

**DEPARTMENT OF TRANSPORTATION**

DIVISION OF EQUIPMENT  
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January 4, 2008

Mr. Erik White, Chief  
Heavy Duty Diesel In-Use Strategies Branch  
California Air Resources Board  
P.O. Box 2815  
Sacramento, CA 95812

Subject: Comments Regarding Sections in the Proposed Regulation for In-Use Off-Road Diesel Vehicles Approved by the Air Resources Board with Proposed Modified Text

Dear Mr. White:

As we've discussed, we are preparing to comply with the requirements of the subject regulation and request your consideration of two comments below that would make minor adjustments without impacting the timely achievement of emissions reductions.

Comment on Compliance Extension for Equipment Manufacturer Delays, Section 2449(e)(6):

Section 2449(e)(6) allows for a compliance extension for equipment manufacturer delays if the fleet owner has entered into a contractual agreement at least six months prior to the compliance date. A more reasonable requirement would have the fleet owner entered into a contractual agreement by at least the compliance date, in lieu of six months prior. The increased workload needed to comply with this regulation (purchase of an estimated 33 different types of off-road equipment and over 212 retrofits for 2010) in addition to increased workload to comply with other state air quality mandates simultaneously, all without additional staff, is a hardship on Caltrans. Extending the purchase order date 6-months will help us without hurting our ability to achieve emission reductions.

Comment on Reporting, Section 2449(g)(1)(B):

The Department operates off-road equipment under harsh conditions and, oftentimes, are retained in the fleet beyond the planned life of the unit. Section 2449(g)(1)(B) requires several pieces of data that may no longer be available on the equipment or from the manufacturer; e.g., engine family, engine serial number, engine model, engine model year, engine horsepower, etc. Also, equipment may be replaced before data would really be needed; e.g., at retrofitting. Flexibility for record keeping compliance is needed where data is simply not available.

You may contact me or my staff with any concerns or comments, and thank you for your attention to this matter.

Mr. Erik White, Chief  
Heavy Duty Diesel In-Use Strategies Branch  
California Air Resources Board  
January 4, 2008  
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Sincerely,

A handwritten signature in cursive script, appearing to read "Lisa M. Kunzman". The signature is fluid and extends across the width of the text area.

Lisa M. Kunzman  
Chief  
Division of Equipment

c: Clerk of the Board, ARB  
Kim Heroy-Rogalski, ARB  
KTeague, Division of Equipment  
EHardiman, Division of Equipment