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Mail Out #MSC-01-04

TO: All Interested Parties

FROM: Robert H. Cross, Chief
Mobile Source Control Division

DATE: March 26, 2001

SUBJECT: AVAILABILITY OF SECOND NOTICE OF MODIFIED TEXT FOR THE
ARB'S PUBLIC TRANSIT BUS FLEET RULE AND EMISSION
STANDARDS FOR NEW URBAN BUSES

This memorandum announces a second supplemental period in which the public may comment on additional modifications being proposed for the Air Resources Board's (ARB or Board) "Regulation for a Public Transit Bus Fleet Rule and Emission Standards for New Urban Buses." You are receiving this notice because you provided previous comments on the ARB's proposed regulation released to the public on December 10, 1999, submitted on your behalf through a Working Assets® "Citizen Letter." State regulations require that all persons who submitted comments during the urban bus regulation public comment periods be notified of additional comment opportunities. No action is necessary unless you wish to comment on the additional modifications.

At a public hearing held on January 27, 2000, the Board considered the adoption of a regulation for a public transit bus fleet rule and emission standards for new urban buses. The public hearing for this regulation was continued to February 24, 2000, at which time the Board approved the regulation with some modifications. In accordance with section 11346.8(c) of the Government Code, those modifications were made available to the public for a supplemental comment period of 15 days beginning on August 16, 2000.

On January 23, 2001, California's Office of Administrative Law (OAL) approved the regulation for implementation, with the exception of small portions of regulatory text affecting compliance alternatives for transit agencies that choose the alternative-fuel compliance path. To address OAL's concerns that these small portions of regulatory text were not made available for public comment, the staff is now proposing additional modifications to the regulation by means of adding back in the language disallowed by OAL and making it available for comment through a Second Notice of Availability of Modified Text.

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

Again in accordance with section 11346.8(c) of the Government Code, the public may comment on the additional proposed modifications. The deadline for public comment is April 19, 2001. Only comments relating to the additional modifications included with the Second Notice of Availability of Modified Text will be considered by the ARB's Executive Officer.

If you are interested in reviewing the text of the modifications and providing comments, the Second Notice of Public Availability of Modified Text is available on the ARB's Internet site at <http://www.arb.ca.gov/regact/bus/bus.htm>. Copies of these documents can also be obtained from the ARB's Public Information Office at 1001 Street, Sacramento, California 95812, (916) 322-2990, or by contacting Alvaro Gutierrez at (626) 350-6549.