Comment 1 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Eric
Last Name: Horton
Email Address: ehorton@aplusmaterials.com
Affiliation: Business owner

Subject: Drayage Truck Reg's
Comment:

I urge to consider the unique nature of the Port of Stockton ("POS") as it relates to the proposed Drayage Truck regulation.

POS is home to many businesses that have no affiliation with water born cargo or port activity. It just happens that it is a convenient, industrial location within the City of Stockton. For instance, POS houses four recycling plants, a CoGen Facility, etc.

Our recycling business receives material from customers who may come in once because a contractor is performing a service locally, but is an out-of-town contractor. Under the proposed regulation, if the truck does not have a DTR label I must them deny entry to the recycling facility.

Unlike some ports, POS encompasses essentially two operating areas: one with controlled access; and a second which functions as an uncontrolled (access) industrial park.

The proposed regulation should apply to businesses which are related to water born cargo and those which have controlled access. The impending On-Road Diesel trucks rules should apply to those businesses in this unique situation. If the IN-USE ON-ROAD DIESELED-FUELED HEAVY-DUTY DRAYAGE TRUCK regulation were adopted as proposed, it would have dire consequences for my business.

Respectfully,
Eric Horton
A Plus Materials Recycling, Inc.
A Plus Ready Mix, Inc.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2007-10-27 13:57:17

No Duplicates.

Comment 2 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Craig
Last Name: Phillips
Email Address: cphillips@ironmanparts.com
Affiliation:

Subject: Input on the Drayage Truck Rule
Comment:

Ironman would like to provide input on specific aspects of the Draft Regulation to Control Emissions from In-Use On-Road Diesel-Fueled Heavy-Duty Drayage Trucks. Ironman is currently one of the significant providers of Retrofit devices and installations in California. Ironman hopes that our comments and suggestions, based on insight and experience, might be beneficial in enhancing the ARB regulation.

The 2 years provided to complete Phase 1 of the Drayage truck rule would not be a concern if the retrofits were completed in a balanced manner over the 24 month period. In Ironman's experience with the Solid Waste Collection Vehicle Rule and the Fleet Rule for Public Agencies & Utilities, most fleets focus on the "just-in-time" strategy. 80% of the individuals affected by the ARB emissions rule delay compliance as long as possible, in this case compliance would be delayed to the last quarter of 2009. This "just-in-time" strategy creates a peak in DPF manufacturing & installation labor demand and therefore puts a severe strain on resources to complete the requirements of retrofitting by the deadline.

Ironman believes that drafting a regulation that encourages a balanced retrofit program through different incentives would be most helpful. This balanced program can be achieved by implementing a schedule of deadlines and progressively requiring certain percentages of the fleets to achieve compliance. This approach would allow all funding resources, retrofit manufacturers, installers and compliance regulators to be more cohesive in supporting the Drayage fleets to achieve the goal of 100% compliance in a balanced and timely fashion.

A second method for a balanced program would be to develop a tiered incentive and provide early adopters in 2008 with a higher dollar incentive towards the retrofit. The fleets that delay compliance until the final half of 2009 would receive a lower incentive. This would provide fleets with the financial incentive to get the work done as early as possible, emission reductions would be realized sooner, and everyone would benefit from a more balanced approach in meeting the deadline.

Ironman trust that you find this input constructive in formulating and finalizing the new Drayage Truck regulation. We look forward to working with ARB and the Drayage Truck owners to assist in providing "Emission Compliance with Confidence™".

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2007-11-07 16:46:49

No Duplicates.

Comment 3 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Jeffrey
Last Name: Wang
Email Address: jeffrey@ntslogistics.com
Affiliation:

Subject: All trucks older than 1997 should be banned at LA and LB ports ASAP
Comment:

As both owner of a drayage trucking company and a long time Long Beach residents. I strongly request your board to ban all drayage trucks which are older than 1997 ASAP. 90% trucks older than 1997 will have about 1 million mileages which are impossible to be maintained to normal safety standard. They are extremely dangerous to drive on the freeway and extremely polluted in the area.
Those companies and owner operators, who have such old and dangerous equipments, barely maintain their equipments to lower operation cost. Companies like mine who are intending to use newer and less polluted equipments are focused to be at inferior position on the market place.
When we are trying to make sure every truck we operate is safe and minimum pollution, there are thousands dangerous and deadly polluted trucks running at ports. The ban should be effect within months not years. Old trucks pollution is poisoning our kids and ourselves!!! Please do something about it!!!

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2007-11-09 11:49:51

No Duplicates.

Comment 4 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Dennis
Last Name: Altnow
Email Address: dennisaltnow@tigerlines.com
Affiliation: Tiger Lines

Subject: RE: Proposed Port Drayage Truck Regulation
Comment:

November 20, 2007

Dear ARB Board Member:

Thank you for taking the time to read this letter. I am President of a California trucking company and affiliated with family owned companies operating in and around the ports that have been in business in California for 72 years. Tiger Lines is part of the California Trucking Association (CTA), which represents over 2,300 member companies who operate in and out of California, and who's Southern and Northern Intermodal Conferences make up the largest block of intermodal carriers nationwide.

As a business operating in California we recognize the air quality issues facing all of us. Many of our employees live and work in and around the port complexes and are currently working to assist in finding sustainable solutions that not only improve air quality but also help sustain a growing goods movement industry.

My concern is with the recently released regulatory proposal aimed at controlling emissions for in-use on-road heavy duty drayage trucks within California Ports. Currently the proposed regulations require all drayage trucks to be equipped with a 1994-2003 model year engine certified to California or federal emissions standards and a level 3 VDECS for PM or 2004 or newer model year engines certified to California and federal standards by December 31, 2009. Phase 2 creates even more burdensome provisions requiring trucks to meet or exceed 2007 model year engine standards by December 31, 2013.

Our concerns are that some of what the CARB staff is proposing will have devastating effects on the current and future economy. We, the CTA have looked for and can not find a comprehensive or even cursory economic impact study. Issues such as new engine costs, rate increases needed to cover the cost of the technology and the lack of competitive pricing of the VDECS, will all adversely impact the California GDP.

An additional issue includes residual values of new vehicles at disposal time. As new or currently operated vehicles age, there will be no resale value as they will not be legal to run in California. No resale value will be a problem for the banks funding the leases on the new vehicles. They must amortize the entire vehicle in an extremely short period of time driving the price of the lease payments up.

Another concern would be in the verification of compliance. The CARB does not have enough inspectors to police compliance. Even if they did, they are only prepared to police for installation of VDECS. There does not appear to be a budget set for actually testing the emissions. As a result two events are possible and highly probable. First, the device could malfunction and as long as it is on the truck no one would know it is allowing harmful emissions. Second, without emissions testing as a verification method, counterfeiting will spring up.

We are committed to working to find attainable and sustainable solutions to emissions reductions; we just ask you take into consideration the potential effects on the overall industry. If this new version could be delayed and rolled into the private fleet rule proposed for October 2008 we would offer our assistance in achieving a proposal that works for industry as well as government.

In earnest, we are not looking to thwart the efforts of the staff assigned to creating the rules and you who are tasked with achieving a cleaner California. We simply would like to ensure the economy which is ever so fragile currently will not be set on a coarse it can't recover from.

The current housing and sub prime loan debacle combined with record high fuel prices have California in an extremely precarious position. Is it possible we can join forces to find a cleaner path that will support California's prosperity as well as cleaner air? We hope so and would welcome a chance to participate in that common goal.

Sincerely,

Dennis Altnow
President
Tiger Lines
PO Box 1120
Lodi, CA 95241

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2007-11-21 12:14:36

3 Duplicates.

Comment 5 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Anthony
Last Name: Teresi
Email Address: atteresi@teresitrucking.com
Affiliation:

Subject: Retrofit Program
Comment:

Dear ARB Board Member:

We are a California based trucking company operating in and around the ports and have been in business in California for over 40 years. Over the past couple of years we have been letting the California Trucking Association (CTA) represent us with regard to your Air Quality regulations, but considering the fact that your organization seems to be traveling down the same costly road regardless of CTA's tireless efforts I can only conclude that you are ignoring them and I need to give you my situation in my own words.

We recognize the air quality issues facing all of us. In fact, we believe our fleet has done a very good job at running the cleanest fleet we can, since we have a 5 year trade in cycle that regularly puts our drivers in trucks with the newest widely available technology. We are able to turn our fleet over often because we keep our trucks in very good condition and can command a high resale value when that 5 year period is up.

You many think that with your new regulations we would not be hurt, since we will be able to "buy our way through" the time line. In other words we will sell our trucks and buy new ones before they need to be retrofitted. But who will we sell to, who will want to buy a truck that needs a $20,000 retrofit in a year or two. Therefore we will have to retrofit before we sell or sell at a discount. Either way we will be facing a loss of about $20,000 per truck.

I am fairly certain that CARB would love it if all carriers in California were like us and turned over their fleets every 5 years, but if they were who would we sell our trucks to? And if we cannot sell our trucks for premium prices on the used market then our whole technique of turning over our fleet regularly does not work. We can only operate this way because we get enough on the used market to keep our equipment costs low. The regulations that you are proposing will make our resale values sink and sabotage our turnover program.

So here we are, a carrier that is doing everything it can to operate new, clean burning equipment, and your pipe dream of a program puts a kibosh to our system. Our system really works, and it has for 20 years or more. Your proposal is just on paper, you cannot hope to think that you can forcast all of the possible problemst it may cause.

Instead of demanding retrofit for all trucks on the road, why not demand improvement of all fleets on the road. If you have a pre-98 you have to buy up to the 98-2002 level or for 5 years or to the 03-04 level for 10 years. When that period is up you would have to again buy up to the next level in 5 years. In this way not only are you improving fleets you are stimulating commerce instead of messing up the used truck market.

This method would put all California trucks at the 2007 level in 15 years. Your program does it 9 years sooner but destroys the trucking economy in the mean time. And face it, you could be fighting court battles over your new program for that long.

Sincerely

Anthony T. Teresi
Teresi Trucking, Inc

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2007-11-21 12:38:39

No Duplicates.

Comment 6 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Chris
Last Name: Torres
Email Address: christorres@fandltrucking.com
Affiliation: President

Subject: ARB on road diesel fueled truck proposal
Comment:

```
please review attached letter.
```

Attachment: 'www.arb.ca.gov/lists/drayage07/6-arb-alert-letter.doc'

Original File Name: ARB-Alert-Letter.doc

Date and Time Comment Was Submitted: 2007-11-22 18:29:53

21 Duplicates.

Comment 7 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Lindamar
Last Name: Mirassou Morehouse
Email Address: glsupply@verizon.net
Affiliation:

Subject: Port Truck Regulations
Comment:

```
Please refer to attached file.
```

Attachment: 'www.arb.ca.gov/lists/drayage07/7-nov07_arb_hearing_letter.doc'

Original File Name: Nov07 ARB Hearing letter.doc

Date and Time Comment Was Submitted: 2007-11-26 15:08:42

No Duplicates.

Comment 8 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Angel E.
Last Name: Arzaga, CDS
Email Address: aearzaga@aol.com
Affiliation: Concerned Citizen

Subject: Proposed Port Drayage Truck Regulations
Comment:

I am a consultant advising trucking companies in and around the ports in Los Angeles harbor and in the San Francisco Bay area. I have previously been part of the California Trucking Association (CTA) which represents over 2,300 member companies who operate in and out of California, and who's Southern and Northern Intermodal Conferences make up the largest block of intermodal carriers nationalwide.

I too am concerned about air quality issues facility all of us, but this is the wrong approach. It's nothing but a "tail wagging the dog" effort in and around the port complexes.

Currently, the proposed regulations required all drayage trucks to be equipped with a 1994-2003 model year engine certified to California or federal emissions stndards and a level 3 VDECS for PM or 2004 or newer model year engines certified to CA and federal standards by 12/31/2009. Phase 2 creates even more burdensome requirements requiring trucks to meet or exceed 2007 model year engine standards by December 31, 2013.

By promoting the proposed port dryage truck regulations you are effectively tackling only about 5% of the problem with air quality issues. How about the pollution from the ships themselves plus the number of automobiles in the harbor areas. That's where you should be directing your attention. How about some real efforts to control air quality in CA and not just tackle the easy targets, e.g. trucks.

Thank you for the opportunity and I respectfully request these proposed port drayage truck regulations not be inacted at this time.

Angel E. Arzaga, CDS
3252 Landess Ave
San Jose, CA 95132

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2007-11-26 18:04:35

No Duplicates.

Comment 9 for Drayage Port Trucks (drayage07) - 45 Day.

This comment was posted then deleted because it was unrelated to the Board item or it was a duplicate.

Comment 10 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Marcia
Last Name: Murray
Email Address: marcia@centurytruck.com
Affiliation: CTA

Subject: RE: Proposed Port Drayage Truck Regulation
Comment:

```
Please see letter attached
```

Attachment: 'www.arb.ca.gov/lists/drayage07/10-carb_letter_nov_26.doc'

Original File Name: CARB Letter Nov 26.doc

Date and Time Comment Was Submitted: 2007-11-26 22:10:49

No Duplicates.

Comment 11 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Robert
Last Name: Wheeler
Email Address: robertdwheeler@verizon.net
Affiliation:

Subject: Drayage07
Comment:

Dear CARB Board and CEO:

For a number of years I lived near the Port of Long Beach so that I am particularly sensitive to the "Ports Issue", including drayage. I strongly concur with the Communities for Clean Ports position cited below.

PROGRAM SHORTCOMINGS
Overall, this is a decent "floor", but the rule is inadequate for areas with severe and growing air pollution problems -- like the South Coast Basin or the San Joaquin Valley. The CARB port trucks rule will not result in getting the cleanest commericially available trucks on our roads given their standards and timeline, which again include meeting EPA 2007 standards only and placing heavy emphasis on retrofitting old trucks. Instead, the goal of the program should be ensuring that the cleanest available trucks and technologies replace dirty diesel trucks, as soon as possible. Here are some additional recommendations to improve it:

Close the 2004-2006 Loophole: CARB should require all trucks to meet 2007 standards by 2013;

Make sure all major Inland and Central Valley rail yards are included;
Enforcement & Accountability: Clean up the regulation's language to ensure adequate enforcement of the port truck rule;
Funding: Currently, the Air Resources Board does not include any funding sources. It will rely on other sources that are as yet undetermined.
This may prove to be a major stumbling block given the cost of retrofitting a truck, or purchasing a new, cleaner truck.

Timeline: The CARB rule would not be enforced until the end of 2009 -- 2 years from now.

Thank you for your consideration.

Robert D. Wheeler, Ph.D.
29071 Calle del Buho
Murrieta, CA
92563-5661

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2007-11-27 08:29:04

No Duplicates.

Comment 12 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Mike
Last Name: Mitchell
Email Address: mmitchell@suddenlinkmail.com
Affiliation:

Subject: ARB Letter
Comment:

```
Letter to ARB staff.
```

Attachment: 'www.arb.ca.gov/lists/drayage07/12-arb-alert-letter-detailed.doc'

Original File Name: ARB-Alert-Letter-Detailed.doc

Date and Time Comment Was Submitted: 2007-11-27 09:25:21

No Duplicates.

Comment 13 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Dominic
Last Name: Dacay
Email Address: ddacay@interstateoil.com
Affiliation:

Subject: Proposed Port Drayage Truck Regulation
Comment:

November 27, 2007

RE: Proposed Port Drayage Truck Regulation

Dear ARB Board Member:

Thank you for taking the time to read this letter. I am the Operations Manager for Inter-State Oil Co. a California trucking company operating in and around the ports and have been in business in California for 37 years. Inter-State Oil Co. is part of the California Trucking Association (CTA), which represents over 2,300 member companies who operate in and out of California, and who's Southern and Northern Intermodal Conferences make up the largest block of intermodal carriers nationwide.

As a business operating in California we recognize the air quality issues facing all of us. Many of our employees live and work in and around the port complexes and are currently working to assist in finding sustainable solutions that not only improve air quality but also help sustain a growing goods movement industry.

My concern is with the recently released regulatory proposal aimed at controlling emissions for in-use on-road heavy duty drayage trucks within California Ports. Currently the proposed regulations require all drayage trucks to be equipped with a 1994-2003 model year engine certified to California or federal emissions standards and a level 3 VDECS for PM or 2004 or newer model year engines certified to California and federal standards by December 31, 2009. Phase 2 creates even more burdensome provisions requiring trucks to meet or exceed 2007 model year engine standards by December 31, 2013.

Our concerns are that some of what the CARB staff is proposing will have devastating effects on the current and future economy. We, the CTA have looked for and can not find a comprehensive or even cursory economic impact study. Issues such as new engine costs, rate increases needed to cover the cost of the technology and the lack of competitive pricing of the VDECS, will all adversely impact the California GDP.

An additional issue includes residual values of new vehicles at disposal time. As new or currently operated vehicles age, there will be no resale value as they will not be legal to run in California. No resale value will be a problem for the banks

funding the leases on the new vehicles. They must amortize the entire vehicle in an extremely short period of time driving the price of the lease payments up.

Another concern would be in the verification of compliance. The CARB does not have enough inspectors to police compliance. Even if they did, they are only prepared to police for installation of VDECS. There does not appear to be a budget set for actually testing the emissions. As a result two events are possible and highly probable. First, the device could malfunction and as long as it is on the truck no one would know it is allowing harmful emissions. Second, without emissions testing as a verification method, counterfeiting will spring up.

We are committed to working to find attainable and sustainable solutions to emissions reductions; we just ask you take into consideration the potential effects on the overall industry. If this new version could be delayed and rolled into the private fleet rule proposed for October 2008 we would offer our assistance in achieving a proposal that works for industry as well as government.

In earnest, we are not looking to thwart the efforts of the staff assigned to creating the rules and you who are tasked with achieving a cleaner California. We simply would like to ensure the economy which is ever so fragile currently will not be set on a coarse it can't recover from.

The current housing and sub prime loan debacle combined with record high fuel prices have California in an extremely precarious position. Is it possible we can join forces to find a cleaner path that will support California's prosperity as well as cleaner air? We hope so and would welcome a chance to participate in that common goal.

Sincerely,

Dominic Dacay
Operations Manager
Inter-State Oil Company

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2007-11-28 09:02:28

No Duplicates.

Comment 14 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Eric
Last Name: Sauer
Email Address: Non-web submitted comment
Affiliation:

Subject: California Trucking Association Comment
Comment:

```
Please see attached.
```

Attachment: 'www.arb.ca.gov/lists/drayage07/25-drayage07com0001.pdf'

Original File Name: drayage07com0001.pdf

Date and Time Comment Was Submitted: 2007-11-29 12:58:36

No Duplicates.

Comment 15 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Dean
Last Name: Russell
Email Address: Non-web submitted comment
Affiliation:

Subject: Comment of Dean Russell
Comment:

```
Please see attached.
```

Attachment: 'www.arb.ca.gov/lists/drayage07/26-drayage07com0002.pdf'

Original File Name: drayage07com0002.pdf

Date and Time Comment Was Submitted: 2007-11-30 10:21:39

No Duplicates.

Comment 16 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Bradley
Last Name: Edgar
Email Address: brad.edgar@cleaire.com
Affiliation: Cleaire Advance Emission Controls

Subject: Cleaire Testimony for Port Drayage Truck Rule
Comment:

I can be reached at the above e-mail or by at (510) 579-3138, or (510) 614-5160.

Thank You,

Brad Edgar

Attachment: 'www.arb.ca.gov/lists/drayage07/27-cleaire_testimony_for_port_drayage_truck_rule_30nov07.pdf'

Original File Name: Cleaire Testimony for Port Drayage Truck Rule 30Nov07.pdf

Date and Time Comment Was Submitted: 2007-11-30 17:26:17

No Duplicates.

Comment 17 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Walter
Last Name: Flores
Email Address: portdrivers@gmail.com
Affiliation: ITDA

Subject: Owners operators Invironmental and Labor statement
Comment:

```
Please confirm you received document, and time of our due
participation on public discussion.


Walter Flores
President of
ITDA
```

Attachment: 'www.arb.ca.gov/lists/drayage07/28-international_truck_drivers_association_to_arb.doc'

Original File Name: International Truck Drivers Association to ARB.doc

Date and Time Comment Was Submitted: 2007-12-02 16:59:03

No Duplicates.

Comment 18 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Dominic
Last Name: Dacay
Email Address: Non-web submitted comment
Affiliation:

Subject: InterState Oil Company
Comment:

```
Please see attached.
```

Attachment: 'www.arb.ca.gov/lists/drayage07/29-drayage07com0001.pdf'

Original File Name: drayage07com0001.pdf

Date and Time Comment Was Submitted: 2007-12-03 11:18:42

No Duplicates.

Comment 19 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: John
Last Name: Martin
Email Address: Non-web submitted comment
Affiliation:

Subject: Diesel Fueled Heavy Duty Drayage Trucks at Ports and Intermodal Rail Yard Facilities
Comment:

```
Please see attached.
```

Attachment: 'www.arb.ca.gov/lists/drayage07/30-drayagecom0001.pdf'

Original File Name: drayagecom0001.pdf

Date and Time Comment Was Submitted: 2007-12-03 13:44:25

No Duplicates.

Comment 20 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: T.L.
Last Name: Garrett
Email Address: tgarrett@pmsaship.com
Affiliation: Pacific Merchant Shipping Association

Subject: PMSA Comments on Proposed Drayage Truck Regulation
Comment:

see attached letter

Attachment: 'www.arb.ca.gov/lists/drayage07/31-arb_port_truck_rule_comments__12-3-07_.pdf'

Original File Name: ARB Port Truck Rule Comments (12-3-07).pdf

Date and Time Comment Was Submitted: 2007-12-03 14:13:16

No Duplicates.

Comment 21 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Hrefna
Last Name: Steingrimsdottir
Email Address: Non-web submitted comment
Affiliation:

Subject: Form Letter 2
Comment:

Please see attached.

Attachment: 'www.arb.ca.gov/lists/drayage07/32-formlettercom0001.pdf'

Original File Name: formlettercom0001.pdf

Date and Time Comment Was Submitted: 2007-12-03 14:43:38

76 Duplicates.

Comment 22 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Stephen and Betty
Last Name: Anderson
Email Address: sca1baa@earthlink.net
Affiliation:

Subject: comment to drayage07
Comment:

We wish to convey our support for your intent to regulate the reduction of emissions from trucks and rail yards that transport merchandise in California. With the ports of Los Angeles handling 40% of the nation’s imports, there is no other reasonable alternative.
Unfortunately, these regulations will not illuminate resulting community health problems. More will be expected in the future. However, each step will bring us closer to a community that invests in its future by reducing pollution.

Stephen and Betty Anderson

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2007-12-03 23:15:58

No Duplicates.

Comment 23 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Steve
Last Name: Sloat
Email Address: annexwhse@aol.com
Affiliation: Pacific Coast Coffee Association

Subject: Proposed Port Emmision Control Regulation
Comment:

Hello, my name is Steve Sloat. I am in the warehousing business and am currently serving as the Vice President of the Pacific Coast Coffee Association. As a California resident, I am among those that are justifiably concerned about our air quality. While I stand behind the intent of your proposed regulation, I can not support the means to that end. The economic impact of such a regulation would be devastating, forcing hundreds, if not thousands of owner operators out of business. The great majority of trucks currently picking up containers at California ports could not afford the modifications (or the cost of newer equipment)necessary to operate under these requirements. Eventually, the only trucking companies able to operate under these restrictions would be either large, well funded operations, or (more likely)port owned transportation services. I am certain that your study found that the greatest cause of excessive emissions, is idling trucks waiting in line to receive service at under staffed and over crowded terminals at the ports. If the port authorities were truly concerned about this problem, they would urge the steamship companies to help alleviate this situation by adding more personnel, and most importantly opening night gates for peak periods. The increased and effective use of night gates would help to solve this problem in two ways. First, by alleviating long lines and wait times, excessive idling would be curtailed. Secondly, with more truckers making use of night gates, nearby surface streets and freeways would see less congestion in the form of stop and go traffic that greatly increases harmful emissions. Thank You,   Steven J. Sloat PCCA

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2007-12-04 10:37:36

No Duplicates.

Comment 24 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Jim
Last Name: Johnston
Email Address: denise_volmer@ooida.com
Affiliation: OOIDA

Subject: Written comments
Comment:

```
Dec. 6-7, Board meeting in El Monte, CA

Consider Adoption of a Proposed Regulation to Control
Emissions from In-Use On-Road Diesel-Fueled Heavy-Duty
Drayage Trucks at Ports and Intermodal Rail Yard Facilities
```

Attachment: 'www.arb.ca.gov/lists/drayage07/36-carbdrayagetrkcomments_final.doc'

Original File Name: CARBdrayagetrkcomments final.doc

Date and Time Comment Was Submitted: 2007-12-04 14:50:56

No Duplicates.

Comment 25 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Barry
Last Name: Wallerstein
Email Address: bwallerstein@aqmd.gov
Affiliation: South Coast AQMD

Subject: Proposed Reg to Reduce Emissions from In-Use On-Road HD Dryage Trucks
Comment:

See attached comment letter.

Attachment: 'www.arb.ca.gov/lists/drayage07/38-carbcl120607001.pdf'

Original File Name: CARBCL120607001.pdf

Date and Time Comment Was Submitted: 2007-12-05 07:36:30

No Duplicates.

Comment 26 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Jamie
Last Name: Song
Email Address: jsong@meca.org
Affiliation: MECA

Subject: MECA Testimony on ARB's Proposed Regulation for Drayage Trucks
Comment:

```
To Whom It May Concern:

Please find attached a copy of the written testimony submitted by
the Manufacturers of Emission Controls Association (MECA)
regarding the above-referenced rulemaking.

Thank you.
```

Attachment: 'www.arb.ca.gov/lists/drayage07/39-arb_testimony_proposed_drayage_trucks.zip'

Original File Name: ARB Testimony Proposed Drayage Trucks.zip

Date and Time Comment Was Submitted: 2007-12-05 07:37:25

No Duplicates.

Comment 27 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Diane
Last Name: Bailey
Email Address: dbailey@nrdc.org
Affiliation: NRDC

Subject: Support for Drayage Truck Rule
Comment:

```
Hello. Please accept the attached study on health impacts to port
truck drivers as supporting material for our comments, which will
be submitted shortly.
Thank you.
-Diane Bailey
 NRDC
```

Attachment: 'www.arb.ca.gov/lists/drayage07/41-final_diesel_truck_ip_hires.pdf'

Original File Name: FINAL_Diesel Truck IP_HiRes.pdf

Date and Time Comment Was Submitted: 2007-12-05 11:27:21

No Duplicates.

Comment 28 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Jill
Last Name: Ratner
Email Address: jratner_rose@earthlink.net
Affiliation: Rose Foundation for Communities & Env't

Subject: Support Proposed Drayage Rule
Comment:

December 5, 2007

Jill Ratner, President
Rose Foundation for Communities & the Environment
6008 College Avenue, Suite 10
Oakland, CA 94618
(510) 658-0702

Dear Chairman Nichols and Members of the Board:

On behalf of the Rose Foundation for Communities and the Environment, I write to support the proposed drayage rule requiring all trucks serving California's ports meet diesel emission standards applicable to new 2007 trucks by the year 2014.

We support this rule because it is a vitally needed step in the fight to reduce diesel pollution in communities, which, like Oakland, host major ports and the facilities that support those ports.

Diesel pollution is particularly prevalent in West Oakland, the community adjacent to Oakland's Port. Pollution from the trucks that go in and out of the port, on both local freeways and surface streets, creates serious health problems for West Oakland residents, including increased risk of cancer and respiratory disease. West Oakland has some of the highest asthma rates in California, with a painfully high rate of asthma hospitalizations. West Oakland residents are predominantly people of color with limited financial resources -- facts that raise environmental justice concerns that can not, and should not, be dismissed.

West Oakland is not the only Oakland neighborhood that bears an unhealthy burden of port truck emissions. East Oakland is home to break-bulk distribution centers and huge storage lots stacked high with the cargo containers that are used to ship freight to and from the port. As a result, East Oakland also is severely impacted by port truck emissions, and East Oakland residents, who also are generally people of color with low incomes and few financial resources, face related health risks as well.

The Rose Foundation's New Voices Are Rising project helps high school students develop and practice leadership skills. Most of our students live in under-served Oakland neighborhoods, largely

West Oakland and East Oakland. Last summer, fifteen of students researched and wrote on issues related to diesel pollution in their neighborhoods. The following are excerpts from their writings;

Janan Luu, 16
Oakland High School, East Oakland
The next step is to… adopt new, stricter regulations, for diesel trucks

Now that the California Air Resources Board has passed the Off-Road Vehicle Rule, the next step in reducing diesel emissions in California is cutting pollution from our ports.

California's seaports are among the busiest in the nation, and some of the major hotspots of pollution in the state. Diesel fuels much of the heavy machinery used to move the massive amount of goods coming in and out of the ports daily, creating large clouds of diesel particulate. Diesel trucks are among the biggest sources of particulate pollution in and around the ports. Many of these trucks pass through nearby low-income residential neighborhoods, with adverse effects on already disadvantaged communities. The trucks cause a variety of problems, such as noise pollution, blight, and diseases like asthma, lung cancer, and heart disease.

A lot of diesel truck pollution at the ports and could be easily avoided. Truckers often have to travel out of the port and into our neighborhoods for (basic) services, again creating a nuisance for the surrounding community and polluting the air in the process. …

Our ports, including the Port of Oakland, are undergoing a period of expansion, which means that there will be more and larger ships coming in, served by more and more trucks. If left unchecked, this will cause more pollution, posing serious problems for our health and wellbeing.

The next step is to urge the Air Resources Board to adopt new, stricter regulations, for diesel trucks – holding our ports accountable for protecting the public health, and the health of port employees and those who live nearby and have to cope with the ports' daily activities.

Brittnie Collins, 16
McClymonds-Excel High School in West Oakland.
I live in West Oakland. … I actually experience the diesel trucks driving through our community everyday. There are trucks on the freeways all around us, and going in and out of the Port of Oakland, which is the fourth largest port in the country, located in West Oakland on 7th Street.

Tianna Pitman, 17
McClymonds-Excel High School in West Oakland
• According to the Alameda County Health Status Report of 2006, the rates of asthma hospitalization in Alameda county are the second highest among the state's 58 counties.
• In West Oakland, where I live, kids under 5 years old had to go to the hospital for asthma twice as often as the county average.
• In 2005, 2299 sixth graders at 14 schools in the Oakland Unified

School District were given an asthma questionnaire
• 17% of those students said that they currently had asthma.

For all 390 students who reported that they currently had asthma
• A quarter of them needed emergency care
• More than half had difficulty sleeping
• More then two thirds had used inhalers
• And almost half said they weren't able to do certain activities…

All because of their asthma, and all in that one year.

At the middle school on the McClymonds campus, over 35% of the 6th graders completing the questionnaire said that they currently had asthma. This was the highest incidence of current asthma of all 14 schools.

Amber Bishop, 15
Skyline High School, Oakland
I live in East Oakland and I have been diagnosed with asthma since the age of two. The older I get, the more my asthma gets progressively worse. I am constantly short of breath throughout the day and night. When I become ill, it becomes harder for me to get better. I am one of four people in my household that deal with asthma on a daily basis.

Certain smells trigger attacks to come on. Being that I am surrounded by an industrialized area, the smoke from trucks or smells that come from factories cause me to use my asthma pump 2 or 3 times in the day.

Danyale Wilingham
McClymonds-Excel High School in West Oakland
I have three cousins with asthma. One is 19 years old. He has never played sports in his life because he was afraid of having an asthma attack. He is better than he used to be but he still has all the asthma equipment in the room because at any moment he could get short of breath again.

Then I have another cousin who is 8 years old. Sometimes she has a hard time catching her breath after she comes in from outside playing with other children. Every once in a while she uses an inhaler.

My youngest cousin with asthma is 4 years old. She can't really play with other children because she has a hard time keeping up with them. She loses her breath very quickly. She has to take medication for her asthma.

I don't think it's fair to make my cousins wait for clean air.

Ashley Nathaniel,17
McClymonds-Excel High School, in West Oakland
The people in our neighborhoods cannot wait for you to regulate the diesel emissions that cause asthma, heart disease, and other serious respiratory problems to the people in our communities…. We are already paying a high price every day by suffering with poor health.

Irfana Khan , 16
Oakland Technical High School in North Oakland
It's not just the individuals and families with asthma who pay for

dirty diesel with their poor health. The state of California is losing money on top of losing clean air and healthy people.

On behalf of the Rose Foundation for Communities and the Environment, thank you for taking these important voices into account as you consider this critical action to improve the air in California’s communities.

We respectfully urge you to adopt the proposed rule to reduce pollution from drayage operations at California’s ports.

Sincerely,

Jill Ratner, President
Rose Foundation for Communities & the Environment

Attachment: 'www.arb.ca.gov/lists/drayage07/43-comments_on_port_truck_rule_12_5_07.doc'

Original File Name: Comments on Port Truck rule 12:5:07.doc

Date and Time Comment Was Submitted: 2007-12-05 11:40:28

No Duplicates.

Comment 29 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Ron
Last Name: Faulkner
Email Address: ron@faulknertrucking.com
Affiliation: CTA

Subject: Proprosed Regulation Drayage 07
Comment:

```
Please see attached letters.
```

Attachment: 'www.arb.ca.gov/lists/drayage07/44-arb-alert-letter.zip'

Original File Name: ARB-Alert-Letter.zip

Date and Time Comment Was Submitted: 2007-12-05 11:47:39

4 Duplicates.

Comment 30 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Shane
Last Name: Gusman
Email Address: gusman@bglaw.org
Affiliation: Broad & Gusman LLP

Subject: Teamster Comments
Comment:

December 5, 2007

Chairwoman Mary Nichols and Board Members
California Air Resources Board
1001 I Street
Sacramento, CA 95814

Re: “Port Truck” Regulatory Proposal

Dear Chairwoman Nichols and Members of the Board:

I am writing on behalf of the California Teamsters Public Affairs Council to express our general support for the proposal and to urge you to make some technical changes to the proposed regulatory language that will ensure that it has the best chance to be effective. Our comments are based on our long history in the industry and our knowledge of how drayage services are operated in and around the ports and rail facilities.

The Teamsters have long been concerned about the air quality impacts of the trucks servicing our ports, both for the neighboring communities and the drivers themselves. As such we applaud the Board for tackling this important issue. Our comments on the draft regulation itself focus on enforcement and workability. We have submitted specific amendments to staff and they are attached here as well.

The thrust of the suggested amendments is to ensure that the motor carrier is responsible for compliance regardless of the business model it utilizes. In other words, regardless of whether the motor carrier drayage port truck drivers as employees or independent contractors, the motor carrier must be held responsible for compliance with this regulation. This is true for other areas of the law governing motor carriers, such as safety of operations, and it must be the standard here. Unfortunately, the current draft doesn’t sufficiently cover this concept. Our draft amendments to the definitions of “motor carrier” and “drayage truck driver” as well as other suggested changes attached hereto are designed to better ensure that the motor carrier is ultimately responsible.

Our suggested amendments are also designed to make certain that rule covers all drayage trucks entering the ports and to ensure effective enforcement. For instance, we believe that the definition of “drayage truck” should include lighter trucks than those currently listed. Additionally, we believe that the rule

should specify that only motor carriers in compliance with the rule should be permitted to be hired for drayage services and only drayage trucks that are in compliance with the rule should be able to enter ports or rail facilities for drayage services.

On behalf of the Teamsters, I respectfully urge you to adopt the suggested changes to the regulatory language. Thank you for your consideration of these very important issues.

Sincerely,

Shane A. Gusman

Attachment: 'www.arb.ca.gov/lists/drayage07/45-carb_port_rule_10-11-07_draft1.doc'

Original File Name: CARB PORT RULE 10-11-07 DRAFT1.doc

Date and Time Comment Was Submitted: 2007-12-05 11:49:31

No Duplicates.

Comment 31 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: Diane
Last Name: Bailey
Email Address: dbailey@nrdc.org
Affiliation: NRDC

Subject: Support for Drayage Truck Rule
Comment:

```
Hello. Please accept these comments in support of the port truck
rule from the environmental, health and environmental justice
community.
Thank you.
-Diane Bailey
 NRDC
```

Attachment: 'www.arb.ca.gov/lists/drayage07/46-enviro_support_for_drayage_trucks.doc'

Original File Name: Enviro Support for Drayage Trucks.doc

Date and Time Comment Was Submitted: 2007-12-05 12:01:06

No Duplicates.

Comment 32 for Drayage Port Trucks (drayage07) - 45 Day.

First Name: MICHAEL
Last Name: PIMENTEL
Email Address: mpimentel@hfsnet.com
Affiliation:

Subject: AIR POLLUTION
Comment:

I THINK OLD TRUCKS BEING ON THE ROAD SHOULD BE CHECKED,IF EMISSIONS ARE NOT UP TO DATE , THEY SHOULD NOT BE ON THE ROAD BURNING UP GASES THAT CONTAMNATE THE AIR WE BREATH,AIR POLLUTION IS BECOMING A BIG ISSUE AND WE NEED TO CONTROL IT FOR OUR FUTURE,

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2007-12-05 14:04:40

No Duplicates.

Comment 1 for Drayage Port Trucks (drayage07). (At Hearing)

First Name: Bonnie
Last Name: Lowenthal
Email Address: district1@longbeach.gov
Affiliation:

Subject: vice mayor city of long beach
Comment:

please see attached

Attachment: www.arb.ca.gov/lists/drayage07/48-7127com1.pdf

Original File Name: 7127com1.pdf

Date and Time Comment Was Submitted: 2007-12-17 12:51:37

No Duplicates.

Comment 2 for Drayage Port Trucks (drayage07). (At Hearing)

First Name: Matry
Last Name: Lassen
Email Address: Non-web submitted comment
Affiliation:

Subject: Johnson Matthey Catalysts
Comment:

please see attached

Attachment: www.arb.ca.gov/lists/drayage07/49-7127com2.pdf

Original File Name: 7127com2.pdf

Date and Time Comment Was Submitted: 2007-12-17 13:14:11

No Duplicates.

Comment 3 for Drayage Port Trucks (drayage07). (At Hearing)

First Name: Joseph
Last Name: Kubsh
Email Address: Non-web submitted comment
Affiliation:

Subject: Manufacturers of Emission Controls Association
Comment:

please see attached

Attachment: www.arb.ca.gov/lists/drayage07/50-7127com3..pdf

Original File Name: 7127com3..pdf

Date and Time Comment Was Submitted: 2007-12-17 15:26:36

No Duplicates.

Comment 4 for Drayage Port Trucks (drayage07). (At Hearing)

First Name: Robert
Last Name: Kanter
Email Address: Non-web submitted comment
Affiliation:

Subject: The Port of Long Beach
Comment:

Please see attached.

Attachment: www.arb.ca.gov/lists/drayage07/51-07127com040001.pdf

Original File Name: 07127com040001.pdf

Date and Time Comment Was Submitted: 2007-12-19 11:33:02

No Duplicates.

Comment 5 for Drayage Port Trucks (drayage07). (At Hearing)

First Name: Alan
Last Name: Osofsky
Email Address: Non-web submitted comment
Affiliation:

Subject: West State Alliance
Comment:

Please see attached.

Attachment: www.arb.ca.gov/lists/drayage07/52-07127com0001.pdf

Original File Name: 07127com0001.pdf

Date and Time Comment Was Submitted: 2007-12-19 11:35:17

No Duplicates.

Comment 6 for Drayage Port Trucks (drayage07). (At Hearing)

First Name: Ralph
Last Name: Appy
Email Address: Non-web submitted comment
Affiliation:

Subject: Port of Los Angales
Comment:

Please see attached.

Attachment: www.arb.ca.gov/lists/drayage07/53-07127com0002.pdf

Original File Name: 07127com0002.pdf

Date and Time Comment Was Submitted: 2007-12-19 11:37:12

No Duplicates.

Comment 7 for Drayage Port Trucks (drayage07). (At Hearing)

First Name: Brad
Last Name: Edgar
Email Address: Non-web submitted comment
Affiliation:

Subject: Port Drayage Truck Slider by Cleaire
Comment:

Please see attached.

Attachment: www.arb.ca.gov/lists/drayage07/54-07127com0003.pdf

Original File Name: 07127com0003.pdf

Date and Time Comment Was Submitted: 2007-12-19 14:14:48

No Duplicates.

Comment 8 for Drayage Port Trucks (drayage07). (At Hearing)

First Name: Matt
Last Name: Schrap
Email Address: Non-web submitted comment
Affiliation:

Subject: CA Trucks Association
Comment:

Please see attached.

Attachment: www.arb.ca.gov/lists/drayage07/55-07127com0004.pdf

Original File Name: 07127com0004.pdf

Date and Time Comment Was Submitted: 2007-12-19 14:17:05

No Duplicates.

Comment 9 for Drayage Port Trucks (drayage07). (At Hearing)

First Name: David
Last Name: Bushey
Email Address: Non-web submitted comment
Affiliation:

Subject: San Pedro Bay Ports
Comment:

Please see attached.

Attachment: www.arb.ca.gov/lists/drayage07/56-07127com0005.pdf

Original File Name: 07127com0005.pdf

Date and Time Comment Was Submitted: 2007-12-19 14:21:58

No Duplicates.

Comment 10 for Drayage Port Trucks (drayage07). (At Hearing)

First Name: Duane
Last Name: Evans
Email Address: Non-web submitted comment
Affiliation:

Subject: J.B.A. Co Inc
Comment:

Please see attached.

Attachment: www.arb.ca.gov/lists/drayage07/57-drayage07com0001.pdf

Original File Name: drayage07com0001.pdf

Date and Time Comment Was Submitted: 2007-12-20 11:58:24

No Duplicates.

Comment 1 for Drayage Port Trucks (drayage07) - 15-1.

First Name: Diane
Last Name: Bailey
Email Address: dbailey@nrdc.org
Affiliation: NRDC

Subject: Comments on Port Truck Rule 15-day Changes
Comment:

```
Hello. Please find our comments on the 15-day changes for the Port
Truck rule attached.
Thank you.
- Diane Bailey, NRDC
```

Attachment: www.arb.ca.gov/lists/drayage07/58-port_truck_15_day_comments.doc

Original File Name: Port Truck 15 day Comments.doc

Date and Time Comment Was Submitted: 2008-06-12 15:02:29

No Duplicates.

Comment 2 for Drayage Port Trucks (drayage07) - 15-1.

First Name: Eric
Last Name: Sauer
Email Address: Non-web submitted comment
Affiliation:

Subject: California Trucking Association
Comment:

Please see attached.

Attachment: www.arb.ca.gov/lists/drayage07/59-drayage070001.pdf

Original File Name: drayage070001.pdf

Date and Time Comment Was Submitted: 2008-06-13 10:59:40

No Duplicates.