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CALIFORNIA



Union of
Concerned
Scientists

March 25, 2008

Ms. Mary Nichols, Chair, and Board Members
Mr. James Goldstene, Executive Officer
California Air Resources Board
1001 I Street
Sacramento, CA 95814

RE: CARB Zero Emission Vehicle Regulatory Revision

Dear Chairperson Nichols, Members of the Board and Mr. Goldstene:

The undersigned organizations offer the following comments on the proposed public disclosure provisions of the Initial Statement of Reasons (ISOR).

We appreciate the increased public disclosure provided in the ISOR which proposes to make available to the public: (1) each manufacturer's annual production data and corresponding credits; and (2) annual credit balances for: each type of vehicle, advanced technology demonstration programs; transportation systems; and credits earned under section 1962.1(d)(5)(C). *ISOR, Appendix 6, Proposed Amendments to §1926.1(l).*

The disclosure requirements, however, are unclear and appear too limited. The ISOR appears to exclude from public disclosure detailed information relating to demonstration programs, transportation systems and, importantly, credit trading by automakers. We do not even know what the ISOR means by annual credit balances, for instance, will credit balances be listed by manufacturer or generically?

We are particularly concerned about the denial of access to credit trading information. This denial means that, in instances where automakers receive credits beyond their vehicle production,

the public cannot ascertain the basis of those credits and therefore the basis for claimed ZEV compliance. Essentially, the public is prevented from knowing where additional credits were obtained, how those credits were derived, whether such credits were issued, or accounted for, accurately, or whether the credits are real or fraudulent.

As noted in a previous submission to CARB, we request that the following compliance data be made publicly available:

- Any document provided to the California Air Resources Board to demonstrate compliance with the program, including but not limited to automobile sales, emission information, or credit trading data, shall be publicly available;
- Any document created, or action taken by, the California Air Resources Board to confirm compliance, award credit, or recognize a transfer of credit, shall be publicly available, including tools for calculating and verifying such regulatory compliance.

Thank you for your consideration.

Bonnie Holmes-Gen
American Lung Association of California

John Shears
Center for Energy Efficiency and Renewable Technologies

Tim Carmichael
Coalition for Clean Air

Daniel Emmett
Energy Independence Now

Danielle Fugere
Friends of the Earth

Luke Tonachel
Natural Resources Defense Council

Gary Patton
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