

January 2, 2008

James Goldstene, Executive Officer  
California Air Resources Board  
1001 I Street, P.O. Box 2815  
Sacramento, CA 95812

**RE: 15-Day Comment Period for Proposed Regulation For In-Use Off-Road Diesel Vehicles**

Dear Mr. Goldstene:

We are writing to you on behalf of the Union of Concerned Scientists, Environmental Defense, Natural Resources Defense Council, and American Lung Association of California with our continued strong support for the proposed control measure for off-road in-use heavy-duty diesel vehicles. Construction off-road equipment is the second largest source of diesel pollution in California emitting particulate matter (PM) and nitrogen oxide (NOx) pollutants that are responsible for serious health impacts, including hospital visits for heart and lung disease, bronchitis, asthma attacks, cancer, and premature death.

We are pleased to see that staff has made the changes to the regulation as directed by the board and is moving forward with finalizing the rule. While we are somewhat concerned over the diminished public health benefits that the early credit changes may cause, we accept that the proposed modifications released on December 10<sup>th</sup>, 2007 reflect the direction and intention of the board at the public hearing on July 26, 2007. Additionally, we want to note that we appreciate the modification splitting the regulation language into separate NOx and PM requirements. This helps ensure the regulation's portability to other states looking to follow California's lead in reducing harmful diesel emissions from construction equipment.

We look forward to the release of regulatory language covering the SOON program. We understand that this will be covered in a separate document.

We thank you for moving quickly in finalizing this important measure for clean and healthy air in California and look forward to working with you as the details of the SOON program are finalized over the coming months.

Sincerely,

Don Anair  
Vehicles Analyst  
Union of Concerned Scientists

Diane Bailey  
Scientist  
Natural Resources Defense Council

Kathryn Phillips  
Manager, California Clean Air for Life Campaign  
Environmental Defense

Bonnie Holmes-Gen  
Senior Policy Director  
American Lung Association of California