



# South Coast Air Quality Management District

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March 6, 2008

Mr. James Goldstene  
Executive Officer  
California Air Resources Board  
1001 I street  
Sacramento, CA 95814

Dear Mr. Goldstene:

## South Coast AQMD Staff Comments Regarding the Proposed Regulation for In-Use Off-Road Diesel Vehicles

The South Coast Air Quality Management District (AQMD) staff appreciates the opportunity to provide comments on the California Air Resources Board's (CARB) latest revision of the proposed regulation for In-use Off-road Diesel Vehicles. Our comments are limited to the Surplus Off-Road Opt-in for NO<sub>x</sub> (SOON) Program (Section 2449.3 of the proposed regulation), which allows air districts to opt-in for additional NO<sub>x</sub> reductions beyond the base regulation through the use of incentive funds. These reductions are critical for the South Coast Air Basin to attain the federal PM<sub>2.5</sub> ambient air quality standard by 2015 and a critical part of the 2007 State Implementation Plan adopted by the CARB Board.

Under the latest revision of the regulation, air districts opting-in to the SOON program can choose whether the program will be voluntary or mandatory after April 2, 2009. However, according to the official record of the CARB Board Hearing on July 26, 2007, the SOON program as presented by CARB staff and discussed by the CARB Board calls for affected fleets to meet more stringent SOON NO<sub>x</sub> fleet average targets and apply for funding. There would be no requirements on fleets if projects are not funded. Slide 39 of

the staff presentation clearly laid out staff proposed changes to the base statewide regulation. The provision as currently proposed does not provide assurance that the committed NOx emission reductions can be fully achieved and may jeopardize federal approval of the SOON program into the SIP. As such, the proposed language should be revised to reflect a mandatory program.

In summary, the AQMD staff believes that with the above revision to require a mandatory program, the SOON program can move forward in an effective manner to ensure that the commitments to additional NOx emission reductions in the 2007 California SIP are met. We strongly urge that you complete the public process on the In-Use Off-Road Diesel Vehicles Regulation and submit the final Regulation to the Office of Administrative Law as early as possible. If you have any questions please feel free to contact me or Henry Hogo, Assistant Deputy Executive Officer – Mobile Source Division, at (909) 396-3184.

Sincerely,



Barry R. Wallerstein, D.Env.  
Executive Officer

CSL:HH:ZP:RP

cc: Mr. Tom Cackette, CARB  
Mr. Robert Cross, CARB  
Mr. Erik White, CARB