

# DUNAWAY & CROSS

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APPROVED

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Air Resources Board  
Mobile Source Operations Division  
On-Road Certification/Audit Section

July 31, 2001

By Christopher Darn  
Title ENG. Date 8/7/200

VIA E-MAIL & U.S. MAIL

Kumar Muthukumar  
Section Manager, Off-Road Certification Section  
California Air Resources Board  
9528 Telstar Avenue  
El Monte, CA 91731

Re: CARB LSI Regulation—assigning engines to model years

Dear Khumar:

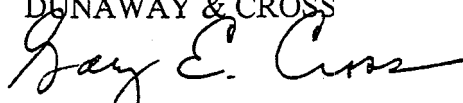
Pursuant to our telephone conversation on July 10, your review of my July 23 letter, and our telephone conversation on July 27, this letter will set forth my revised understanding of how manufacturers may assign engines to particular years for purposes of determining compliance with the CARB LSI regulation. This understanding would apply to determining compliance with the annual percentage phase-in requirements for the period January 1, 2001 through December 31, 2003. It would also establish which engines are subject to the new useful-life requirements that go into effect on January 1, 2004.

CARB's position as you have explained it is that manufacturers may use either the date of manufacture of the engine or the date of sale of the engine in determining the compliance year to which an engine will be assigned. As stated in my July 23 letter, I assume that CARB needs for manufacturers to remain consistent once a method has been selected.

Please advise as soon as possible if the foregoing is incorrect or incomplete in any way. Thank you again for your efforts in providing clarification.

Very truly yours,

DUNAWAY & CROSS

  
Gary E. Cross

Counsel to the Industrial Truck Association