted, complies with the requirement section 2025.” The existing fleet must gain approval from the Executive Officer before operating the vehicle, but a new fleet has 30 days. As fleets move toward compliance in the future, the fleets will be adding and moving vehicles within the fleets. Large fleets will have to file reports all the time before operating their vehicles. NWSC is suggesting that staff changes the proposed regulation to allow fleets to change vehicles and if the vehicles are new or used vehicles with PM filters, the fleets do not have to demonstrate that they are in compliance until the annual reporting.

6. The proposed regulation has a provision for removing vehicles from an existing fleet. If an existing fleet is not in compliance, the owner must file a report with the Executive Officer to demonstrate compliance. Fleets will be removing vehicles all the time to meet the requirements of the regulation. Filing the report and gaining approval from the Executive Officer will restrict fleet owners during their normal operations. NWSC is suggesting that staff changes the requirement to have fleet owners only report to the Executive Officer during the annual report period.

NWSC is requesting the Board to take these suggestions under advisement during the adoption hearing of the Proposed Amendments to the Truck and Bus Regulation. NWSC has participated in the development of the Truck and Bus Regulation from the beginning and will continue in the future. If you have any questions concerning these suggestions, please contact me at (661) 391-1623.

Sincerely,

A handwritten signature in cursive script that reads "James Thomas".

James Thomas
Administrative & Regulatory Affairs Manager