

DIESEL VEHICLE IDLING REGULATION

COMMENT-RESPONSE DOCUMENT

List of Commentators

This is a list of corporations organizations and interested individuals from whom the Environmental Quality Board has received comments regarding the above referenced regulation.

1. James Kreider, Lititz, PA
2. Sarah Boucas Neto, Merion Station, PA
3. Jim Hippensteel, Boiling Springs, PA
4. Richard Cummins, Carlisle, PA
5. Regis Orsinger, Boiling Springs, PA
6. Duane Stum, Shippensburg, PA
7. Joseph Hurely, Carlisle, PA
8. Gerard Murphy, Carlisle, PA
9. Jason Snavely, Manheim, PA
10. Stephen Hughes, Carlisle, PA
11. Tim Quinton, Fleetwood Motor Homes, Decatur, IN
12. David Messner, retired, Camp Hill, PA
13. Mary Ann Cox, Carlisle, PA
14. Macyle Candela, East Berlin, PA
15. Brad Pealer, Dillsburg, PA
16. Carol Williams, Carlisle, PA
17. Leonard Horst, Melard Coach, Ephrata, PA
18. Bonnie Flowers, New Kensington, PA
19. David Conte, Pittsburgh, PA
20. Thomas Pandaleon, Pittsburgh, PA
21. Carol Greendonner, Curwensville, PA
22. Mr. and Mrs. Howard Moody, Carlisle, PA
23. Ms. Polly K. Miller, Carlisle, PA
24. Winston E. Cleland, PhD, Carlisle, PA
25. Scot Osborne, Shippensburg, PA
26. Christina Sopoci, Canonsburg, PA
27. Martin & Margaret Zucker, Retired & Administrative Assistant, Carlisle, PA
28. Ronald Freed, Carlisle, PA
29. Nancy Matthews, Carlisle, PA
30. Lani Longarzo, Carlisle, PA
31. Andrew Behnke, Cumberland County Medical Society, Carlisle, PA
32. Jane M. Conner, Pittsburgh, PA
33. Marilyn Skolnick, Sierra Club Allegheny Group, Monroeville, PA
34. Vern Graham, Friends of S. Middleton Parks, Boiling Springs, PA
35. James & Marion Johnston, Carlisle, PA
36. Clarice Reber, League of Women Voters Indiana Co, Indiana, PA
37. Felix Gutierrez, Moffitt Heart & Vascular Group, Wormleysburg, PA
38. E. Michael Blumenthal, LeTort Regional Authority, Carlisle, PA
39. Lee Marlow, Gainey Transportation Services, Belle Fourche, SD
40. Mark Rittgers, Shermans Dale, PA
41. Victor Potts, Velvet Express, McKees Rocks, PA
42. Norma Butler, Double D Transport, Thedford, NE

43. James Crunetti, JEC Transport LLC, Millville, NJ
44. Conrad Parent, Safe Handling Inc, Poland, ME
45. Stephen McQuay, Athens, PA
46. Earl Rudolph, Bradenton, FL
47. Kathy Gibson, IA
48. Angela Sparks, Landspan inc., Corbin, KY
49. Brenda Hundley, W.C. Hundley Trucking, Orangeville, PA
50. Kevin Kozak, SMX, Lanoka Harbor, NJ
51. Thomas Berry, T. Berry & Son Transportation, Billerica, MA
52. Robert Anderson, Bob Anderson Trucking, Columbus, NE
53. Ed Bradley, Dove Expedite, Lexington, SC
54. Richard Leonard, wailer, Independence, MO
55. LK Borton, owner leased to USXpress, Denver, CO
56. Norman Snead, Norman E Snead Trucking, Bumpass, VA
57. Carla Burkett, Carlisle, PA
58. James Ryan, Ryan Trucking, Hartland, ME
59. Johnny Applegate, Concise Carriers, Pasadena, CA
60. James Tolman, JAX INC, Knoxville, TN
61. Jimmy Frost, Private Citizen, Virginia Beach, VA
62. Jeremy Ball, Dickinson College, Carlisle, PA
63. Amy Wlodarski, Dickinson College, Carlisle, PA
64. Elise Bartosik-Velez, Carlisle, PA
65. Peg Kirkpatrick, Memphis, MO
66. Victoria Sams, Carlisle, PA
67. Anna-Lisa Noack, Carlisle, PA
68. Vincent R. Meyers, Sr., Philadelphia, PA
69. Mary M. Walton, Newville, PA
70. Ryan Miller, Carlisle, PA
71. Holy C. Hoffman, M.D., Carlisle Pediatric Associates, Carlisle, PA
72. Stephen Hughes, Carlisle, PA
73. Charles Hooker, Jr., Mechanicsburg, PA
74. Kay Martin, D & G Transport Inc., Ephrata, PA
75. Lynn Glorieux, private individual, Pittsburgh, PA
76. Chauncey A. Plyley, Jr., Plyley & Associates, Carlisle, PA
77. Carrie Breschi, Carlisle Arts Learning Ctr., Carlisle, PA
78. Dorothy Neff (13), Philadelphia, PA
79. MaryJane Dimassa (16), Huntingdon Valley, PA
80. Marie Hammond (28), Abington, PA
81. Yvette Greenberg (28), Abington, PA
82. Roberta Krauss (13), Montgomery, PA
83. Cindy Burnett (14), Abington, PA
84. Richard Pollard (14), Willow Grove, PA
85. Jennifer Lahmann (28), Abington, PA
86. Amanda Brigidi (14), Montgomery, PA
87. Gerri Liebsch (14), Abington, PA
88. Rick Lepard (14), Abington, PA

89. Maryanne DiNardo (14), Abington, PA
90. W. Kuber (3), Abington, PA
91. Jared Biehl (20), Philadelphia, PA
92. Brian Slaugh (14), Philadelphia, PA
93. Jill Sherman (14), Philadelphia, PA
94. Sandra Orwig (14), Abington, PA
95. Carl F. Dorsey (10), Willow Grove, PA
96. Mary L. Newlin (13), Roslyn, PA
97. Anna M. Crawford (14), Abington, PA
98. Dave Joseph (14), Abington, PA
99. P. Williams (14), Abington, PA
100. Alan R. Silverman (14), Abington, PA
101. Jen Ciavardell (14), Abington, PA
102. Christine Morton (14), Abington, PA
103. Andrea Brecker (7), Willow Grove, PA
104. Rolanda Poles (14), Willow Grove, PA
105. Cindy Briylan (14), Abington, PA
106. Patricia Timmins (14), Abington, PA
107. Rob Williams (14), Philadelphia, PA
108. Len Gimbel (14), Roslyn, PA
109. Nera Williams (17), Abington, PA
110. Henry Hoffman (14), Philadelphia, PA
111. Russel Sarkis (20), Philadelphia, PA
112. Patricia Brown (20), Abington, PA
113. Aaron Juergens (20), Philadelphia, PA
114. DeTuan Rice (20), Abington, PA
115. Eiasa Stuart Wilkins (20), Philadelphia, PA
116. Kevin Finegan (14), Abington, PA
117. Damaris Molina (14), Abington, PA
118. Wayne Isaas (20), Abington, PA
119. Yelema Romanchek (20), Abington, PA
120. Athena Roddick (20), Philadelphia, PA
121. Benjamin Scharr (14), Philadelphia, PA
122. Amy Joyce (14), Roslyn, PA
123. James Dorham (14), Abington, PA
124. Teresa Duggan (14), Glenside, PA
125. Rachel Grossfeld (14), Philadelphia, PA
126. Peter Hendrickson (6), Pittsburgh, PA
127. Susan Randall (12), Pittsburgh, PA
128. Ella Vanderbilt (17), Pittsburgh, PA
129. Nancy Mallinger (16), Pittsburgh, PA
130. Dave Carr (5), Point Breeze, PA
131. Douglas DiFilippo (12), Pittsburgh, PA
132. Elaine Beck (20), Pittsburgh, PA
133. Esther Sales (20), Pittsburgh, PA
134. Jasmine Pricorini (9), Pittsburgh, PA

135. Jamall Green (9), Pittsburgh, PA
136. E. Lahey (11), Pittsburgh, PA
137. Francis Seteck (3), Pittsburgh, PA
138. Suzanne Schreiten (2), Pittsburgh, PA
139. Karen Lyons (20), Dillsburg, PA
140. Deana Weaver (19), Dillsburg, PA
141. Craig Capes (7), Newville, PA
142. Tanya Monet (13), Boiling Springs, PA
143. Michael Smith, M.D. (20), Hampden, PA
144. Mary J. Devine (20), Hampden, PA
145. Raymond Janifer (20), Fayetteville, PA
146. Roberta Graff (20), Newville, PA
147. James Stuart Dickson (20), Newville, PA
148. Cletus A. Benjamin (20), Newville, PA
149. Kimberly S. Rupp (5), Carlisle, PA
150. James Oliverio (4), Carlisle, PA
151. Holly Decker (6), Carlisle, PA
152. Kate Marthinsen(15), Carlisle, PA
153. Cheryl Penner (2), Carlisle, PA
154. Dorothy Lauderbaugh (20), Carlisle, PA
155. Paul D. Hoch, Carlisle, PA
156. Lindsay M. Bailer (4), Carlisle, PA
157. Danelle Bowermaster (20), Carlisle, PA
158. Antoinette Parsons (20), Boiling Springs, PA
159. Nicola Tynan (11), Mount Holly Springs, PA
160. Leslie Merdoza (11), Carlisle, PA
161. Taylor Phillip (8), Carlisle, PA
162. Alexis Krob (13), Carlisle, PA
163. Damaris Villatana (16), Carlisle, PA
164. Aniket Dae (13), Carlisle, PA
165. Kathryn Monamaret (16), Dickinson College, Carlisle, PA
166. Nate Supp (11), Hollidaysburg, PA
167. Evan Sparling (20), Carlisle, PA
168. Douglas Spencer (20), Carlisle, PA
169. Chris Houston (6), Carlisle, PA
170. Pam Frohman (3), Carlisle, PA
171. Denise McCauley (20), Carlisle, PA
172. Judy King (12), Carlisle, PA
173. Lisa Nichols (20), Carlisle, PA
174. Andrea Lorman (20), Dickinson College, Carlisle, PA
175. Kristen Williams (18), Carlisle, PA
176. Emily Muran (2), Carlisle, PA
177. Mai Nguyen (17), Carlisle, PA
178. Resident (10), Carlisle, PA
179. Krista Klett (8), Carlisle, PA
180. Serena Pereira (21), Carlisle, PA

181. Georgette Lipson (20), Mount Holly Springs, PA
182. Lawrence T. Joyce (3), Camp Hill, PA
183. Marion Johnston (10), Carlisle, PA
184. Thomas Bowes (20), Carlisle, PA
185. Dorothy Lauderbaugh, Carlisle, PA
186. Jane Ege (20), Carlisle, PA
187. Bonnie King (20), Carlisle, PA
188. Todd Remaley (20), Dillsburg, PA
189. Alan D. Franklin (19), Newville, PA
190. Stephanie Ferhnestrock (20), Carlisle, PA
191. Martha Green (20), Carlisle, PA
192. Bruce Barta (4), Carlisle, PA
193. Jacqueline Rollfinke (2), Carlisle, PA
194. Linda Keller (20), Boiling Springs, PA
195. Linda Moyer (20), Boiling Springs, PA
196. Carole Hendecker (20), Boiling Springs, PA
197. Forrest Leone (20), Carlisle, PA
198. Russ Drake (20), Carlisle, PA
199. Sarah Wilt (20), Carlisle, PA
200. Phyllis Myers (20), Carlisle, PA
201. Sue Hickers (20), Carlisle, PA
202. Barbara Diduk (20), Carlisle, PA
203. Sharon Rhoads (13), Carlisle, PA
204. Joseph M. King (6), Carlisle, PA
205. Ronda Lehman (4), Carlisle, PA
206. Janet Spencer (20), Carlisle, PA
207. Daniel Cozort (20), Carlisle, PA
208. Duane H. Fickeisen (20), Carlisle, PA
209. Beth Shank (2), Carlisle, PA
210. Carren Chestnut (5), Boiling Springs, PA
211. Deb Lebo (10), Carlisle, PA
212. Joseph Campbell, Carlisle, PA
213. Sheila L. Gettle, Shippensburg, PA
214. Serge Koler, MD (4), Carlisle, PA
215. Jeanette Metzger (9), Carlisle, PA
216. Katie Drexler (2), Newville, PA
217. Katrina Shank (19), Carlisle, PA
218. Dolores Shank (20), Carlisle, PA
219. Samantha Snyder (40), Mechanicsburg, PA
220. Emily Perez (15), Lancaster, PA
221. Holly Williams, Lancaster, PA
222. Nancy Alleman (12), Camp Hill, PA
223. Cese Viti (15), Mechanicsburg, PA
224. Joan Baker (15), New Cumberland, PA
225. Shirley Zimmerman (15), Mechanicsburg, PA
226. Camilla A. Freeman (15), Enola, PA

227. Natalie Walls (15), Camp Hill, PA
228. Marion Stack (15), Camp Hill, PA
229. Susanne Donmoyer (15), Harrisburg, PA
230. Janet Eshleman (15), Mechanicsburg, PA
231. Lorrie Preston (15), Mechanicsburg, PA
232. Robert Shaw (15), Camp Hill, PA
233. Denna Claypool (15), Harrisburg, PA
234. Henry Osborn (15), York Springs, PA
235. Thomas Lehman (15), Enola, PA
236. Michael A. Parpagene (6), Lebanon, PA
237. Marsha Thrush (4), Carlisle, PA
238. Debbie Bromiley, Bromiley Trucking Inc, Jacksonville, FL
239. Victor Potts, Aliquippa, PA
240. Laurel Danner, York Springs, PA
241. Peter S. Lund, MD, Pennsylvania Medical Society, Harrisburg, PA
242. Juliana Morris, Allentown, PA
243. Eric Cheung, Esq., Clean Air Council, Philadelphia, PA
244. Scott Wilbur, Marietta, GA
245. Ella Forsyth (2), League of Women Voters Carlisle, Carlisle, PA
246. Stephen J. Krebs, M.D. (6), Carlisle Pediatric Associates, Carlisle, PA
247. John D. Goldman, Dauphin Cnty. Medical Society, Harrisburg, PA
248. David Yaw, A. G. Allebach, Inc., Kulpville, PA
249. Cynthia Carrow, Citizens Advisory Council, Harrisburg, PA
250. David Wadsworth, DLC, Lolo, MT
251. Carl Benson, CE Benson Hauling, San Dimas, CA
252. Michael LaVigne, Michael J Lavigne Enterprises Inc., Moosic, PA
253. Joyce Cottrell, S & J Trucking, Alcoa, TN
254. Carl Mcelwain, CNM Trucking, Dillsburg, PA
255. Richard Hubatka, Phoenix, AZ
256. Paul Gioia, NECS, Saxonburg, PA
257. Amanda Franzen, None, Carlisle, PA
258. Lynn Long, Carlisle, PA
259. Krista Klett, Carlisle, PA
260. Susan E. Wootton, Clearfield, PA
261. Michael E. Murry, Lancaster, PA
262. George Daransky, Pittsburgh, PA
263. Joseph Licari, Shorepower Technologies, LLC, Rome, NY
264. Kathleen Hubert, Carlisle Area Health & Wellness Foundation, Carlisle, PA
265. Joseph Walsh, Covanta Energy, Fairfield, NJ
266. Fred Baldwin, self-employed, Carlisle, PA
267. Jay R. Snyder, Melard, Ephrata, PA
268. Kevin C. Osterhoudt, MD, MS; FAAP, The Poison Control Center, Philadelphia, PA
269. Don & Marion Schroeder, Carlisle, PA
270. Mrs. Andrew Marky, Ligonier, PA
271. David Turkewits, MD, FAAP, The Poison Control Center, Philadelphia, PA
272. Lois Sellers, Springfield, PA

273. Danielle Howley, Blue Bell, PA
274. Monika Kruemmling, Philadelphia, PA
275. Cynthia Laudato, The Vanguard Group, West Chester, PA
276. Emily Petrucci, Media, PA
277. Andria Saia, West Chester, PA
278. Joanne Walker, Lafayette Hill, PA
279. Ann Sywensky, Whitehall, PA
280. Yanni Maniates, Morrisville, PA
281. Allison Ostertag, UNI, Philadelphia, PA
282. Billy Hodges, Swarthmore, PA
283. Jennifer Frayer-Griggs, Pittsburgh, PA
284. Linda Mitchell, Abington, PA
285. Lea Stabinski, Blue Bell, PA
286. Hilliard Cohen, Hilliard Cohen Lighting Design, Red Hill, PA
287. Joseph Morrone, Chester County Health Department, West Chester, PA
288. Elizabeth Conzelmann, Downingtown, PA
289. Mahesh Gaitonde, PA
290. Maggy Burnick, Collegeville, PA
291. Lisa Morales, Philadelphia, PA
292. PA
293. Elizabeth Jennings, Phoenixville, PA
294. Joseph Morrone, Chester County Health Department, West Chester, PA
295. Lesley Stearns, Philadelphia, PA
296. Nicole Devine, Levittown, PA
297. Kathy O'Connell, Willow Grove, PA
298. William McMillen, Media, PA
299. James Higgins, Law Offices of James Higgins, Wayne, PA
300. Marie (Murray) Callahan, Havertown, PA
301. Pamela Robinson, Radnor School District, PA
302. Elizabeth Sauer, Elizabeth, Philadelphia, PA
303. Jeanette Vitkus, Levittown, PA
304. Susan Shaw, Rose Valley, PA
305. Barbara Cooper, West Chester, PA
306. Angela Lovine, Philadelphia, PA
307. Cathy Eitelgeorge, Quakertown, PA
308. Janet Little, JKL, MPH, RD, LDN, Allentown, PA
309. Heidi Lapides, Doylestown, PA
310. Virginia O'Connell, Swarthmore, PA
311. Thomas McGlinchy, North Wales, PA
312. Carolann Clark, Philadelphia, PA
313. Stephen Ream, Brookhaven, PA
314. Sue Ferrick, Malvern, PA
315. Michael Duncan, King of Prussia, PA
316. Lorraine Giagnacova, Harleysville, PA
317. Julie Grove, Pittsburgh, PA
318. Ann Rafalski, Venetia, PA

319. Paula Barvin, Elkins Park, PA
320. Nancy Herman, Merion, PA
321. Charles Glore, MMRI Philadelphia, West Chester, PA
322. Dennis Winters, Greater Philadelphia Clean Cities Program, Philadelphia, PA
323. Beth Boggs, Holland, PA
324. John Eichmiller, Gibsonia, PA
325. Barbara Rowley, Reading, PA
326. Alan Horwitz, Wallingford, PA
327. Tracey Brown, Upper Darby, PA
328. Donald P. Bryan, retired, Pittsburgh, PA
329. Austin DeSimone, Pittsburgh, PA
330. Katie Conklin, Bethlehem, PA
331. Arve Holt, Arve Holt, Inc., Wallingford, PA
332. Tisha Fromal, Downingtown, PA
333. Felicia Sam, Pittsburgh, PA
334. Terri Mehofer, Holland, PA
335. Landis Doner, Wyndmoor, PA
336. Kelly Searfoss, Easton, PA
337. Kathy Lawson, Clean Water Action, Pittsburgh, PA
338. Ron Malec, Shaw Environmental & Infrastructure, Pittsburgh, PA
339. Laura Pappas, Accenture, King of Prussia, PA
340. Bruce Rogers, PA
341. Bethani Cameron, Pittsburgh, PA
342. Julia Yokitis, Pittsburgh, PA
343. Julia Yokitis, Pittsburgh, PA
344. Emily Rideout, Collegeville, PA
345. Dean Kline, Philadelphia, PA
346. Todd Zimmermann, Pictures by Todd, Bryn Mawr, PA
347. Polly MacIntyre, Philadelphia, PA
348. Ryan Good, Dana Corporation, Reading, PA
349. Michael Lieberman, Liebermans Management, LLC, West Chester, PA
350. Joel Hecker, Bala Cynwyd, PA
351. Melissa Craig, Perkasie, PA
352. Maria Maguire, Philadelphia, PA
353. Daniel Max Behl, Erdenheim, PA
354. Ruth Fauman-Fichman, Pittsburgh, PA
355. Kenneth Flinchbaugh, Malvern, PA
356. Edward Winter, Thomas Jefferson University, Philadelphia, PA
357. Susanna Kramer, University of Pennsylvania, Philadelphia, PA
358. Jennifer Harry, PA Farm Bureau, Camp Hill, PA
359. Debbie Vitulli, Downingtown, PA
360. Elizabeth Kelly, Colly Company Ltd, West Chester, PA
361. Jordan Romanus, Pittsburgh, PA
362. Christine McPeak, Cheltenham, PA
363. Karen Wissert, Aston, PA
364. Anna McPeak, PA

365. Isabel McPeak, PA
366. Leslie Celia, West Chester, PA
367. Doris Stiene-Adebanjo, Chester Springs, PA
368. John Casino, Warrington, PA
369. Corrine Kucirka, Family Dermatology of the Lehigh Valley, Orefield, PA
370. Paul Wolinsky, Elkins Park, PA
371. Donna Levin, Elkins Park, PA
372. Mark Fichman, Pittsburgh, PA
373. Lewis Jacobson, Pittsburgh, PA
374. Richard Wendt, N/A, Philadelphia, PA
375. Fern Rutberg, Chalfont, PA
376. Mujtaba Talebi, Bryn Mawr, PA
377. Allison Walker, Newtown, PA
378. John Humphreys, Doylestown, PA
379. Tina Kichline, Reading, PA
380. Bruce Meixell, Allentown, PA
381. John Knapp, Philadelphia, PA
382. Jennifer Harry, PA Farm Bureau, Camp Hill, PA
383. Deborah Fineberg, Havertown, PA
384. Brian, Luther Woods, Willow Grove, PA
385. Giacomo DeAnnuntis, Philadelphia, PA
386. Paul Madore, Philadelphia, PA
387. Paul Madore, Philadelphia, PA
388. Alan Bronstein, Elkins Park, PA
389. Marlene Burke, Harleysville, PA
390. Ken Miller, Holland, PA
391. Sara Lodge, Bethel Park, PA
392. Melissa Sodowick, Washington Crossing, PA
393. Tom Dillon, Newtown, PA
394. Kerry Fretz, Phoenixville, PA
395. Becky Masessa, Easton, PA
396. Linda Brodeur, Bethlehem, PA
397. Linda Brodeur, Bethlehem, PA
398. Jill Finlay, Southampton, PA
399. John Buchanan, Pottstown, PA
400. Sara Kennelty, Cranberry Twp., PA
401. Richard Van Aken, Holland, PA
402. Jean Shervais, West Chester, PA
403. John Bush, Malvern, PA
404. Ed Letven, Meadowbrook, PA
405. David Brodsky, The Reconstructionist Rabbinical College, Philadelphia, PA
406. Megan McCullough, Trevoise, PA
407. Ken Madara, Churchville, PA
408. Lynne Crew, Media, PA
409. Jeffrey Kalan, Narberth, PA
410. Alan Dresser, Yardley, PA

411. Mark Fiorini, Sierra Club, Lenhartsville, PA
412. Peter Thomson, Washington Crossing, PA
413. Linda Finkelstein, Narberth, PA
414. Dawn D'Annunzio, Glenside, PA
415. Joseph O'Donnell, Havertown, PA
416. Daniel Samartino, Clean Water Action, Glenmoore, PA
417. Nancy Lutz, Pittsburgh, PA
418. Alex Hochner, Philadelphia, PA
419. Frank Costanzo, Allentown, PA
420. Robert Alexander, Bethel Park, PA
421. Gerry Barnefiher, Harleysville, PA
422. Gretchen Heacock, Philadelphia, PA
423. Nicole Gillander, PA
424. John Cairns, Plymouth Meeting, PA
425. Gary Bolis, Eagleville, PA
426. Heather Gustafson, Collegeville, PA
427. Maria Wagner, Bethlehem, PA
428. Fred Patterson, Patterson Trucking, Celina, OH
429. Lindsay Nelson, Ladybug Landscaping, Levittown, PA
430. Lorelei Kubiak, Wexford, PA
431. Margaret Andrews, Coraopolis, PA
432. James Flanagan, Conshohocken, PA
433. Elaine Dellande, Fountain Hill, PA
434. Scott Peerenboom, Philadelphia, PA
435. Loretta Hoglund, Pittsburgh, PA
436. Donna Miller, Media, PA
437. Jeff Zirngibl, Pittsburgh, PA
438. Timothy Ewald, Philadelphia, PA
439. Susan Otway, Carlisle, PA
440. Kimberly Spangler, Carlisle Area School District, Carlisle, PA
441. Ann B Hubben, Wallingford, PA
442. Kathleen Nicholas, Pittsburgh, PA
443. Lara Gooding, PA
444. Sam Irvin, Oakland, PA
445. Signe Hall, Downingtown, PA
446. Deborah Thropp, Bridgeville, PA
447. Frank and Judy Castrina, Carlisle, PA
448. Philip Sidel, Pittsburgh, PA
449. Joe Muler, Warminster, PA
450. Tamara Davis, PA
451. Megan Hess, Philadelphia, PA
452. Carol Wolf, West Chester, PA
453. Linda Hrushanyk, Philadelphia, PA
454. Scott Boyer, Wyomissing, PA
455. William Quinn, Philadelphia, PA
456. Larry Rankin, MD, Carlisle, PA

457. Will Rutledge, West Chester, PA
458. Hilary Marcella, Pittsburgh, PA
459. Amy Gewirtzman, Ambler, PA
460. Jenny Deller, Philadelphia, PA
461. Donna Zarccone-Ferreira, Levittown, PA
462. Anne Hilton, Philadelphia, PA
463. John Romero, Procter & Gamble, Mehoopany, PA
464. Alyce Callison, Philadelphia, PA
465. Robert Kiefer, Southampton, PA
466. Beverly Copeland, Plains, PA
467. Brandi Lawler, Media, PA
468. David Stetler, Palmerton, PA
469. Scott Mertzseis, Hilliards, PA
470. Michael H. Winek, Babst, Calland, Clements, Zomnir, Pittsburgh, PA
471. Nathan Staggs, Carlisle Regional Medical Center, Carlisle, PA
472. Resident, Greentree, PA
473. Bill Durden, Dickinson College, Carlisle, PA
474. Philip J. McConaughay, Dickinson School of Law, University Park, PA
475. Andrea Mulrine, League of Women Voters of PA, Harrisburg, PA
476. Vincent J. Brisini, Reliant Energy, Canonsburg, PA
477. R. Russell Shunk, Downtown Carlisle Assn., Carlisle, PA
478. Joseph Smith, Easton, PA
479. Sameer Jadhav, West Chester, PA
480. Donna Rosser, McKees Rocks, PA
481. Michael Lynn, Media, PA
482. Linde Fiore, Newtown Square, PA
483. James Frain, Newville, PA
484. James Kleven, Retired, Wynnewood, PA
485. Michael Kelly, Washington Crossing, PA
486. Katie Goodrum, Philadelphia, PA
487. Jeffrey Story, Levittown, PA
488. Elizabeth Brown, Melrose Park, PA
489. Laura Kelley, Upper Darby, PA
490. Heath Hitchcock, Bethlehem, PA
491. Mary Clever, Carlisle Area Health & Wellness Foundation, Carlisle, PA
492. Jeff Drumm, Milford Center, OH
493. Jonathan Aldrich, Pittsburgh, PA
494. Lorraine Hudson, Crafton, PA
495. Reid T. Clemmer, PPL Services Corp., Allentown, PA
496. Timothy M. Allwein, PA School Boards Assn., Mechanicsburg, PA
497. Jennifer Harry, PA Farm Bureau, Camp Hill, PA
498. Kate St. John (15), Pittsburgh, PA
499. M. Daniels (6), Gardners, PA
500. Donald Harper, MD (9), Camp Hill, PA
501. Kathy Patterson (4), Carlisle, PA
502. Kim Deihl (14), Carlisle, PA

503. Peter Giesswein, Mechanicsburg, PA
504. Joanne Rockwell (14), Newville, PA
505. Diane Henry (17), Carlisle, PA
506. Michelle DeLeon (7), Carlisle, PA
507. Eugene Kohles (15), Mechanicsburg, PA
508. Lynn Brown (4), Mechanicsburg, PA
509. Paul N. Garrett (8), Camp Hill, PA
510. Maryann Demagall (20), Mechanicsburg, PA
511. Shawna Raymond (12), Harrisburg, PA
512. Caitlin Taylor (15), Mechanicsburg, PA
513. Ronald M. Wilson (15), Camp Hill, PA
514. Richard A. Stevick (15), Dillsburg, PA
515. Marilyn Horner (15), New Cumberland, PA
516. Virginia L. Parr (15), Mechanicsburg, PA
517. Rafalene Costanza (6), Mechanicsburg, PA
518. Patty Grimm (3), Harrisburg, PA
519. Sarah Porter (2), New Cumberland, PA
520. Josef P. Garrett (3), Camp Hill, PA
521. Karissa Keller (8), Mechanicsburg, PA
522. Scott Bryer (16), Carlisle, PA
523. Jackie Peck (3), Harrisburg, PA
524. Josephine M. Rakow (9), Camp Hill, PA
525. Allyson Wagner (8), Mechanicsburg, PA
526. Patricia Follansbee (15), Mechanicsburg, PA
527. John Walliser, Esq., Pennsylvania Environmental Council, Pittsburgh, PA
528. Rich Raiders, Arkema Inc., King of Prussia, PA
529. David Brooman, Drinker Biddle & Reath LLP, Berwyn, PA
530. David Brooman, Drinker Biddle, Berwyn, PA
531. David Brooman, Drinker Biddle, Berwyn, PA
532. Stephen Hietsch, Borough of Carlisle, PA, Carlisle, PA
533. Charles McPhedran, PennFuture, Philadelphia, PA
534. Kevin Kulp, Gilbertsville, PA
535. Danielle Hafetz, Philadelphia, PA
536. Betsy Teutsch, Philadelphia, PA
537. Michael W. Handwerk, Philadelphia Gas Works, Philadelphia, PA
538. Lee E. Hartz, National Fuel Gas Distribution Corp., Erie, PA
539. Randolph Pankiewicz, American Water, McMurray, PA
540. Tim O'Donnell, President, PA Waste Industries Assn., Lemoyne, PA
541. Gene Barr, PA Chamber of Bus. & Industry, Harrisburg, PA
542. Douglas L. Biden, Electric Power Generation Assn., Harrisburg, PA
543. Sheriee R. Walker (14), Blue Bell, PA
544. Joe Sergio (14), Blue Bell, PA
545. Dimitri Sidorochev (4), Blue Bell, PA
546. Jack Pack, George Weston Bakeries, PA
547. Mr. Wreshe, George Weston Bakeries, PA
548. Tom Keller, PPL Corporation, Allentown, PA

549. Thomas Au, Clean Air Board of Central PA, Harrisburg, PA
550. Philip Carey, Carlisle, PA
551. Lucas Porter, Carlisle, PA
552. Marilyn Zatinsky, Carlisle, PA
553. Andrew Banky, Cumberland County Medical Society, Carlisle, PA
554. Sandra Strauss, PA Council of Churches, Harrisburg, PA
555. Richard Ruff, Carlisle, PA
556. Duane Fickeisen, Unitarian Universalists Church, Boiling Springs, PA
557. Mark Kreiger, Presbyterian Carlisle, Camp Hill, PA
558. Victor Stabile, Middlesex Township Supervisor, Carlisle, PA
559. Jim Runk, PA Motor Truck Assoc, Camp Hill, PA
560. Charles Hooker, Mechanicsburg, PA
561. Dennis Haraczak, Arnold, PA
562. Rachel Filippini, Group Against Smog & Pollution, Pittsburgh, PA
563. Timothy French, Eninge Manufacturers Assn., Chicago, IL
564. Ashleigh Deemer, Clean Water Action, Pittsburgh, PA
565. Heather Sage, Citizens for PA's Future, Pittsburgh, PA
566. Bill McMaster, Kenworth of PA, New Stanton, PA
567. Marilyn Zatinsky, Carlisle, PA
568. Independent Regulatory Review Comm., Harrisburg, PA

COMMENTS

GENERAL COMMENTS SUPPORTING REGULATION

1. Comment: General support is expressed for the diesel vehicle anti-idling regulation. (1, 2, 10, 14, 37, 38, 58, 64, 74, 265, 266, 281, 282, 286, 287, 304, 313, 314, 316, 323, 328, 335, 337, 349, 351, 356, 408, 415, 416, 420, 425, 428, 437, 450, 454, 465, 485, 488, 528, 532, 533, 557 and 564)

Response: The Department appreciates the support for the anti-idling regulation.

2. Comment: We are residents of Pennsylvania and we are concerned about the quality of the air we breathe. We support efforts to reduce diesel emissions, including the proposed regulations to limit the time a commercial diesel vehicle can idle. We ask the Environmental Quality Board to move quickly to adopt the proposed regulations. We ask the Department of Environmental Protection (DEP) to enforce the regulations after they have been adopted. We urge DEP to implement an extensive driver education campaign to ensure the program is effective. (78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525 and 526)

Response: The Department appreciates the initiative of the organization that sponsored the petition to develop an idling restriction regulation and the support of all those who signed a petition. The regulation will limit idling time of the heavier diesel-powered vehicles used in commerce.

Efforts aimed at achieving enforcement of this regulation will begin with an education program for three groups of people: diesel vehicle drivers and owners; owners and operators of locations at which diesel-powered vehicles subject to this regulation load, unload and park; and enforcement personnel. The Department has received a grant from the U.S. Environmental Protection Agency for outreach activities. The education program will involve a variety of activities, including placing posters at Turnpike toll booths and using variable message signs. The Department will encourage associations of bus and truck fleet operators to assist the Department in disseminating this information. The final-form regulation places shared responsibility upon owners and operators of vehicles and owners and operators of locations at which the vehicles load, unload and park, not to cause or allow excessive idling. The final-form regulation also requires owners and operators of locations where vehicles load or unload, and owners and operators of locations that provide 15 or more parking spaces for vehicles subject to this rulemaking, to post permanent signs to inform drivers that idling is restricted. Just as with speed limit rules, however, not every actual violation can be detected and ticketed given existing

resources and competing enforcement priorities. While the Department will be enforcing the regulation, the Department will not be doing so alone. Local and state police can also issue summary citations under this rule. The Department consulted with the Department of Transportation (PennDOT) during development of the proposed rulemaking, in accordance with section 5(a)(7) of the Air Pollution Control Act (35 P. S. §4005(a)(7)). The Department also consulted with the Pennsylvania State Police. The Department will work with law enforcement agencies to make them aware of the provisions of the final-form regulation. The Department also anticipates working with the State Police and/or local enforcement agencies on concentrated high-profile enforcement events to get the word out to diesel fleet operators that excessive idling is not tolerated in the Commonwealth.

3. Comment: I strongly urge you to improve air quality in Pennsylvania by approving the proposed Diesel Vehicle Idling and Auxiliary Power Systems (APS) amendments to 25 Pa. Code Chapters 121 and 126. Fine particulates from diesel engines trigger asthma attacks and heart attacks, and can lead to cancer and premature death in the long run. When implemented, this rule will prevent approximately 30 tons of dangerous particulate pollution from entering our air. This rule will also build upon local anti-idling regulations in Philadelphia and Allegheny Counties. In doing so, knowledge and compliance with the regulation will rise in these counties--both of which do not meet federal Clean Air Act PM2.5 (fine particulate) standards. For the health of my community, I strongly urge you to approve the proposed rulemaking. I also urge EQB and the PA Department of Environmental Protection to place a special emphasis on creating both a driver education program and a comprehensive plan for enforcement. (272, 274, 275, 276, 277, 279, 280, 283, 284, 288, 289, 291, 292, 293, 294, 295, 296, 297, 298, 299, 301, 302, 303, 306, 308, 309, 310, 311, 312, 317, 321, 324, 326, 329, 330, 331, 332, 333, 334, 338, 339, 341, 342, 343, 346, 347, 348, 350, 353, 354, 357, 359, 361, 363, 364, 365, 366, 369, 370, 372, 375, 377, 379, 380, 381, 385, 386, 387, 388, 389, 390, 392, 393, 395, 396, 397, 398, 399, 400, 403, 404, 406, 407, 410, 411, 413, 414, 417, 418, 419, 422, 423, 424, 426, 427, 433, 434, 435, 436, 442, 443, 444, 445, 449, 455, 457, 458, 459, 460, 464, 466, 467, 468, 479, 482, 486, 487, 489, 490 and 535)

Response: The Department appreciates the initiative of citizens writing for the development of an idling restriction regulation. The proposed regulation seeks to address the issues that were raised such as meeting national ambient air quality standards for particulate matter in order to protect public health. See response to comment #2 addressing enforcement plans.

4. Comment: The Cumberland County/Carlisle Area is a high volume area for commercial diesel truck traffic and idling. The high concentration of these vehicles in this area has an adverse impact on health and the environment. (6, 8, 13, 16, 27, 28, 31, 38, 62, 66, 69, 71, 73, 245, 269, 439, 440, 447, 456, 471, 473, 483 and 549)

Response: The Department agrees. When the final-form rulemaking becomes effective, especially after the temperature exemption for sleeper berth expires, the Department anticipates decreases in air pollution from idling vehicles in areas where diesel-powered commercial vehicles congregate.

5. Comment: The diesel vehicle anti-idling regulation will improve air and water quality by reducing harmful pollution. (6, 12, 15, 20, 23, 30, 38, 57, 63, 67, 70, 75, 257, 258, 259, 290,

300, 305, 307, 336, 344, 345, 352, 355, 378, 383, 384, 405, 421, 438, 451, 452, 453, 462, 473, 474, 475, 477, 481, 493, 494, 527, 536, 549, 550, 551, 556, 562 and 565)

Response: The Department agrees. In 2009, without this regulation, idling emissions are estimated to account for 3,325 tons of oxides of nitrogen (NO_x), 90 tons of volatile organic compounds (VOC), and 60 tons of PM_{2.5} a year. Reductions from the regulation will result in improvements in the air and possibly in water quality through reduced deposition.

6. Comment: Approving this regulation will reduce emissions and have a positive impact on the health of anyone exposed to pollution from idling diesel vehicles. (4, 6, 16, 22, 26, 29, 30, 36, 38, 57, 63, 67, 71, 241, 243, 247, 257, 258, 259, 264, 268, 278, 355, 360, 367, 394, 401, 402, 405, 409, 429, 430, 431, 432, 438, 475, 480, 484, 549, 550, 553, 558 and 562)

Response: The Department agrees that reducing emissions will have a positive impact on health. Cutting emissions of NO_x, VOC and PM_{2.5} will reduce concentrations of ozone and PM_{2.5}, which will help reduce the occurrence of asthma attacks, the aggravation of existing respiratory and allergic conditions, and the exacerbated risk of heart attacks.

7. Comment: This regulation will result in decreased emissions of NO_x and particulate matter that are necessary to protect the health of sensitive populations, such as children, elderly, or asthmatics. (7, 13, 16, 26, 36, 71, 72, 246, 264, 270, 271, 285, 318, 319, 325, 371, 376, 391, 432, 441, 471, 475, 478, 484, 551, 552, 554 and 560)

Response: The Department agrees. Studies have shown that particulate matter emissions aggravate existing respiratory and heart conditions, especially in sensitive populations.

8. Comment: New medical studies indicate that particles like the particles emitted from diesel engines promote hardening of the arteries by deactivating “good” cholesterol. Reducing diesel emissions will reduce health costs in Pennsylvania. (241)

Response: New health studies continue to examine and identify the adverse effects of diesel particulate pollution. The Department agrees that reducing diesel emissions will reduce health costs in Pennsylvania.

9. Comment: The proposed regulation should be adopted because idling pollution harms the health of drivers, workers, and residents. (24, 33, 34, 35, 76, 242, 245, 249, 263, 474, 549, 555 and 556)

Response: The Department agrees that emission reductions resulting from this regulation will improve the health of anyone exposed to pollution from commercial diesel vehicles.

10. Comment: The potential positive impacts, environmental or economic or both environmental and economic, resulting from decreased fuel use are a good reason to adopt this regulation. (18, 20, 33, 34, 35, 36, 71, 72, 76, 242, 243, 245, 247, 249, 263, 270, 325, 368, 373, 446, 448, 475, 549, 554, 555, 556 and 564)

Response: The Department agrees that this regulation will have positive economic and environmental impacts from decreased fuel use. The U.S. Environmental Protection Agency (EPA) estimated that idling for one hour uses one gallon of diesel fuel. The EPA also estimated that idling for one hour produces about one-third of a pound of NO_x, which serves as a precursor to the formation of PM_{2.5} and ozone, and more than 21 pounds of CO₂, a principal greenhouse gas.

11. Comment: This regulation will decrease pollution but it will not be effective without a strong enforcement effort. (5, 29, 58, 68, 243, 263, 456, 491, 558, 561 and 565)

Response: See response to comment #2.

12. Comment: This regulation will reinforce efforts made by several major cities in Pennsylvania to limit idling. (320, 322, 558, 562 and 564)

Response: The Department agrees and appreciates the leadership of Allegheny County and Philadelphia in the regulation of diesel-vehicle idling.

13. Comment: Pennsylvania's lack of an idling rule may serve to attract idling trucks to the state. This regulation will ensure that Pennsylvania will not suffer excessive pollution from truckers attempting to avoid idling laws in other states during the truckers' required rest periods. (471, 475, 477 and 549)

Response: The Department anticipates that the proposed regulation will have an influence on idling behavior of truck drivers driving through the Commonwealth.

14. Comment: Alternative technology, not main engine idling, should be used for driver comfort. (25, 34, 68, 72, 243, 249, 549 and 556)

Response: Along with technology and fuel price conditions that currently make main engine idling cost-prohibitive, the Department anticipates that this regulation will serve as additional motivation for truck owners and operators to invest in idling reduction technology to replace main engine idling.

15. Comment: Better alternatives exist to main engine idling. (3, 72, 76, 242, 263, 474 and 561)

Response: The Department agrees. The most expensive alternatives to main engine idling will pay for themselves in about one year, when considering the current cost of diesel fuel.

16. Comment: Section 126.612(a)(1), which allows trucking companies time to install alternative technologies that can replace the necessity for main engine idling or requires truckers to use an available stationary idling option at a truck stop, is necessary to ensure compliance. (471, 475 and 562)

Response: The Department appreciates the comment. Although idling technology is currently affordable and cost effective to use, the final-form rulemaking will allow time for truck owners to purchase and install an alternative technology. At current fuel prices, the payback time for installing an auxiliary power system is about one year. Therefore, significant savings can be generated by purchasing alternative technology.

17. Comment: The regulation should be adopted. However, the cost of alternative technology may be prohibitive to small businesses. Also, if drivers do not own the vehicle they are driving, the drivers have no control over whether the owner installs the devices. (43 and 492)

Response: The payback time at the current cost of diesel fuel is very short, about one year, after which point APS can become profit generating. With the added impetus of state regulation, both here and in other states, the Department anticipates that trucking companies will be more responsive to the needs of their drivers in a competitive marketplace.

18. Comment: As more idling restriction regulations come into effect, more drivers will understand that unnecessary idling will no longer be tolerated. (243)

Response: The Department shares the commentators' expectations.

19. Comment: Pennsylvania will need this regulatory measure, as part of a suite of measures, to avoid counties falling into non-attainment with the National Ambient Air Quality Standards (NAAQS). (71, 243, 548 and 558)

Response: This final-form regulation is part of the Commonwealth's comprehensive strategy to achieve and maintain the NAAQS for ozone and fine particles. Some ozone and fine particulate matter non-attainment areas may require implementation of additional emission reduction strategies to bring them into attainment.

20. Comment: No additional exemptions are necessary, either for additional queuing or other needs. (471 and 549)

Response: The Department disagrees. In certain circumstances, queuing may facilitate the movement of traffic and lower emissions. The final-form rulemaking includes an exemption for queuing and associated activities, such as weighing and sampling. The exemption, however, is allowed for queuing only when idling is necessary and limits overall idling time to a total of 15 minutes in a continuous 60 minute period.

21. Comment: In most cases, school buses should not be allowed to idle. (471)

Response: The Department agrees. One specific exemption for school buses has been included where the queue of buses may make it dangerous for the students to board the bus because the configuration around the loading or unloading location does not allow for stopping and shutting off the engine. This situation would occur mostly in urban settings. The final-form rulemaking also includes an exemption to allow idling when necessary to maintain a safe temperature on a school bus transporting students with special needs.

22. Comment: The temperature range when idling is prohibited, between 40 and 75 degrees Fahrenheit, is fair to operators. (559)

Response: The Department appreciates the comment.

COMMENTS OPPOSING REGULATION

24. Comment: General opposition to the proposed diesel anti-idling regulation was expressed. (46, 239, 252 and 253)

Response: The Department acknowledges these comments. Responses to comments below address specific issues.

25. Comment: Many truckers consider their trucks to be their homes during long-haul driving. Most people would not accept only being able to run their heating or air conditioning systems in their homes for only five minutes of every hour. (42, 53, 54, 61, 251, 254, 255 and 534)

Response: The restriction on idling does not necessitate a restriction on heating or air conditioning. The final-form regulation provides sufficient time for trucks to be fitted with an APS or to acquire other technology that serves as an alternative to main engine idling. This technology will enable drivers to have climate control, electricity and other options previously provided by idling the main engine, without causing the significant amounts of pollution generated by main engine idling.

26. Comment: Allowing the drivers to only run heating or cooling equipment for five minutes of every hour can create health, comfort, safety, or security issues for the driver or the equipment. (21, 45, 48, 51, 53, 55, 56, 68, 240, 250, 469, 492 and 559)

Response: It is not the intention of the regulation that operators only run heating or cooling equipment for five minutes of every hour. The regulation will promote the adoption of alternate technology such as APS or stationary idling reduction technology (electrified parking spaces) to reduce main engine idling. These technologies will enable drivers to have climate control, electricity, and other options previously provided by idling the main engine, without causing the significant amounts of pollution generated by main engine idling.

27. Comment: A commentator who does not represent the American Trucking Associations or the trucking industry believes that the American Trucking Associations and the trucking industry will not take the lead on reducing idling. Previous examples where these groups did not support fuel efficiency or pollution prevention are cited in the comments. (244)

Response: The proposed regulation was initiated by a citizen petition submitted to the EQB. The trucking industry and trucking associations were consulted during the development of this regulation, and in general, were supportive. The Department will continue to work with the trucking industry and trucking associations in its compliance efforts.

28. Comment: The regulation should not be adopted. The cost of alternative technology is prohibitive to small businesses. Also, if truck drivers are driving for someone else's company, they have no control over whether the owner installs the devices. (39, 47, 48, 49, 56, 59, 60, 61 and 469)

Response: The payback time at the current cost of diesel fuel is about one year, after which point APS can become profit generating. With the added impetus of state regulation, both here and in other states, the Department anticipates that trucking companies will be more responsive to the needs of their drivers in a competitive marketplace. Pennsylvania, other states and the federal government are offering financial assistance programs targeted to small businesses for the acquisition of alternative technology.

29. Comment: The regulation should not be adopted because stopping the engine is bad for the engine. (240)

Response: The Department disagrees. Unnecessary idling is harmful to the engine. Reduced main engine idling for travel rest has been shown to lower engine maintenance costs. The

American Trucking Association states that one hour of main engine idling per day for one year results in the equivalent of 64,000 miles of engine wear.

30. Comment: The proposed anti-idling regulation is discriminatory towards truck drivers. It should not be approved unless it is applied to all diesel equipment. (42, 52, 238, 240 and 546)

Response: The Department disagrees. The final-form regulation applies to a wide variety of large diesel-powered vehicles, including commercial trucks and large buses. While the regulation does not apply to all diesel equipment, it is not required to in order to be lawful. In addition, federal law generally precludes states from regulating emissions from certain types of diesel equipment, such as aircraft, locomotives, and some construction and farm equipment.

31. Comment: The proposed anti-idling regulation is unenforceable. Attempting to enforce this regulation is a waste of police resources. (9 and 53)

Response: The Department understands that the challenges that will be involved in enforcing an anti-idling regulation, but disagrees that enforcement will be a waste of resources. See comment #2.

32. Comment: The commentator expressed disbelief about whether or not idling trucks are a significant source of air pollution. (240)

Response: Idling trucks are a significant source of air pollution. The Department estimates that without idling emissions in this Commonwealth in 2009, the year in which this final-form regulation will take effect, long-duration idling will account for about 3,325 tons of oxides of nitrogen (NO_x), 90 tons of volatile organic compounds (VOC), and 60 tons of particulate matter per year, a significant source of emissions. The majority of idling emissions are from heavy-duty diesel vehicles.

33. Comment: Starting the engine every five minutes during the federally mandated rest period to maintain cabin temperature would be a violation of Department of Transportation regulations. (21)

Response: The final-form regulation does not require truck drivers to violate Department of Transportation regulations. The regulation allows truck drivers who want cabin heat or air conditioning during extreme temperatures until May 1, 2010 to idle their vehicle's main engine. After May 1, 2010, one of many widely available alternatives to main engine idling will need to be used. None of those alternatives requires a driver to start his or her engine manually during a mandated rest period.

34. Comment: The proposed idling regulations will cause more traffic, increase fuel use, and increase accidents. (9)

Response: The Department disagrees. No evidence has been provided that the regulation will cause more traffic or more accidents. In fact, lack of an idling regulation has attracted traffic in some border areas. Reduced idling will reduce fuel usage: idling can consume as much as one gallon of fuel per hour. Auxiliary power systems and other idling technologies that will likely replace main engine idling consume about one-tenth of the fuel usage of an idling main engine, or consume no diesel fuel at all. Examples are stationary idling systems and battery-powered auxiliary power systems.

35. Comment: If the anti-idling regulation is passed, some drivers indicated they will not travel in Pennsylvania. (59 and 65)

Response: Many states have adopted similar idling laws and regulations. The Commonwealth's idling regulation is similar to those already existing in surrounding states, through which many of the trucks traveling through Pennsylvania must also travel.

36. Comment: The government is forcing regulations on the trucking industry without having the infrastructure in place to support the requirements. (566)

Response: The Department disagrees. Idling infrastructure and technology are well positioned for use. Recently, the price of diesel fuel and advances in alternative diesel idling technologies have allowed truck owners and drivers to realize significant cost savings when purchasing or using an auxiliary power system or stationary idling reduction technology. The Department has helped to fund stationary idle technology projects throughout the Commonwealth. The Department has made grant money available to small trucking firms through the Small Business Advantage Grant to purchase APS. The federal government is also providing funds to reduce diesel emissions. EPA is working with the Small Business Administration and lenders to finance idling reduction and other fuel-saving technology, and the Small Business Administration Express Loans are available to companies with \$23.5 million in gross receipts or less. Lenders offer a rapid approval process, low monthly payments and no collateral requirements.

SUGGESTED REVISIONS TO REGULATION

Consistency

37. Comment: The EQB should explain what alternatives it considered to limit idling and why this complicated regulatory scheme was chosen as the best way to limit idling and enforce its provisions to accomplish the stated goal to improve air quality. (568)

Response: The final-form rulemaking simplifies the applicability of the regulation (see also response to comment #44) and makes changes for purposes of clarity in some of the exemptions in order to reduce complexity. The general regulatory scheme is consistent in format with regulations in other jurisdictions and the EPA State Model Idling Law.

With regard to alternatives, the Department in the past provided a grant to a non-profit group to develop an outreach program that encouraged school districts to adopt "no idling" policies and helped educate districts and school bus drivers of the benefits of restricting idling emissions. Although this program seemed to have some immediate success in curtailing idling in school buses, an outreach program would not be as effective as a regulatory program. Diesel-powered motor vehicles subject to this regulation produce much of the idling emissions in the Commonwealth during periods of travel rest. Most diesel-powered motor vehicles that idle in the Commonwealth at travel rest are based out of state and would be unreachable with an

outreach program. Truck stop owners and operators are often unwilling to help their customers comply with idling prohibitions in the absence of regulation.

The Department had considered developing a model rule that local municipalities in the Commonwealth could adopt, as EPA did. The trucking industry supported the EPA effort because the industry wanted more consistency among regulatory jurisdictions. EPA hosted a number of workshops across the country that allowed parties such as local and state governments, major trucking fleets, trucking associations, bus association, and other companies to provide input for the development of the model rule. The model rule was published in April 2006. Although a number of municipalities in the Commonwealth are considering adopting local ordinances, the trucking industry has stated that it prefers a state regulation to a patchwork of local ordinances.

When the final-form rulemaking is adopted by the Board and published in the *Pennsylvania Bulletin*, it will be submitted to the EPA as a revision to the commonwealth's SIP. In order for the emission reductions to be included in the SIP, the reductions must be secured through an enforceable rulemaking. Non-regulatory options are not generally available as Federally enforceable measures.

In developing this rulemaking, the Department considered the petitioner's proposed language, EPA's Model State Idling Law, and the two existing local regulations adopted by the City of Philadelphia and Allegheny County. The Department used the petitioner's proposed language as a starting point. An effort was made not to create regulatory conditions that would contradict provisions within the existing local regulations in the Commonwealth when practical and to incorporate provisions of the EPA State Model Law, since it resulted from input from national industry representatives. After the public comment period, additional exemptions were added and the applicability of the regulation was changed to exclude certain vehicles. The Department expects that this will not perceptibly affect costs or emission reductions. The final-form regulation does not include some exemptions that were requested by individual industries because they are already included in the exemption language, because they were not warranted to protect health, safety, or reasonable operational practices or because alternatives to idling are readily available.

38. Comment: The EQB should ensure that its operator-based rule is consistent with the EPA Model Law and the California Air Resources Board (CARB) operator rule. (563)

Response: The Department disagrees that the rules need to be identical, but recognizes the value of consistency. For this reason, during the rulemaking's development, the Department considered the EPA State Model Law, developed with the input of stakeholders on a national basis, existing laws and regulations of other states, and existing regulations already in effect in Allegheny County and the City of Philadelphia. In addition, the Department considered comments and Pennsylvania-specific circumstances when finalizing the regulation.

39. Comment: EQB should explain whether it believes complete uniformity among states is being accomplished based on the EPA Model State Idling Law. If the requirements among states are not uniform, the EQB should explain what efforts it is making to coordinate development of a regulation that is as uniform as possible with other states. (568)

Response: Complete uniformity is not being accomplished based on the EPA Model State Idling Law. Regulations in many states predate the model law by many years and are not being updated. Newly adopting states, such as Maine, have adopted most parts of the model law, such as the definition of “commercial motor vehicle,” but have changed other portions, such as consideration of the very low temperatures present in that area. The Department considered the provisions of neighboring states’ idling laws in developing this final-form rulemaking. Should EPA or other federal organization, including Congress, begin to develop a mandated approach to the reduction of idling, the Department would lend its expertise in reaching consensus on uniform requirements and if required, revise its regulation.

40. Comment: Exemptions included in the EQB's regulation differ in several instances from those in the EPA Model State Idling Law. The EQB should explain whether this regulation is consistent with states that already have idling restrictions, and particularly, neighboring states. (568)

Response: The Department included exemptions from the EPA Model State Idling Law but modified them in recognition of the Commonwealth’s circumstances, particularly the magnitude of its truck traffic, warehouses and travel rest facilities. In addition, Pennsylvania has provided grants to operators of stationary idling reduction facilities (electrified truck stops), which are not available in all states. In developing the regulation, the Department considered the petitioners’ recommended language, the regulations in effect in Philadelphia and Allegheny counties, and the regulations in effect in neighboring states. All differ from each other, and because they all predate the model law published in 2006, differ from that as well. EPA intended that the model law would be used by states prospectively in developing laws and regulations, and hoped that existing laws would be modified to conform, but also recognized the optimism of that undertaking. The final-form rulemaking balances uniformity with state-specific concerns.

Definitions.

41. Comment: The definition of “commercial motor vehicle is not clear.” (568)

Response: The Department acknowledges the confusion caused by this term and has deleted it from the final-form rulemaking.

42. Comment: The regulation needs to clearly establish what a “diesel-powered” vehicle is because it establishes who must comply with the regulation. (568)

Response: The final-form rulemaking includes a definition of “diesel-powered.” Note that the definition describes the type of engine, not the type of fuel. Larger vehicles are almost all diesel-powered, so these vehicles are relatively easy to identify.

43. Comment: The final-form regulation should add definitions for bus terminal, passenger bus, school bus, and stationary idling technology. (568)

Response: The final-form regulation has removed the use of the term “passenger bus” and replaced it with the already defined term “bus” and incorporated by reference the statutory definitions of “school bus” and “bus”. The final-form regulation also defines “bus depot” and “stationary idling technology”.

Applicability and Idling Restrictions.

44. Comment: The regulation is complicated regarding affected vehicles and exemptions. First, it is difficult to identify what vehicles are affected. The definition of "commercial motor vehicle" specifies a weight of vehicle affected but also includes factors unrelated to emissions, such as the number of passengers, compensation and transporting hazardous materials. Second, the undefined term "diesel-powered" is used in the body of the regulation in combination with "commercial motor vehicle." Third, after it is determined that the vehicle is a "diesel-powered commercial motor vehicle," a vehicle could be exempt based on several conditions. The EQB should explain what alternatives it considered to limit idling and why this complicated regulatory scheme was chosen as the best way. (568)

Response: The Department acknowledges the confusion generated by the term "commercial motor vehicle" and has revised the final-form rulemaking accordingly.

The proposed regulation followed the recommendations of the EPA State Model Idling Law in choosing a federal definition to describe the scope of the core idling restriction. EPA indicated that this definition was more familiar to the regulated community across the country than other definitions. The final-form regulation, however, deletes the term "commercial motor vehicle" and makes the regulation applicable to diesel-powered motor vehicles 10,001 pounds and heavier gross vehicle weight rating, except for motor homes and vehicles related to agriculture. This weight would subject most trucks used in business, buses and school buses to the idling restrictions, except when and where exempted by Section 126.612. The term "diesel-powered" is defined in the final-form rulemaking; most heavy-duty vehicles are diesel-powered.

In regard to exemptions, in most cases only one or two exemptions will apply to an individual vehicle at a time. The Department does not agree that the regulation is excessively complicated when viewed from the perspective of an owner or operator of a subject vehicle or location, or a field inspector. The final-form regulation strikes a reasonable balance between complexity and ensuring the ability of the vehicle fleet to perform its function.

45. Comment: The definition would be much simpler to understand, comply with and enforce if it only designated a weight limit and a number of passengers. (568)

Response: See response to comment #44.

46. Comment: Explain why a definition applicable to Federal Motor Carrier Safety Regulations under the United States Department of Transportation, used verbatim, is the most appropriate way to define and regulate vehicle emissions. (568)

Response: See response to comment #44.

47. Comment: EQB should explain the need for four different weight ranges in §121.1(i). (568)

Response: See response to comment #44.

48. Comment: The EQB should explain why the regulation uses two provisions based on the number of passengers and conditioned on compensation. Regulation would be clearer if it only specified a number of passengers and did not involve compensation. (568)

Response: See response to comment #44.

49. Comment: Explain why the EQB included extraneous factors such as transporting hazardous material and placarding as determinative factors in the scope of vehicles that must comply with emission standards. (568)

Response: See response to comment #44.

50. Comment: Explain why the word “commercial” is needed to designate vehicles affected by the regulation. (568)

Response: See response to comment #44.

51. Comment: In considering the definition of “commercial motor vehicle,” the EQB should also take into consideration the existing definition in § 121.1 of “passenger car,” defined as a motor vehicle designed primarily for transporting of persons and having a design capacity of 12 persons or less.” (568)

Response: The final-form regulation no longer includes the word “passenger” and relies on existing statutory definitions with passenger numbers for “bus” and “school bus.” The definition of “passenger car” in § 121.1 was adopted in a prior rulemaking in conjunction with 25 *Pa. Code* Chapter 126, Subchapter B to be consistent with federal guidance for the Employer Trip Reduction program and is not useful for the regulation of idling.

52. Comment: The EQB should review and explain the need for four different weight ratings (gross vehicle weight rating, gross combination weight rating, gross vehicle weight, gross combination weight) and if necessary, define those not already defined. (568)

Response: The final-form regulation deletes the definition of “commercial motor vehicle” which included those ratings and only uses GVWR, which is already defined in § 121.1.

53. Comment: Agricultural activities based on vehicle type should be exempt from the requirements of the regulation. (497)

Response: The Department agrees and has modified Section 126.601 (relating to applicability) to exclude commercial implements of husbandry, implements of husbandry, farm equipment and farm vehicles from the requirements of this regulation. The excluded vehicles are those as already defined in the Vehicle Code (75 Pa.C.S. 102).

54. Comment: Agricultural activities based on farm activity should be exempt from the requirements of the regulation. (497)

Response: Since Section 126.601 has been amended to exclude all agricultural vehicles from the requirements of this regulation (see response to comment #53), it is unnecessary to exclude agricultural vehicles based on types of activity.

55. Comment: Only the owner and/or operator of an illegally idling truck and not the owner of the location should be made responsible for the non-compliance with the regulation. (463, 470, 476, 539, 541 and 542)

Response: The Department disagrees. An analysis conducted by the Department in response to the petition to develop an idling restriction rulemaking, found that shared responsibility by owners and operators of facilities and owners and operators of vehicles is essential to reduce idling effectively. There are many things that location owners and operators can do to reduce or eliminate excessive idling. Load and unload location owners and operators may reduce or eliminate excessive idling by, for example, improving the location's logistics system for processing truck loading and unloading, implementing a call-in system when trucks are ready to be processed, or providing a waiting room for truck drivers until they are ready to be processed. EPA recognized these possibilities in its commentary to its Model State Idling Law (EPA Model State Idling Law, EPA420-S-06-001, Discussion Comments, p.3). According to the EPA, truck drivers noted in discussions with the EPA that logistics problems at the loading and unloading locations often created long wait times, and the drivers felt they should not be solely responsible. The final-form regulation has been amended to require certain location owners to post signs advising vehicle operators about Pennsylvania's idling restrictions. However, any location owner or operator may post signs and educate customers about the idling restrictions in order to reduce or eliminate excessive idling. The posting of signs should aid in reducing or eliminating excessive idling. Hence, not only the owners and operators of illegally idling trucks are subject to this final-form rulemaking, but also the owners and operators of locations at which trucks load, unload or park.

56. Comment: Both the owner and operator of the illegally idling vehicle should be subject to heavy fines. (286)

Response: The regulation does apply to owners and operators of vehicles subject to the requirements of the regulation. The Department, the Pennsylvania State Police and local law enforcement will have the authority to enforce this regulation through summary offenses. In Pennsylvania, police enforce against the driver of the vehicle, not the owner. Other states that enforce exclusively against owners of idling vehicles have indicated that it does not deter truck drivers from idling unnecessarily as well as in other states that take enforcement action against the driver. The regulation may apply to owners of diesel-powered motor vehicles if they cause or allow the violation.

57. Comment: The owner of the truck should be held accountable and not the driver. (25)

Response: See response to comment #56.

58. Comment: Special attention should be paid to the idling of emergency vehicles, retail service vehicles, and delivery trucks. (12)

Response: Most emergency vehicles, retail service vehicles and delivery trucks are diesel-powered motor vehicle with a gross vehicle weight rating of 10,001 pounds or more and therefore will be subject to the requirements of the regulation.

Exemptions.

59. Comment: A requirement should be added that vehicle operators must stay with the vehicle if it is idling. (561)

Response: All of the exemptions in Section 126.612(a) begin with the phrase, “When idling is necessary...” In most cases, a vehicle idling without a truck driver attending to the vehicle would not be necessary and would not be allowed. The final-form regulation, in response to other comments, makes it necessary for a vehicle that is waiting for loading, unloading, weighing or sampling to be attended.

60. Comment: The proposed temperature range is unrealistic and should be changed. Actual conditions in trucks or buses can be colder or hotter than the outside temperatures, especially in extreme temperatures. (25, 40, 50, 260, 374 and 428)

Response: The Department disagrees that the temperature range is unrealistic or should be changed. The proposed rulemaking included the temperature range for this exemption as proposed by the petitioner, the Clean Air Board of Central Pennsylvania. The Pennsylvania Motor Trucking Association commented that this temperature range was acceptable. Money saving equipment for maintaining a comfortable sleeping environment inside a sleeper cab is available for purchase and installation today. The Department anticipates that this regulation and other practical factors will motivate truck drivers and owners to purchase this equipment.

61. Comment: The temperature/sleeper berth temperature exemption should never be removed. (41, 44, 45 and 239)

Response: The Department disagrees. The exemption provides sufficient time for the purchase and installation of money saving alternative technology to ensure climate control for sleeper berths.

62. Comment: An occupied vehicle not equipped with a sleeper berth compartment that must operate air conditioning or heating and the outside temperature is less than 40 degrees or greater than 75 degrees Fahrenheit should be exempt from the requirements of this proposed regulation. (476 and 542)

Response: The Department disagrees. The proposed regulation included the temperature exemption for long-haul truck operators so that they could obtain a restful sleep during their federally mandated rest period. A facility can schedule deliveries and expedite operations at their property in a manner that will mostly eliminate the need to idle for the purpose of producing a comfortable cabin temperature. In addition, the final-form regulation has been amended in Section 126.612(a)(3) to allow idling for a total of 15 minutes during a continuous 60 minute period when necessary for sampling, weighing, actively loading or unloading, and when necessary for waiting to sample, weigh, load or unload.

63. Comment: An exemption should be made for drivers during their mandated rest periods. (61)

Response: The purpose of the regulation is to encourage owners and operators of covered vehicles to choose a money-saving alternative to main engine idling. The final-form regulation provides an exemption for idling for extreme hot and cold temperatures until May 1, 2010. After that date, heating and cooling will need to be provided through a money-saving APS or one of many other alternatives.

64. Comment: Rewrite Section 126.612(a)(1) so that an exemption is extended for the full rest period if the stationary idling technology is not available at the time the driver begins the rest period. As written, the regulation automatically triggers a violation when stationary idle reduction technology becomes available for use. This places a burden on a driver to monitor the availability of stationary idling technology during a rest period. (568)

Response: The Department agrees with the commentator's suggestion and has revised this paragraph. The Department points out that there have been numerous occurrences where a driver idles while parked at a space equipped with stationary idling technology; this is clearly a violation.

65. Comment: The definition of extreme temperature needs to be clarified as to whether it is a specific temperature or if it is up to the drivers' discretion. (547 and 566)

Response: Section 126.612(a)(1) specifies that the pertinent temperatures are those outside the range of 40-75 degrees Fahrenheit.

66. Comment: Compliance should not require a driver trying to rest to also monitor the outside temperature during a rest period. 568

Response: The proposed rulemaking included this temporary exemption in order to allow truck owners and operators more time to develop alternatives to the practice of main engine idling while reducing idling when it is not as necessary to heat or cool the cabin for rest. The truck driver should be aware of the outside temperature before retiring to their rest period. In certain rare circumstances, the temperature may drop dramatically during a weather event. The final-form regulation therefore has been modified to specify that it is the temperature at the time the driver's rest period begins that determines compliance.

67. Comment: The EQB should consider additional exemptions, if needed, for situations involving special needs children on school buses, public utility work in cold weather, idling as part of the manufacturers operating requirements and periodic stops for waste collection. (568)

Response: The Department carefully considered all of the comments requesting additional exemptions. Some of the requested exemptions already are covered by existing exemptions (public utility work, idling as part of the manufacturers operating requirements, periodic stops for waste collection). An exemption for special needs children was added to the final-form regulation. In other cases, exemptions are not needed if the vehicle operator makes use of best practices or installs available technology that is an alternative to main engine idling.

68. Comment: School bus operators should be permitted to idle their vehicle for any length of time to ensure children with special needs are transported appropriately. (496)

Response: The Department agrees and has provided an exemption in the final-form rulemaking to allow buses transporting special needs students to idle when necessary.

69. Comment: Idling limits for passenger motor coaches need to be adjusted to allow for pre-trip warm-ups and cool-downs longer than 15 minutes. (17, 267 and 374)

Response: The Department disagrees. The proposed regulation was based in part on the EPA Model Law. The Model Law was developed through a stakeholder effort in which many stakeholders were brought together to express concerns for their individual industries. The motor coach industry was represented. Most stakeholders thought that allowing motor coaches

to idle 15 minutes in a 60 minute period was appropriate, although some stakeholders thought that motor coaches should be allowed to idle 30 minutes in a 60 minute period. The Department revised the final-form regulation to allow attended vehicles that are waiting to sample, weigh, load or unload to idle when necessary for up to a total of 15 minutes in a continuous 60 minute period in order that Section 126.612(a)(2) and Section 126.612(a)(3) are consistent with each other.

70. Comment: The proposed regulation should exempt attended trucks that must idle for active delivering, weighing, sampling, receiving, loading, or unloading of property or passengers. 476, 495, 542

Response: The Department solicited comments on the issue of loading, unloading and waiting in line, and received comments from a diverse range of institutions, including the electric power industry, school bus associations, motor coach owners and operators and the construction industry, that provisions should be made. The intent of the final-form regulation is to provide incentives to location owners and operators to facilitate reduced idling while queuing, but this may not always be practical. The final-form regulation expands the exemption in Section 126.612(a)(3) for vehicles idling when necessary when actively loading or unloading, to attended diesel-powered motor vehicles idling when idling is necessary while waiting to weigh, sample, load or unload. This exemption will allow queuing in certain circumstances. The exemption is also expanded to allow idling when idling is necessary for vehicles that are actively weighing or sampling. For this exemption, a vehicle may idle up to a total of 15 minutes in a continuous 60 minute period. Some studies have indicated that emissions are lowered in certain circumstances when an engine is turned off while progressing in queue. The Department acknowledges that drivers would be unlikely to turn off their engines in a slow moving queue that is constantly starting and stopping.

71. Comment: A limited exemption should be made for idling commercial diesel vehicles that are actively loading or unloading materials in order to expedite loading or unloading processes. Only the first four vehicles in a queue are able to idle. (548)

Response: Allowing only the first four vehicles in a queue to idle is a “best management practice” that could be voluntarily implemented by businesses, but would be difficult to enforce by regulation and not practical in all situations. The mechanism that vehicle and location operators choose to meet the regulation is best left to these parties. The final-form rulemaking has expanded the exemption in Section 126.612(a)(3) to allow idling for a total of 15 minutes during a continuous 60 minute period when necessary for sampling, weighing, active loading or active unloading, and for an attended vehicle waiting to load, unload, weigh or sample.

72. Comment: Pennsylvania should provide an exemption for commercial diesel vehicles at construction sites that are loading heavy equipment or where safety, wear on the start system, need for air conditioning, or traffic flow at a job site is a concern. Alternatively, it is suggested that the construction industry should be entirely exempted. (248)

Response: The final-form rulemaking does not include exemptions specific to the construction industry. A proposed exemption in Section 126.612(a)(3) to allow idling for a total of 15 minutes in a continuous 60-minute period when idling is necessary for loading or unloading of materials such as heavy equipment has been expanded to allow an attended vehicle that is “waiting” to load or unload up to a maximum of a total of 15 minutes in a continuous 60 minute

period if idling is necessary. These exemptions should allow enough time to load and unload heavy equipment without exempting an entire industry. Off-road equipment itself, such as bulldozers or graders, is not subject to this regulation.

73. Comment: The word “safety” should be added following the word “mechanical” in Section 126.612(a)(4) to provide power to safety lights. (496)

Response: The Department disagrees that a revision is necessary. Providing power to safety lights, which are lights required to promote more visibility than the lights normally required of the manufacturer by the U.S. Department of Transportation, is a work-related electrical operation covered by Section 126.612(a)(4), when idling is necessary.

74. Comment: A vehicle operated by a public utility should be allowed to idle if the vehicle is involved in emergency repair work, construction, service, and maintenance. (537 and 538)

Response: A revision is not necessary as an exemption was included in the proposed regulation in Section 126.612(a)(4), and is retained in the final-form regulation, to operate work-related electrical or mechanical operations. This would include, but not be limited to, a computer, electric lights, traffic control sign, power takeoff device, or a hydraulic lift. Idling vehicles operated by a public utility that are not idling to provide some power to a work-related electrical or mechanical device is unnecessary.

75. Comment: Idling should be permitted to occur if the purpose is to supply power to a traffic control device or electric sign. (539)

Response: Section 126.612(a)(4) allows idling when necessary to operate a work-related electrical operation. An electric sign or traffic control device would be such an electrical operation.

76. Comment: The EQB should consider an exemption for incidental idling, such as idling in traffic over which the driver has no control, similar to that enacted by the State of New Jersey (38 NJR 3728(b)). (265)

Response: The final-form rulemaking includes such an exemption, in Section 126.612(a)(5). No revision is necessary.

77. Comment: The exemption that is provided for maintenance, servicing, and repairs should explicitly include a provision for regeneration or maintenance of the exhaust emission control device. (563)

Response: The Department disagrees that an additional exemption is necessary. The exemption in the final-form regulation for maintenance, servicing or repair of the vehicle or for vehicle diagnostic purposes, Section 126.612(a)(7), includes all maintenance procedures and should cover the procedure of concern in the comment.

78. Comment: Section 126.612(a)(8) should be expanded to allow compliance with engine and truck manufacturers’ operating requirements, specifications, and warranties. (529, 530, 531 and 540)

Response: The Department believes that the final-form regulation is consistent with the design of trucks and truck engines. The basic idling restriction in the final-form regulation, five minutes in a continuous 60-minute period, is based on the EPA State Model Idling Law. The Model Law

was developed by groups of stakeholders, including engine manufacturers and fleet managers. Warranties and warm up periods necessary for the proper operation of the engine and vehicle were considered. It was determined that no longer than five minutes of idling was necessary to satisfy warranty provisions. No specific example of an applicable warranty provision that would require more than five minutes of idling or an exemption was given in the comment.

79. Comment: An exemption should be added to provide warm up for electric line crews working in severe cold weather. (495 and 548)

Response: The Department disagrees that this exemption is necessary. One of the easiest and most cost-effective solutions for eliminating unnecessary idling is for the vehicle owner to purchase and install a bunk heater or other heating alternative. Bunk heaters use less fuel at less than one-tenth the rate that the main engine uses. In addition, an exemption is available under Section 126.612(a)(9) for public safety vehicles being used in an emergency.

80. Comment: The school bus exemption in Section 126.612(a)(11) should be clarified to ensure that school buses do not idle on school property. (549, 562 and 564)

Response: The Department agrees and has amended the final-form rulemaking to describe clearly that this exemption only applies to buses off of school property and only when idling is necessary.

81. Comment: Support was expressed for language in Section 126.612(a)(11) that allows idling when school buses are queuing. (496)

Response: The Department acknowledges the comment. Section 126.612(a)(11), however, allows school buses off of school property to queue only in limited circumstances such as when the location and physical configuration around the school does not allow school buses to stop due to traffic and safety constraints. This exemption would not apply to a school that has a large parking lot, for instance. Please note that Section 126.612(a)(3) has been amended to provide that a motor vehicle subject to this subchapter, including a school bus, may idle when necessary for a total of 15 minutes in a continuous 60 minute period when waiting to load and unload passengers.

82. Comment: An exemption should be included in the regulation for all permitted loads so that safety lighting and air pressure can be maintained while waiting for police escorts and travel restrictions to be lifted. (261)

Response: The Department agrees. The final-form regulation provides for an exemption for heavy-duty diesel vehicles that require the issuance of a permit in accordance with 75 Pa.C. S. Chapter 49, Subchapter D (relating to size, weight and load) and are waiting for a police escort. Vehicles that carry loads that are heavy or long, so-called “super loads,” require a police escort in Pennsylvania and neighboring states. Differing travel restrictions for trucks carrying super loads between these states necessitate that trucks wait for long periods of time at state borders for a police escort. Trucks hauling super loads have as many as 16 axles and require long brake lines or additional braking capacity. This additional braking capacity requires warm air from the engine to be pumped into the brake lines at all times to prevent freezing. Without this exemption, an unsafe condition could result.

83. Comment: Section 126.612(b) should not be restricted to 2007 and newer vehicles because manufacturers are developing kits to provide low idle NOx capabilities for prior model year engines. (563)

Response: The final-form regulation allows for this eventuality. The Department included this provision in the proposed regulation to allow vehicles with very low emissions from their main propulsion engine for both NOx and PM to idle without restriction if so labeled. The Department had identified model year 2007 and newer vehicles as those that have particulate filters whether certified by CARB or EPA because of stringent PM certification standards for model year 2007 engines.

CARB allows model year 2008 and newer vehicles to meet an optional low NOx idle standard instead of an automatic engine shutdown system (that shuts the engine down after five minutes in most circumstances). A vehicle which meets this standard must bear a label meeting requirements pursuant to section 35.B.4 “California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles,” as incorporated by reference in title 13, CCR, section 1956.8(b).

The final-form regulation deletes the reference to model year 2007 and offers the exemption to all model years if the vehicle exhibits the label described above. For now, this will not include vehicles whose main propulsion engines are older than model year 2007, as CARB’s regulation does not allow the label to be issued to vehicles whose main propulsion engines are not originally equipped with particulate filters. The language in the final-form rulemaking thus will provide flexibility in the event that CARB changes its regulation

84. Comment: The regulation should specify how the label must be displayed to demonstrate compliance with Section 126.612(b), the low-NOx idle engine compliance alternative, so that a label is not placed in a place where enforcing compliance could result in the driver being unnecessarily disturbed during their rest period. 568

Response: The regulation references the California regulation which references the document *California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles*, Chapter 35, Section B.4.3, which outlines proper label placement. The section precisely indicates that the referenced label be placed to the driver’s side hood in an area within one foot from the top and front edges of the hood. A label placed in this location will not necessitate the driver to be disturbed for enforcement purposes unless the truck is out of compliance. No need exists to further specify label location in the regulation, but this information will be provided by the Department in educational information available to fleets.

85. Comment: Explain why it is in the public interest to allow newer vehicles to idle without restriction, particularly when idling is deemed unnecessary for other vehicles. 568

Response: Some of these newer vehicles will emit almost no harmful pollution. The regulation’s purpose is to reduce emissions of PM and ground-level ozone. PM comes both directly from a tailpipe as well as being formed in the atmosphere as a secondary pollutant. Thus, oxides of nitrogen (NOx) emitted into the atmosphere contribute to both ozone and PM. Federal and California emission standards for model year 2007 and newer engines emit very little PM. All manufacturers have responded to the standards by equipping vehicles with particulate filters. While the newer vehicles are well-controlled for particulate matter, they still

may emit significant amounts of NO_x while idling. California has provided an alternative to its automatic engine shutdown requirements – the clean NO_x idle standard – and will issue a label to identify those vehicles containing engines which have been voluntarily certified to that standard. Section 126.612(b) thus allows idling for engines and vehicles that are well-controlled for both PM and NO_x at idle. Owners and operators may still choose not to idle in order to save on fuel costs by choosing stationary idle reduction technology or various kinds of on-board idle reduction technology.

86. Comment: The regulation should specify who has authority to enforce this regulation and accept verification of a mechanical problem as stated in Section 126.612(c)(2). 568

Response: The Department, state and local law enforcement officers have the authority to enforce this regulation. “Other enforcing agency” refers to the Pennsylvania State Police and any law enforcement agency with the ability to issue summary citations. The Order will include this explanation.

87. Comment: Recreational vehicles could be adversely impacted because small onboard diesel generators will be subject to these requirements. An exemption for the operation of generators used in recreational vehicles is requested. (11)

Response: The final-form rulemaking, which applies to diesel-powered motor vehicles with a GVWR of 10,001 pounds or more and exempts motor homes, will not apply to most recreational vehicles.

88. Comment: Pennsylvania did not appear to consider short-haul trucking issues in the proposed regulation. (476 and 542)

Response: Although the Department did not quantify the emissions produced by short-haul trucking (due to the high expense necessary to obtain Pennsylvania specific data), the Department expects to realize emission reductions from every type of trucking due to this regulation.

89. Comment: If a public vehicle has been exempted by local regulations or codes, the vehicle should be exempt from the idling requirements. (537)

Response: The Department disagrees. The Department considered existing local codes or regulations already adopted by localities in the Commonwealth. No explanation of the specific safety or health concern was given for the need to allow all public vehicles to idle. Adequate exemptions are provided in the final-form regulation, which allow idling to provide power for work-related electrical or mechanical operations, which could include computers, power take-off devices, safety lighting and hydraulic equipment. These exemptions will allow public vehicles to idle legally in many instances.

90. Comment: An exemption should be extended for a commercial motor vehicle when engaged in solid waste collection, transportation, or the collection and lawful management of source-separated recyclable materials. (529, 530, 531 and 540)

Response: The Department disagrees that an exemption specific to solid waste collection or transportation, or to the collection and lawful management of source-separate recyclable materials, is warranted because a number of exemptions in the proposed regulation already apply

to activities undertaken by the solid waste collection. Specifically, Section 126.612(a)(4) allows idling when necessary to power work-related mechanical operations, such as hydraulic equipment or the power takeoff device, and Section 126.612(a)(2) allows for active loading and unloading. In addition, the final-form rulemaking expands Section 126.612(a)(2) to allow idling when necessary for vehicles that are waiting to load or unload.

Subchapter G – Auxiliary Power Systems

91. Comment: Regarding Section 126.702, Pennsylvania is preempted from enforcing any emission-related requirements for nonroad engines unless those requirements (as well as their implementation and enforcement) are “identical” to CARB standards that have been authorized by U.S. EPA and Pennsylvania provides at least two years between the date it adopts such nonroad engine requirements and the date they are slated to take effect. (563)

Response: The Department specifically requested comment on proposed Subchapter G in the preamble published with the proposed rulemaking. Proposed Subchapter G (relating to auxiliary power systems) is deleted in the final-form rulemaking. Proposed Subchapter G addressed emission reductions from APS on subject vehicles traveling in and through this Commonwealth. Proposed Subchapter G required the exhaust of APS used on vehicles with MY 2007 or newer engines to be routed through the main engine's exhaust system upstream of the particulate filter; in lieu of this requirement, an APS labeled as being verified by CARB as having advanced particulate control could be used. In reviewing comments on the proposed rulemaking, the Department determined that, for practical and legal reasons, if the APS provisions were retained the Department would postpone their applicability until at least model year 2012. However, because the APS emissions reduction and alternative technology fields are still developing, the Department deleted the proposed Subchapter G and will monitor the technological developments instead, until a more satisfactory approach can be identified.

The anticipated emission reductions from the proposed rulemaking will not change as a result of omitting proposed Subchapter G because Subchapter G was not accounted for in the emission reduction calculations for the proposed rulemaking. Furthermore, to the extent that vehicles with diesel-powered APS comply with California's regulation in order to operate in California and then operate in Pennsylvania, the Commonwealth will realize some emission reduction from cleaner APS.

92. Comment: The option for allowing the routing of the APS exhaust through the main engine should only be allowed if the main engine has been designed and approved for this purpose by the original engine manufacturer. (563)

Response: The final-form rulemaking does not regulate APS.

93. Comment: The requirements in Sections 126.701 and 126.702 only require a “model year 2007 or newer engine” and do not include the requirement specified in Section 126.612(b) for a label issued by CARB under 13 CCR 1956.8(a)(6)(C). Explain why these requirements differ. (568)

Response: The Department has deleted Subchapter G (namely, Sections 126.701 and 126.702) in the final-form rulemaking. Nevertheless, the Department provides the following explanation in response to the comment for the commentator's information.

The requirements differ in the proposed regulation because the provisions in California's regulations also differ. Proposed Subchapter G applied to APS used on vehicles with main engines which, in order to meet federal and California emission standards applicable to that model year (2007 or newer), emit very little particulate matter because they are equipped with particulate filters. CARB does not issue a special label for these vehicles. Owners and operators of these vehicles often choose to operate the vehicles' auxiliary functions with auxiliary power systems to save fuel; these smaller engines, if uncontrolled, emit more particulate matter than the main propulsion engine of these newer vehicles. CARB has imposed restrictions on the use of APS on these newer vehicles in order to operate in California. One alternative in CARB's rule is to operate an APS with a label indicating that the APS is itself equipped with a particulate filter. Another CARB alternative is to reroute the exhaust through the exhaust system of the main propulsion engine. Proposed Subchapter G reflected those two alternatives.

On the other hand, proposed Section 126.612(b) recognized that model year 2007, 2008 and 2009 vehicles are well-controlled for particulate matter but still may emit significant amounts of NOx, and provided for an exemption from the main engine idling restrictions if these vehicles also met CARB's optional "clean NOx idle standard." California issues a label for engines meeting California's "clean NOx idle standard." Proposed Section 126.612(b) would thus allow idling for engines that are well-controlled for both PM and NOx. This subsection has been modified in the final-form rulemaking by deleting the model year because manufacturers are now indicating that they will offer retrofit programming to allow older vehicles to meet CARB's low NOx idle standard. For now, this will not include vehicles whose main propulsion engines are older than model year 2007, as CARB's regulation does not allow the label to be issued to vehicles whose main propulsion engines are not originally equipped with particulate filters. The language in the final-form rulemaking thus will provide flexibility in the event that CARB changes its regulation.

94. Comment: If a vehicle has been retrofitted with a diesel particulate filter, that vehicle should be required to reroute the exhaust from the auxiliary power system to the main engine exhaust, if it is technologically feasible. (562)

Response: The final-form rulemaking deletes regulation of auxiliary power systems. See comment #91.

COMMENTS REGARDING COMPLIANCE AND ENFORCEMENT

95. Comment: The current high cost of fuel is forcing trucking companies to change their fuel consuming practices, including reducing idling. Explain why this regulation is needed. (238, 559, 568)

Response: The Department agrees that the price of fuel is an important consideration in the operation of diesel vehicles. Though fuel prices have risen quickly over the last two years, markets change. There is no guarantee that high fuel costs will be a relevant factor for idle reduction tomorrow. For this reason, a regulation to control these emissions is prudent. In addition, the relationships between owners and operators of vehicles can be varied and complex in terms of who pays the cost of fuel. The existence of an enforceable regulation involving all parties puts all on a level playing field. Finally, many truck drivers will idle their engines

because that is what they have always done. This regulation will provide additional motivation for the use of alternate technology to reduce idling emissions. To take credit from emission reductions in the State Implementation Plan, a control measure must be permanent, quantifiable and enforceable.

96. Comment: All idling should be eventually stopped. (263 and 562)

Response: The Department appreciates the comment.

97. Comment: The EQB should explain how this regulation will be enforced to accomplish air quality improvement. (568)

Response: The Department expects that emissions from main engine idling will contribute significantly less in the coming years. It will be a result of a variety of factors such as practical concerns, community involvement, outreach, and enforcement. See response to comment #2.

98. Comment: Does the EQB expect other law enforcement agencies to enforce idling restrictions among their duties, particularly given the complicated process required to identify a violation. (568)

Response: The Department understands that idling enforcement will be a challenge given other law enforcement priorities, but notes that the process required to identify a violation has been simplified in the final-form rulemaking. See response to comment #2.

99. Comment: Can DEP alone dedicate enough resources to enforce this regulation? (568)

Response: Department inspectors will be enforcing this regulation; however, they will not be enforcing this regulation alone. See response to comment #2.

100. Comment: To ensure compliance of truck and bus owners with the regulation, a reporting process such as a required quarterly report should be developed. (33)

Response: The Department appreciates the comment, but believes that the additional paperwork is not necessary to improve compliance with the regulation. As many as one million trucks could be affected should such a provision be added. Many idling trucks are from out of state and it would be difficult to require these drivers to submit reports.

101. Comment: It should be required that an alternate idling technology should be installed on the truck if a regulation exists to restrict idling. (68)

Response: The Department disagrees that the regulation should prescribe how a trucking company meets the requirements in the regulation. Some trucking companies, for instance, might meet the requirements by using teams of drivers or housing drivers in motels, or contracting services from a stationary idle reduction technology.

102. Comment: A public relation effort should be launched to make people aware of this regulation and assist when the regulation goes into effect. (243, 249, 561 and 565)

Response: The Department agrees. See response to comment #2.

103. Comment: A program with projects and incentives should exist to provide truck hook-ups for power, heating, and air conditioning at commercial truck stops and state owned rest stops. (412 and 561)

Response: The Department agrees. The Energy Harvest Grant Program and Alternative Fuel Incentive Grants, both implemented by the Department, have already provided funds for the stationary idling technology companies to install such truck hook-ups in Pennsylvania. Eleven such sites are located in the Commonwealth. Financing opportunities for these facilities continue to be available under the Alternative Fuel Incentive Grant program as well as under the Congestion Mitigation and Air Quality program administered by PennDOT and the regional transportation planning organizations.

104. Comment: While grants are available for purchasing APS, there is never any money available to fund the grants. A way to guarantee funds for the grant program must be found. (469)

Response: The Department's Small Business Advantage Grant Program, which provides funds to small businesses for the purchase of APS, is based on a first come, first serve basis and the money is obligated quickly. The Department is exploring options for obtaining more funds. In addition, the Federal Small Business Administration (SBA) Express loans offer assistance in purchasing APS. The interest rate for an APS purchase through SBA Express is high, namely prime rate plus 4.25 percent, but at today's diesel fuel prices, an APS purchase and installation shows immediate monthly profit even when factoring in the high interest rate, according to EPA's Smartway Technology Package Savings Calculator. At the current price of diesel fuel, the payback time for the purchase of an APS without a loan for the typical diesel-powered truck is very short, a little longer than one year even without public financial assistance.

105. Comment: The incentives being offered favor purchase of auxiliary power systems and not shore power, and this should be changed to level the playing field. (263)

Response: The purpose of the final-form rulemaking is to establish idling restrictions, not to establish criteria for financial assistance programs. Commonwealth and federal programs do exist to aid truckers in purchasing alternative technology. The Department's Small Business Advantage Grant Program offers grants to small businesses to purchase equipment that serves as an alternative to main engine idling. These small grants of up to \$7,500 do favor the purchase of auxiliary power systems over converting trucks so that they can connect to shore power. However, the Energy Harvest Grant Program and Alternative Fuel Incentive Grants, both implemented by the Department, have already provided funds for the stationary idling technology companies to install such truck hook-ups in Pennsylvania. Eleven such sites are located in the Commonwealth. Financing opportunities for these facilities continue to be available under the Alternative Fuel Incentive Grant program as well as under the Congestion Mitigation and Air Quality program administered by PennDOT and the regional transportation planning organizations.

106. Comment: The Preamble describes a Compliance Assistance Plan which will include an educational component to inform the regulated community about idling restrictions and the availability of financial assistance programs for the purchase or lease of mobile idling reduction equipment. We support this approach and request that, in the Preamble to the final-form regulation, the EQB provide detailed information on the scope of financial assistance programs available, the actual availability of the financial assistance, whom the assistance is available to and how to apply for the financial assistance. (568)

Response: This information is included in the Order accompanying the final rulemaking. It should be noted that financial assistance may expand, particularly since the federal government has authorized and appropriated funds for diesel emission reduction activities.

107. Comment: Some type of financial assistance or incentive program should be offered to pay for alternative idling technology. (315)

Response: Programs already exist for small businesses that may not have the capital to invest in the technology even with a rapid pay-back period. See responses to comments #103-106.

108. Comment: Concern was raised that there could be unintended consequences of imposing monitoring and compliance certification obligations on Title V facilities. (470)

Response: The requirements of the idling restriction regulation will not be included in Title V permits.

109. Comment: Explain how the proposed regulation will affect the facility already subject to air quality regulations or permits relating to emissions. (568)

Response: See response to comment #108.

110. Comment: At most, property owners should only be required to post “No Idling” signs. (470)

Response: The Department disagrees. An analysis conducted by the Department in response to the petition to develop an idling restriction rulemaking found that shared responsibility for compliance with the regulation by owners and operators of facilities and owners and operators of vehicles is essential to reduce idling effectively. In addition to prohibition any person subject to the idling restriction in the final-form rulemaking from causing or allowing excessive idling, the final-form rulemaking requires owners and operators of locations where vehicles load or unload and owners and operators of locations that provide 15 or more parking spaces for vehicles subject to this rulemaking to post permanent signs to inform drivers that idling is restricted. Involving the location owner or manager in this fashion should assist with program enforcement.

111. Comment: Explain the reasonableness of the requirement that persons not operating the vehicle are responsible for ensuring compliance with this regulation and what measures must be taken to comply. What actions are required by a location owner recognizing that they do not own the vehicle? We recommend rewriting section 126.601 to take into consideration public comment on this provision and to clearly state the applicability of the regulation. 568

Response: See response to comment #110.

112. Comment: The comment in the preamble “...a statewide regulation should also discourage boroughs, townships, cities, and counties from enacting their own idling restrictions” causes concern. Political subdivisions should maintain the flexibility to be more stringent on anti-idling than the Department, and we urge DEP to affirm that no such pre-emption is intended. (533, 561 and 565)

Response: Political subdivisions will continue to maintain flexibility to regulate idling more stringently than the Department, but the Department has developed the final-form regulation to

be functional and stringent enough that political subdivisions will find it effective, promoting, though not requiring, consistent idling regulation across the Commonwealth. The goal of having a consistent idling regulation across the Commonwealth is in part a response to the concern of the trucking industry with the growth of a patchwork of local idling regulations.

113. Comment: Unless the EQB can establish that subsection (d) of Section 126.612 is consistent with statutory authority of the Air Pollution Control Act, the subsection should be deleted. The Air Pollution Control Act states that “nothing in this act shall prevent counties, cities, towns, townships or boroughs from enacting ordinances with respect to air pollution which will not be less stringent than the provisions of this act, the Air Pollution Control Act [*sic*] or the rules and regulations promulgated under this act or the Clean Air Act...” (568)

Response: Section 126.612(d) is consistent with the APCA. It does not prevent a county, city, town, township, borough or local air authority from enacting ordinances as stringent as or more stringent than the APCA, CAA or rules or regulations promulgated under the APCA or CAA; and it does not authorize local regulation that is less stringent than the APCA, CAA or rules or regulations promulgated under the APCA or CAA. It merely carves out a limited exemption from the final-form rulemaking’s general rule of 5 minutes of idling per hour.

Section 126.612(d) has been clarified in the final-form rulemaking to reflect more clearly its original intent, which was to allow a county, city, town, township, borough or local air authority that is already regulating idling to approve alternative time limits that are greater than those otherwise established in the final-form rulemaking, in a limited set of circumstances. As revised, § 126.612(d) only applies to buses stored outdoors at bus depots in temperatures under 40° F, and requires that any approval must be designed to minimize idling. The exemption parallels the Allegheny County Health Department (ACHD) diesel vehicle idling regulation. Allegheny County’s Port Authority operates several bus depots at which it services and stores public transit buses. Some of the buses are stored outdoors and therefore require additional warm-up prior to beginning their routes on particularly cold days. ACHD’s regulation and section 126.612(d) of the Department’s final-form regulation, allow this if the regulatory conditions are met. ACHD is the only county, city, town, township, borough or local air authority expected to utilize this exemption in the final-form rulemaking.

Since section 126.612(d) does not violate the APCA, there is no need to remove it from the final-form rulemaking.

GENERAL COMMENTS

114. Comment: There is a shortage of available parking for tractor-trailers. (25, 240 and 263)

Response: The comment is beyond the scope of the rulemaking. The Pennsylvania and U.S. departments of transportation are studying this important issue.

115. Comment: Trucking companies are governing the speed of trucks and are causing unsafe driving conditions. (25)

Response: The comment is beyond the scope of the rulemaking.

116. Comment: A drug could be developed for people with breathing problems. (32)

Response: The comment is beyond the scope of the rulemaking. Nonetheless, the Department notes that while medication exists for various respiratory conditions, one of the most cost effective ways for reducing breathing difficulties in the population is lowering air pollution concentrations. Many cost analyses have been performed on the effects of air pollution and its cost, and, nearly universally, these show that it is more costly and less effective to treat a breathing sickness in a human than to eliminate the air pollution at the source.

117. Comment: A fuel could be developed that is less polluting. (32)

Response: The comment is beyond the scope of the rulemaking. Nonetheless, the Department notes that the Department supports and promotes cleaner, less polluting fuels, including biofuels.

118. Comment: Wasting fuel improves energy security. (243)

Response: The Department agrees. The reductions in fuel consumption that result from this regulation will contribute to energy independence and pollution reduction.

119. Comment: Freight should be moved by rail as much as possible to decrease pollution from trucks. (72 and 260)

Response: The comment is beyond the scope of the rulemaking. The Department notes, however, that regulation of pollution from locomotives is not available to state and local governments.

120. Comment: The City of Pittsburgh should be persuaded to enforce its idling regulations. (262)

Response: The Department anticipates that the statewide idling restrictions will assist local jurisdictions that already have idling restrictions in place to enforce the restrictions.

121. Comment: A product is available to reduce fuel consumption and greenhouse gas emissions from diesel engines. (256)

Response: The Department understands that many technological solutions exist that will reduce fuel consumption and greenhouse gas emissions from diesel engines, especially during main engine diesel engine idling. The Department anticipates that this regulation will encourage truck drivers and owners to make use of reliable technology, such as that identified in the national SmartWay Transport Partnership program. See www.epa.gov/smartway.

122. Comment: This is a very important issue that should be addressed. (273, 340 and 362)

Response: The Department agrees that this is an important issue.

123. Comment: More air pollution would be prevented by banning all drive-thrus instead of regulating trucks. (260)

Response: This comment is outside the scope of the rulemaking.

124. Comment: With how much is going wrong in this country, the government should fix the things it has control over. (327)

Response: The Commonwealth will continue to work towards improving environmental quality and the health and welfare of our citizens. Discouraging unnecessary idling is within the control of government.

125. Comment: Senate Bill 295 should be passed to restrict idling of diesel engines. (77 and 281)

Response: The goal of Senate Bill 295 is similar to that of the EQB's regulation. Both are intended to reduce pollution by restricting main engine idling of diesel-powered motor vehicles.

126. Comment: The EQB should contact transportation companies to explore what the companies are doing to reduce idling without regulations. (461)

Response: The Department understands that some transportation companies are doing many things in the absence of Commonwealth regulation. These actions may be to reduce fuel costs or to avoid violating idling regulations adopted in other states and localities. Transportation companies were also closely involved in the stakeholder meetings held by EPA to develop a State Model Idling Law and had the additional opportunity to comment on this regulation. The Pennsylvania Motor Truck Association expressed support for the regulation. The regulation will serve as an additional disincentive for those companies not voluntarily reducing idling.

127. Comment: The Department should address the idling of locomotives as a source of pollution. 472

Response: The comment is outside the scope of the rulemaking, which addresses idling of motor (highway) vehicles. It should be noted, however, that regulation of pollution from locomotives is not available to state and local governments. EPA has recently issued regulations for new and rebuilt locomotives which will gradually reduce pollution from this source as these engines are replaced or rebuilt.

128. Comment: The state legislature may sabotage this effort. (5)

Response: The General Assembly is pursuing its own idling reduction legislation. The legislation is somewhat similar to the Department's final-form regulation.

129. Comment: School buses are ignoring right turn on red traffic laws and backing up traffic, wasting fuel, and polluting the air. (19)

Response: The comment is beyond the scope of this rulemaking.

130. Comment: The regulations need to include all idling engines, specifically idling automobiles at auto auctions. (3)

Response: The comment is beyond the scope of the rulemaking, which applies to diesel-powered motor vehicles. Diesel-powered motor vehicles have significant emissions while idling and often idle for much longer periods of time (long-haul vehicles during mandated rest periods) than automobiles.

131. Comment: Additional regulations should be passed requiring diesels to be properly tuned in addition to the anti-idling regulation. (349)

Response: The comment is beyond the scope of the rulemaking. While other states have realized emission reductions by implementing inspection and maintenance programs for diesel vehicles, the Commonwealth does not have statutory authority to do so unless the inspection program is specifically required by the federal government to avoid withholding of federal funds under the Clean Air Act.

132. Comment: When will the homeowner be told by regulation to shut off the heat to their house in order to reduce emissions? (252)

Response: The comment is beyond the scope of the proposed rulemaking.

133. Comment: Without trucks, the economy would be shut down. (46)

Response: The comment is beyond the scope of the proposed rulemaking.