

Lehigh Hanson
HEIDELBERGCEMENT Group

Mary Nichols – Chairperson
Clerk of the Board, Air Resources Board
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Dear Chairperson Nichols:

I represent the 1,967 employees of Lehigh Hanson in California who supply the state with cement, aggregate, concrete, and asphalt to build communities.

The California Air Resources Board (CARB) is currently considering the adoption of an on-road diesel truck and bus regulation that, if implemented as presently drafted would have a severe impact on California's economy.

I want to be clear: Lehigh Hanson is very supportive of reducing particulate matter (PM) and NOx emissions from diesel engines. There is no disagreement that we need to work collectively to improve the state's air quality and all of us want to provide as healthy an environment as possible for our families, our employees and all Californians. However, in its current form, the Board's proposed regulation places a significant economic risk on our business today, and jeopardizes our future viability in the construction industry, (which is already reeling from unprecedented financial turmoil).

CARB is proposing this multi-billion dollar regulation during the worst economic crisis since the Great Depression. California truckers, construction companies and bus operators are struggling to make ends meet in the face of a massive slowdown in the construction sector, caused by falling home prices and home foreclosures, declining consumer confidence and spending, a freeze in the credit markets, and a huge state deficit. Today, there is virtually no access to capital for businesses.

Companies like mine are being asked to dispose of equipment and assets before their useful life has been completed while purchasing new equipment before it would otherwise be acquired. This is particularly profound in view of the fact that particulate and NOx emissions have been physically reduced below 2001 benchmark inventories due to the collapse of California construction activity and subsequent reduced equipment utilization.

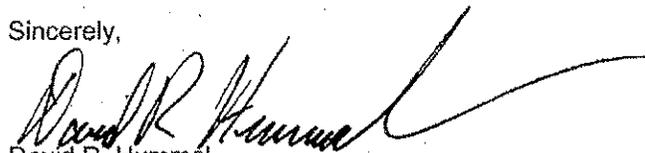
Given the multi-billion dollar cost of this regulation and the current volatile economic environment, I urge you to support the alternative proposal proposed by the Driving Toward a Cleaner California (DTCC) Coalition that would give companies like mine the opportunity to comply in the most reasonable timeframe and flexible manner possible, while still attaining aggressive emission reductions.

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In fact, CARB's own analysis of our DTCC alternative confirms that the DTCC alternative proposal achieves roughly similar emissions benefits to the proposed regulation in the long-term.

We must be careful not to forfeit California's economy and ability to move goods across the state, build construction projects and bus our children to and from school for the sake of overly aggressive regulations that may not correlate with the realities of the current economy. (I/We) look forward to working with you, CARB, environmental organizations, the Legislature, and other stakeholders to accomplish these goals.

Sincerely,



David R. Hummel
President