5.21.2007

Robert R. Peacher, INC.

General Engineering Contractor

License No: 426944

Air Resources Board
P.O. Box 2815
Sacramento, CA 95812-2815
Voice:
Fax:

RE: Concerns Regarding Off Road ATCM (Regulation)

MAY 24

To Whom It May Concern:

Robert R. Peacher, Inc. is a General Engineering Contractor 1 out of the 90,000 contractors in California. We specialize in Heavy Construction, such as street and road and grading of land. We have over 20 pieces of equipment that we use in our business on regular basis out of the 187,000 (estimated) that are used in California.

Peterson Tractor Company invited us to a meeting in August of 2006, concerning the Regulations that the ARB is wanting to implement. We were astonished at what we were being told by the Peterson Tractor Representative. At that time when we reviewed our equipment with the proposed regulation we had 11 Tier 0 and 9 Tier 1.

After the revisions made to the proposed regulation as of April, 2007, we have 18 pieces that are a tier 0 and 2 that are tier 1. With this latest and greatest news we started looking at our options. We looked at what it would cost to re-power just our scrapers. We were looking at 50K+ per tractor. That is at least ***150K+*** dollars that we would be in debt just on our scrapers. Then we looked at the cost to replace them. We were looking at ***350K*** per tractor. That is at least ***$1,050,000.00*** that we would be in debt just on our scrapers if we replaced them. Then we looked at if we retired and sold the equipment. Well that was interesting, because if the ARB passes the new regulation our investment in our equipment will be ***devalued at an estimated two-thirds***, than from the sale of the equipment, we have to give 45% of the sale to taxes, employees out of a job, no more business for Peterson Tractor, Drane Truck and Tractor Repair, Vanella Oil, Comercial Tire, Big Four Tire, Pollack Steel, Thomas Welding, Thomas Hydraulic, MJB Welding, T.B. S. Mobile Service, Omega Tank & Truck, Diesel Electric, DMV and ect. Butte County Tax Basis Gone.

We have worked hard over the years to build a good fleet of equipment, a good fleet of equipment that we own. Now (with the new proposed regulation) it is all being taken way. The ARB wants to put us in debt or take us out of business. That is not right.
The ARB has not taken into consideration the debt that they are putting the contractor in or the employees that will loose there job or the business that will be taken away from vendors. We feel that the ARB needs to review what they are doing. The ARB needs to look at the whole picture. The ARB needs to develop a plan that benefits both the ARB and the Contractor. Putting a contractor in debt or forcing them out of business is not right.

Why is the board made up of a majority of ARB employees? Why do you not have any contractors and large equipment manufactures on the board?

2197 Hwy 99, Chico, CA 95973-9303 TEL 530.343.9171 FAX 530.343.7565

We all want CLEAN AIR. We all need to work together to make it happen. It cannot happen at the expense of the Contractor.

Remember, when you are traveling up and down the road, where you are traveling to and from. Are you taking your kids to school? Are you taking your wife or husband to work? Are you picking up groceries for your family? Are you going on vacation? Are you going to church on Sunday? Are you having dinner out with family or friends? How about a concert in the park? Are you playing with your dogs in the back yard or barbequing with friends? These questions are endless. What do they all have in common? Every road that you travel on, every parking lot, building, park and home that you travel across, walk into and lay your head at night, they all sit on a foundation that was built by that estimated 186,000 pieces of equipment and the 90,000 contractors that are in California.

Sincerely,

Nickie L. Peacher

Nickie L. Peacher
Robert R. Peacher, Inc.

Attachments: 5 Colored Copies of Equipment, Tier, Cost

CC: Governor Arnold Schwarzenegger
State Capitol
Sacramento, CA 95814

Assembly Member Rick Keene
State Capitol, Room 2158
Sacramento, CA 94249-003

Assembly Member Doug La Malfa
State Capitol, Room 4164
Sacramento, CA 94249-003

State Senator Sam Anaestad
State Capitol, Room 2054
Sacramenot, CA 94249-003

Supervisor Bill Connelly
5280 Lower Wyandotte Road
Oroville, CA 95966

Supervisor Jane Dolan
196 Memorial Way
Chico, CA 95926

Supervisor Maureen Kirk
196 Memorial Way
Chico, CA 95926

Supervisor Curt Josiassen
1405 Lofgren Road
PO Box 385
Richvale, CA 95974

Supervisor Kim Yamaguchi
747 Elliott Road
Paradise, CA 95969

1994 Cat 140G Motor Grader
HP160

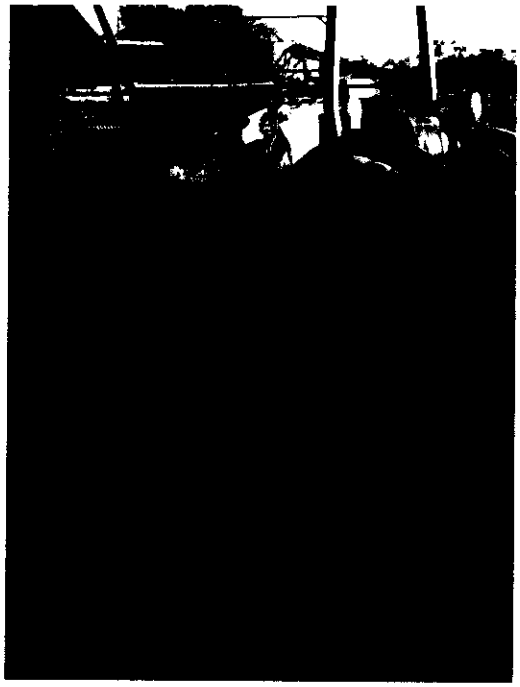
TEIR 0

NEW: $341,000.00

REPOWER:
35,000.00-41,000.00
PLUS
RETROFIT:
20,000.00-35,000.00

ESTIMATED COST
55,000.00 - 76,000.00

1996 CAT CS433C
COMPACTOR HP 75



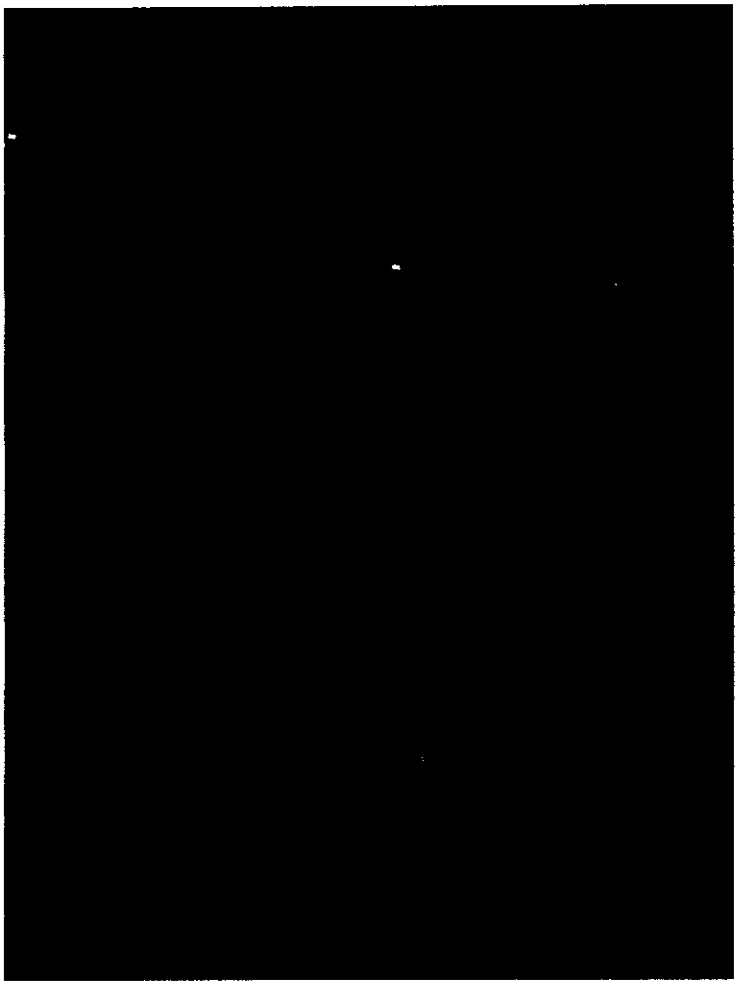
TIER 0

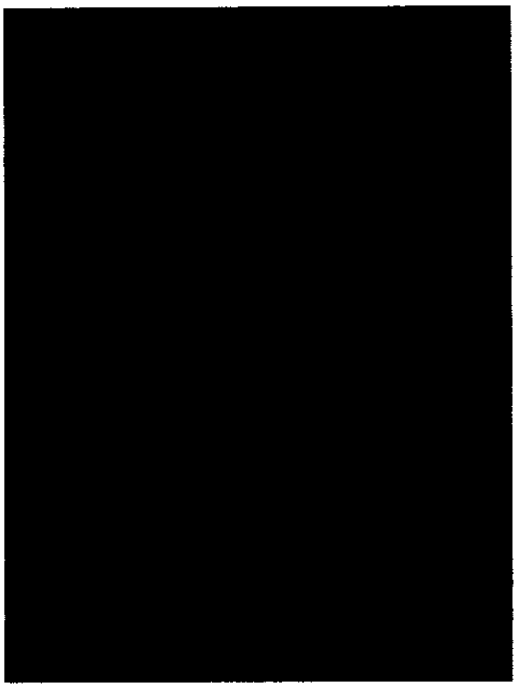
NEW: $134,000.00

REPOWER:
20,000.00 - 27,000.00
PLUS
RETROFIT:
5,000.00 - 10,000.00

ESTIMATED COST:
25,000.00 - 37,000.00

1974 CAT D8H DOZER
HP 270





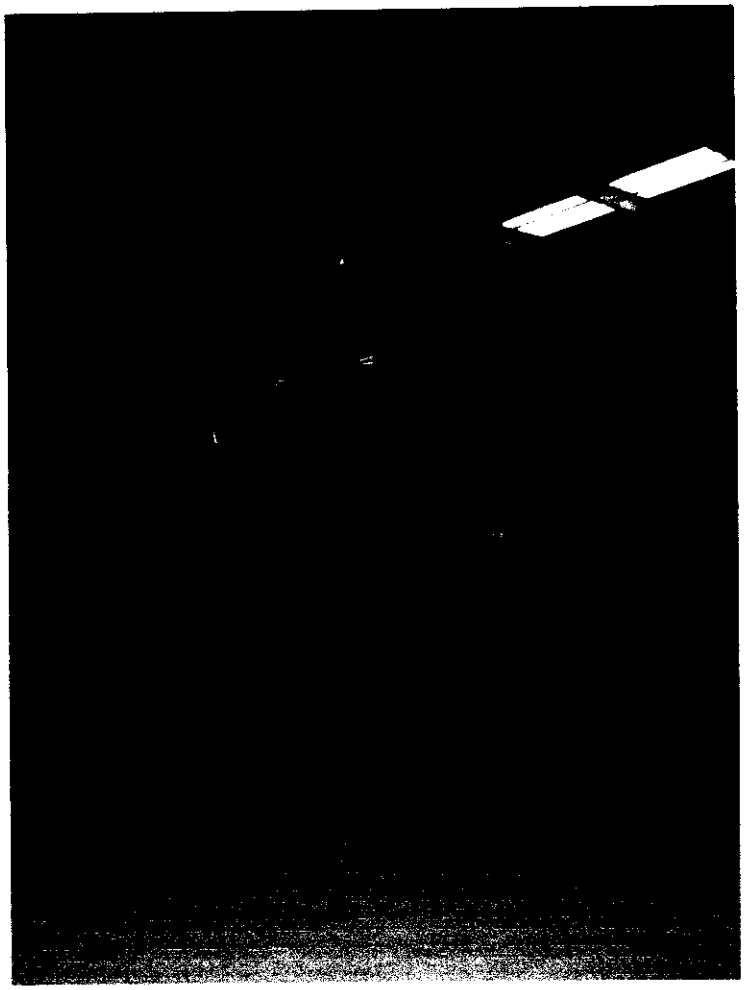
TIER 0

NEW: $669,000.00

REPOWER:
50,000.00 - 65,000.00
PLUS
RETROFIT:
20,000.00 - 40,000.00

ESTIMATED COST:
70,000.00 - 105,000.00

1995 CAT D8N DOZER
HP 310

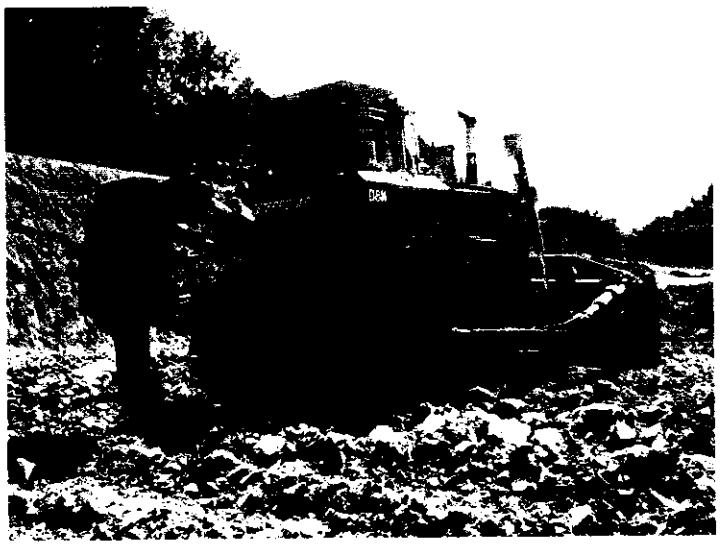


TIER 0

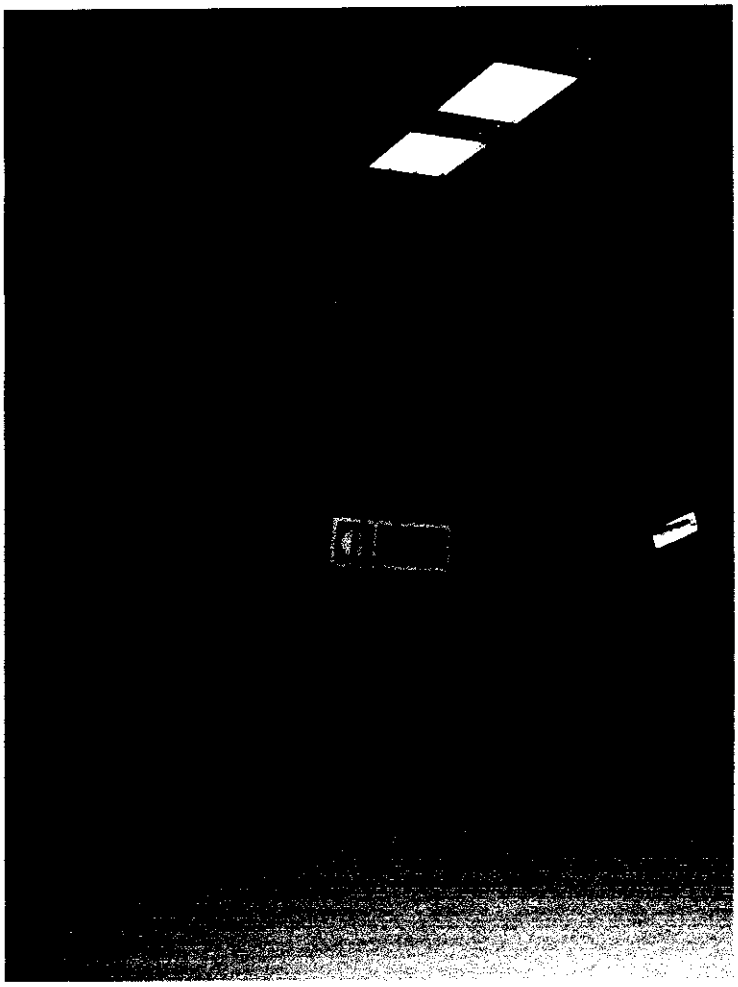
NEW: $669,000.00

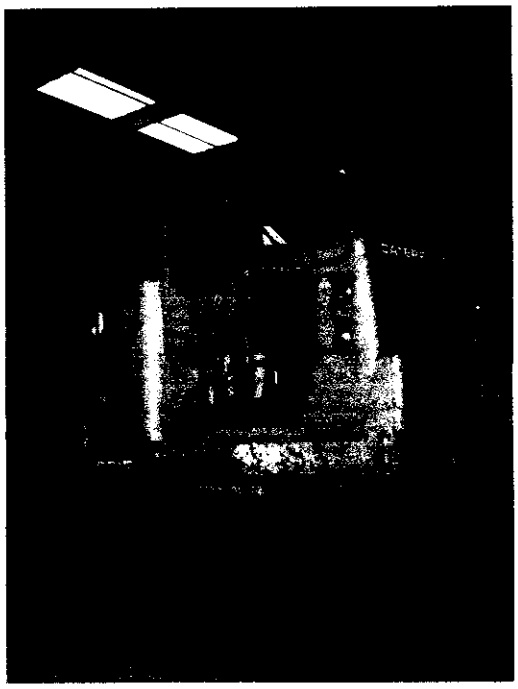
REPOWER:
40,000.00 - 49,000.00
PLUS
RETROFIT:
20,000.00 - 35,000.00

ESTIMATED COST:
60,000.00 - 75,000.00



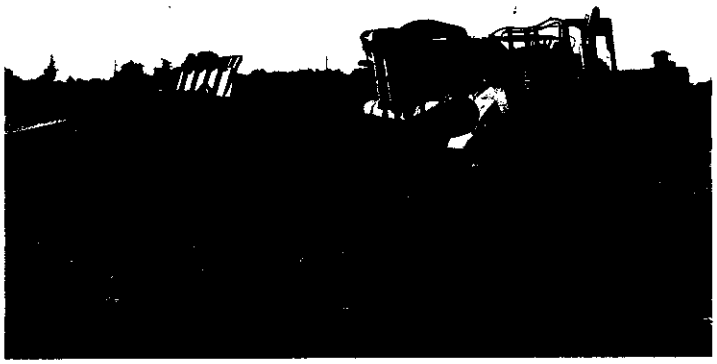
1980 Cat 621B Scraper
330HP





TIER 0

NEW: $622,000.00

REPOWER:
43,000.00 - 47,000.00
PLUS
RETROFIT:
20,000.00 - 35,000.00

ESTIMATIED COST
63,000.00 - 82,000.00