

Raquel Ortega
08-11-3/4

December 12, 2008

Re: Keep the In-Use On-Road Heavy Duty Truck and Bus Rule Strong

Dear Chair Nichols and California Air Resources Board members,

Hi my name is Raquel Ortega and on behalf of a broad grassroots coalition in Merced called the Stop Wal-Mart Action Team we strongly support the In-Use On-Road Heavy Duty Truck and Bus Rule and urge you to adopt it for the health and economic benefits identified here today. We live in the midst of an urgent public health crisis, and need a strong regulation to clean up diesel pollution in our communities. The San Joaquin valley is a prime area for agriculture and we believe there should not be any exemptions for agriculture because diesel exhaust is truly a deadly killer for everyone.

We are concerned that this rule creates a disproportionate cost burden on small fleet owner-operators. Larger retailers such as Wal-Mart benefit from subcontracting with smaller trucking companies and owner-operators to deliver goods from the ports to distribution centers and stores. Owner operators often work without benefits and for comparatively little pay. Wal-Mart externalizes the costs of a new regulation such as the In-Use On-Road Truck Rule and places the burden of paying for a new regulation on those who are least able to afford it.

We encourage the Board to study the implementation of a system of end-user fees that would help pass the costs of this regulation along to the companies who are ultimately responsible for generating and profiting from a goods movement. The end-user fee structure could be a part of reporting requirements built into existing funding mechanisms available to truckers; end users would make quarterly payments based on the number of deliveries made and miles driven to California drop off points.

In conclusion, we urge you to pass the strongest possible rule and to examine alternative funding sources that don't allow corporations like Wal-Mart to externalize the costs of state regulations

Thank You,

Raquel Ortega

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Item # 08-11-30 + 4