



# Air Resources Board



Linda S. Adams  
Secretary for  
Environmental Protection

Mary D. Nichols, Chairman  
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Arnold Schwarzenegger  
Governor

May 9, 2008

Mr. Stephen L. Johnson, Administrator  
United States Environmental Protection Agency (A-100)  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20640

Re: Requirements to Reduce Idling Emissions From New and In-Use Trucks, Beginning in 2008; Request for Confirmation That Certain Requirements are not Subject to Preemption Under Clean Air Act Section 209(a) or Fall Within the Scope of Previously Granted Waivers and Authorizations, and Request for New Authorization Under Section 209(e)(2)

Dear Administrator Johnson:

At an October 20, 2005 hearing, the California Air Resources Board (CARB) approved Requirements to Reduce Idling Emissions from New and In-Use Trucks, Beginning in 2008 (2008 Truck Idling Requirements). These requirements apply to new California certified 2008 and subsequent model-year, heavy-duty diesel engines in heavy-duty diesel vehicles with a gross vehicle weight rating over 14,000 pounds, and to in-use, diesel-fueled commercial vehicles with gross vehicle weight ratings over 10,000 pounds that are equipped with sleeper-berths.

I am writing to request you confirm certain requirements applicable to new on-road, heavy-duty diesel engines either are not preempted by the Clean Air Act (CAA), section 209(a) or fall within the scope of previously granted waivers, that certain requirements applicable to in-use, off-road engines fall within the scope of previously granted authorizations, and that you grant a new authorization to adopt and enforce certain other in-use, off-road engine requirements pursuant to CAA section 209(e)(2).

I am enclosing our waiver analysis, which includes a description of the 2008 Truck Idling Requirements, a review of the criteria governing the United States Environmental Protection Agency's (U.S. EPA) application of California's waiver and authorization requests, and our rationale supporting our request, including supporting documents.

Certain elements of our request for authorization for requirements applicable to in-use, off-road engines are contingent upon U.S. EPA's approval of a separate authorization

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.*

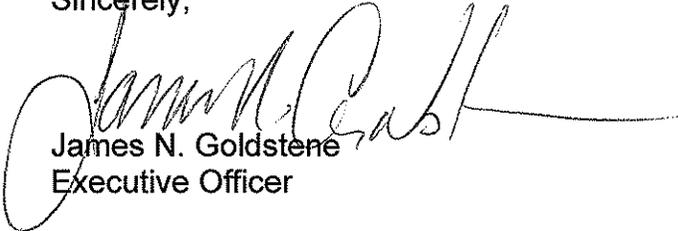
California Environmental Protection Agency

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request for CARB's 2000 and 2004 amendments to its off-road compression-ignition (CI) engine regulations. CARB anticipates that it will file this separate authorization soon, but requests U.S. EPA initiate its review of the waiver request regarding the requirements applicable to new on-road, heavy-duty diesel engines in the interim, since the waiver analysis for such engines is not dependent upon or affected by the authorization request for the requirements applicable to in-use, off-road CI engines.

If you need additional technical information on this item, please contact Stephan Lemieux, Manager of ARB's On-Road Heavy-Duty Diesel Section at (626) 450-6162. You may address legal questions to Alexander Wang, Senior Staff Counsel, at (916) 323-9610.

Sincerely,



James N. Goldstone  
Executive Officer

Enclosure  
Attachments

cc: Mr. David Dickinson, Attorney/Advisor (w/enclosure, w/attachments)  
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1200 Pennsylvania Avenue, N.W.  
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Washington, D.C. 20640

Mr. Stephan Lemieux, Manager (w/enclosure, w/o attachments)  
On-Road Heavy-Duty Diesel Section  
Mobile Source Control Division

Mr. Alexander Wang  
Senior Staff Counsel (w/enclosure, w/attachments)  
Office of Legal Affairs