

April 9, 2012

Via Electronic Submission

California Air Resources Board
Clerk of the Board
1001 I Street
Sacramento, CA 95814

Re: Public Hearing to Consider Amendments to California's Small Off-Road Engine and Tier 4 Off-Road Compression-Ignition Engine Regulations and Test Procedures; and Amendments to the Exhaust Emission Certification Test Fuel for Off-Road Spark-Ignition Engines, Equipment, and Vehicles

On March 23, 2012, the California Air Resources Board (“ARB”) published its Notice of Public Availability of Modified Text related to the December 16, 2011 Public Hearing to Consider Amendments to the subject regulations (referred to herein as the “15-day notice” or the “notice”).

The Truck and Engine Manufacturers Association (“EMA”) is an international trade association that represents the interests of the world’s leading manufacturers of engines, including manufacturers of small off-road non-handheld spark-ignition and off-road compression ignition engines. EMA’s comments are limited to those aspects of the proposed amendments that affect non-handheld spark-ignition and off-road compression-ignition engines.

I. Background

In written comments provided to ARB in connection with the December 16, 2011 public hearing concerning agenda item 11-10-4 EMA expressed its general support of ARB Staff’s proposed amendments and requested that ARB Staff correct and/or clarify certain provisions of the proposed regulatory language.

EMA and its members have worked cooperatively with ARB Staff to identify changes to the California Code of Regulations necessary to provide alignment with EPA requirements whenever possible, while maintaining California’s air quality improvement goals.

II. EMA Recommendation Regarding the Notice

The proposed modifications to Title 13, Chapter 9, of the California Code of Regulations (CCR) included in the 15-day notice provide the corrections and clarifications requested by EMA regarding Small Off-Road Engine regulations. In addition, EMA fully supports the proposed revised implementation schedule and flexibility permitting the use of ARB approved alternatives to the new exhaust emission certification test fuel.

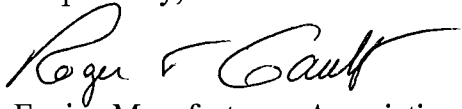
However, the proposed modifications set forth in the 15-day notice do not include the corrections and clarifications regarding Off-Road Compression-Ignition Engine regulations as documented in EMA's December 13, 2011 comments. EMA believes that ARB Staff intended to refer to such changes by including the statement that: "Staff has made several other non-substantive modifications throughout the regulations and test procedures to correct grammatical and typographical errors, correct references and citations, and improve the clarity of the regulations and test procedures." Based on discussions with ARB Staff, EMA is confident that its comments regarding the Off-Road Compression Ignition Engine regulations will be addressed in the final regulations when approved by the Office of Administrative Law (OAL). However, EMA is concerned that these changes are not included within the proposed modifications included in the 15-day notice for all interested parties to review.

III. Conclusions

EMA recommends that the proposed changes identified in the 15-day notice be adopted as proposed. EMA requests an expedited review by OAL and finalization of the amendments in the interest of both ARB and the industry.

EMA would like to thank the ARB Staff for working with the industry to develop the proposed amendments. If you have any questions about EMA's comments, or would like to discuss this matter further, please do not hesitate to contact us.

Respectfully,



Engine Manufacturers Association
Roger T. Gault