

# General Comments

The following are general comments made by one or more stakeholders and corresponding responses:

1. Opinions were provided about EPD writing this rule.

Comments generally supported the notion that eliminating unnecessary idling makes sense. Most comments were neutral or supportive of an idling rule with one comment strongly opposed to a rule. The object of this rule is to eliminate “unnecessary” idling and develop the framework for how this will happen. The stakeholders are a big part of helping to assure the rule is craft in a way that avoid unattended consequences.

2. Opinions were provided about EPD applying the rule to eliminate unnecessary idling from nonroad vehicles.

There were some comments expressing concern about how this rule would affect nonroad vehicles. Other comments provided simple support of applying the rule to nonroad vehicles. This stakeholder process is intended to offer an opportunity to craft sensible language that eliminates “unnecessary” idling from both onroad and nonroad vehicles.

3. Truck stops, industrial sites and commercial sites are concerned about compliance liability if they are responsible for idling associated with their business.

Some stakeholders were concerned about the liability of those owning, leasing or occupying land (property controller). Property controllers are concerned that operators driving vehicles who are not direct employees may choose not to comply in spite of the property controller’s efforts. EPD has provided alternative language that more directly addresses the property controller’s obligation. In principle, the property controller has an obligation to promote and enable operators to comply. The suggested language requires the property controller to implement policies, practice and offer idling alternatives as needed to provide a practical and reasonable expectation for the operator to comply.

Property controllers are crucial to the success of this rule. This is because idling occurs on property. It is important that property controls evaluate how idling or not idling might affect their business. The concept is to identify and eliminate unnecessary idling. The rule is not intended to target necessary idling. EPD already has inspectors that visit gas stations, truck stops, construction sites, commercial sites and industrial operations for other regulatory reasons. Owners controlling property involving idling activities will likely be the first level of interface for EPD as they enter onto the property that involves idling activities. Truck stops are dependent on trucks coming to their site to purchase fuel, products and use their services. Industrial and commercial sites are likewise dependent on trucks transporting goods. The industrial and commercial sites have the ability to directly affect queuing. It is hopeful that landowners will work with EPD in a cooperative fashion and embrace this effort. The intent is to eliminate unnecessary idling and develop an effective rule that will accomplish this in a reasonable fashion. EPD is responsible for assuring clean air and will be motivated to assure

the rule is met. EPD will encourage cities, counties and/or the state (per state legislator) willing to take an active role in enforcing the operator portion of this rule.

4. How does enforcement affect local community and businesses?

The enforcement should effectively eliminate unnecessary idling. A well-written rule should reduce air pollution while potentially saving money by reducing fuel consumption. The air quality benefits and fuel savings should help local communities and business.

5. Does EPD have the resources to enforce the rule?

EPD already inspects a variety of gas stations, truck stops, commercial sites, industrial sites, and construction sites. The existing EPD staff should be able to handle the additional enforcement responsibilities provided those controlling the property on which idling occurs are participants.

6. Where does the fine money go? Can EPD direct how the fine money is spent? Can some of this go to local law enforcement if they adopt the standard?

The Georgia Air Quality Act requires the Director to deposit fine money collected by EPD into the general fund. The Director has no authority to otherwise specify how fine money should be spent according to the Georgia Air Quality Act. Local law enforcement agencies adopting the rule will be able to collect and handle fine money according to their rules and guidelines.

7. Who benefits from the cost savings from reducing fuel consumption?

While some idle reduction technologies offers a potential fuel and cost savings, it is unclear who will actually receive the financial benefit in the end. It could be the vehicle owner, the driver, the technology provider, property owners, those receiving goods and services, etc... It will probably be some combination. A rule should help set a clear expectation that accelerates the deployment of idle reduction technologies thereby improving air quality.

8. EPD should consider excluding areas in attainment from this rule.

Fine particulate matter and NOx (ozone precursor) can be transported for long distances adversely impacting nonattainment areas far away. Furthermore, attainment areas throughout Georgia are very close to violating the standard. The most recent change to the 8-hour ozone standard from 0.08 to 0.075 ppm will likely result in the entire state becoming nonattainment with the exception of some of the coastal areas.

9. EPD did not sufficiently evaluate the affects of a rule to eliminate unnecessary idling in Georgia.

The AHDVEIES is a study conducted by Georgia Tech specifically designed to identify emission reduction strategies for EPD. This study's recommendation in conjunction with additional data from DOT, EPA and EPD's own emissions data have been relied on to evaluate

the benefits and costs. Stakeholders are encouraged to provide additional data that would improve EPD's analysis and/or understanding.

10. Reducing idling time by 10 hours per day may be overly optimistic.

The assumption of 10 hours per day only applied to long haul trucks that are required to rest by DOT for this time period. The other onroad and nonroad emission reduction benefits from this rule were based on assuming a 10% reduction in emissions or 1 hour of idle time per day reduction.

11. EPD should provide information to operators and owners that will be affected by the requirements. This outreach material should include environmental benefits, alternatives (technologies), and potential for fuel savings.

EPD will conduct outreach to help the regulated community understand any new requirements.

12. EPD should conduct outreach and education to work with local governments to establish local ordinances and consider amending the Georgia Code to include this idling rule. Local (police) and state law enforcement personnel (including EPD and DOT personnel) should have the authority and responsibility to enforce these idling limits.

EPD will make efforts to educate local government and other state officials of the benefits of idle reduction. EPD's goal is to assure full compliance. To this end, EPD will encourage other agencies to pursue enforcement authority.

13. Each truck stop in the state having a capacity of twenty-five or more trucks should install truck stop electrification facilities covering at least 80% of its parking spaces that allow diesel trucks to connect to the electrical grid to obtain power to truck on-board components or stationary components for heating, cooling and other needs that otherwise would be met by idling the propulsion engines of such trucks.

There are a variety of ways, including truck stop electrification, to reduce emissions from idling. EPD is supportive of the full range of technology that reduces air pollution and prefers to avoid specific technology stipulations. EPD wants to maintain a broad approach of establishing an acceptable idle time together with compliance dates that allows the free market the opportunity to work toward the most practical solutions.

14. Within one year of the effective date of this rule, EPD should conduct an analysis of idling practices of locomotive and commercial marine diesels; owners and operators of such diesels should provide such information as EPD may request for the purposes of completing such analysis. Within eighteen months of the effective date of this rule, based on such analysis, EPD should promulgate regulations requiring locomotive and commercial marine diesels operating within the State to eliminate nonessential idling to the extent such regulation is not preempted by federal law.

EPD is actively working with the rail yards to reduce emissions. This effort will include idle reduction strategies. At this time, EPD anticipates the coastal areas will remain in compliance with the NAAQS. In any case, EPD will continue to look at all emission sources including locomotives and marine vessels to assess the affect on air quality.

15. Several comments discussed the EPA Model Law dated April 2006.

The EPA Model Law was provided for information purposes only and does not reflect the opinion or position of EPA or any other federal agency. In drafting the initial language, EPD considered the EPA Model Law as well as other resources. EPD's drafted language was intended to combine simplicity and effectiveness. EPD's draft language was not intended to be an exhaustive final version. Written comments and stakeholder meetings have been and will continue to be a key element to shaping the language that will best fit the needs of Georgia.

16. The state should provide a financial assistance program.

EPD is activity-pursuing grants to help facilitate deployment of idle reduction technology. Smartway offers a loan program to assistance with purchasing idle reduction technology.

17. How will California Air Resource Board (CARB) certification requirements affect Georgia?

As of 2005 Model Year, EPD has and continues to required CARB certified engines in Georgia for Heavy Duty Vehicles. As of January 2008, the CARB certification per 13 CCR § 1956.8 is requiring automatic shutdown or low-NOx idling engines. These certification requirements will facilitate compliance once the operator rule goes into affect.