

March 30, 2010

Stan Kenyon
21 Idlewood Pl.
San Rafael, CA 94901

Ms. Mary Nichols, Chairman
California Air Resources Board
1001 I Street
Sacramento, California 95814

Dear Chariman Nichols and Members of the Board:

As a small business operating in the construction industry we appreciate and support the changes the California Air Resources Board (CARB) made January 28, 2010 to the Portable Equipment Registration Program. However, I do not think the board fully appreciates the massive economic downturn our industry has experienced and the difficulty we are ultimately going to have in complying with the added burden of these regulations. Our business has seen a decrease of over 50% and while we are cautiously optimistic that we are starting to see some modest recovery we believe it will be quite some time before there will be enough recovery for us to embark on replacing our portable engine fleet.

Our industry has been in this economic downturn for almost three years and frankly the results of this downturn to a small business such as ours are much more reflective of a depression than just a simple recession. If the CARB rules (before this change) are strictly enforced then I see no alternative other than to close our business and lay the rest of our employees off. How this will be beneficial to the State of California is beyond my comprehension. We view ourselves as a responsible and important company in our community and we are most anxious to continue to provide opportunity to our community and to our employees.

I recognize CARB has a totally different mission than to be concerned about the ability of people to feed, house and clothe their families, but I implore the board to recognize that their actions have a real effect on the families of real people and the imposition of the Portable Equipment Program is going to create a severe hardship on small businesses such as ours. It is unfortunate businesses the size of our organization lack the political clout to affect these rules and I understand the number of businesses and employees impacted by these rules are relatively small compared to the entire state. Consequently I understand the lack of empathy the board may have on a small business such as ours when implementing your mission. However, the impact of these rules to a business such as ours is cataclysmic. I wish we had the deep pockets to just replace our fleet but as it is, we are barely surviving!

I note the board is still requiring a massive amount of bureaucratic paperwork and effort to comply with this program even with the recent changes. Once again these reporting requirements are totally unreasonable and burdensome given what is going on. It appears to me the board is operating in a fairytale environment without giving any thought to the impact their rules have on small business and the lives of the employees who are just trying to survive.

I sincerely hope the board's optimism with respect to our economy and our industry recovering so as to allow these incredibly burdensome regulations to be implemented and to be able to absorb the cost impact without either going out of business or laying off more staff occurs. If this were to occur then by all means we will fully implement these requirements but without recovery the board is just making a horrible situation much worse.

Sincerely,



Stan Kenyon