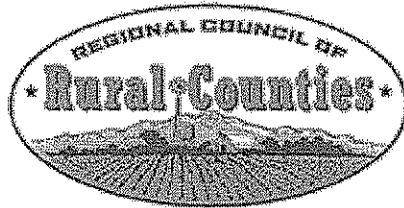


Alpine Amador Butte Calaveras Colusa  
Del Norte El Dorado Glenn Imperial Inyo  
Lake Lassen Madera Mariposa Merced



Mary Pitho 10-1-2  
Modoc Mono Napa Nevada Placer  
Plumas San Benito San Luis Obispo Shasta  
Sierra Siskiyou Sutter Tehama Trinity  
Tuolumne Yuba

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January 28, 2010

Mary Nichols, Chair  
California Air Resources Board  
PO Box 2815  
Sacramento, CA 95812-2815

RE: Rule for Portable Equipment Airborne Toxic Control Measure

Dear Chair Nichols:

On behalf of our thirty-one member counties, the Regional Council of Rural Counties (RCRC) appreciates the opportunity to address proposed amendments to the Statewide Portable Equipment Registration Program (PERP) Regulation and the Airborne Toxic Control Measure (Portable Engine ATCM).

Recently portable diesel engines owners have expressed to ARB staff that compliance with this requirement will result in undue financial hardship at this time when they are currently struggling to survive due to the current economic situation. RCRC understands that ARB staff is considering proposing some amendments to provide some regulatory relief. The proposed amendments would extend the deadline for replacement of certain non-certified engines, as well as modifying the recordkeeping and reporting requirements.

RCRC is requesting you consider an additional amendment to the regulation. As you may be aware, dedicated snow removal vehicles were exempted from the Fleet Rule for Public Agencies and Utilities, the In-Use Off-Road Equipment Rule, and the recently adopted Truck and Bus Rule. Snow removal operations are a public safety service, not only to the traveling public, but also for emergency vehicle access. The equipment is used seasonally and part time. Some of the snow blowing equipment have dual engines, one to propel, which is exempt from the "on-road" rules already, and the portable auxiliary that powers the snow blower head systems, which are subject to the Portable Engine ATCM. These are not machines that lend themselves to a simple engine replacement, and to replace the entire vehicle could cost well over \$600,000.00 today. We are requesting ARB staff consider including a modification that the portable auxiliary engine be exempt from the Portable Engine ATCM, consistent with the actions on the in-use rules for on and off road vehicles.

Again, RCRC would like to express our gratitude to you and all the ARB staff for your continued efforts to understand the rural county constraints.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mary Pitto". The signature is written in black ink and is positioned above the printed name.

Mary Pitto  
Regulatory Affairs Advocate

cc: RCRC Board Members