



GOVERNOR ARNOLD SCHWARZENEGGER

March 27, 2009

Ms. Mary D. Nichols  
Chairwoman  
California Air Resources Board  
1001 I Street  
Sacramento, California 95812

Dear Ms. Nichols,

I believe you know that I strongly support efforts by the Air Resources Board to face California's very real climate and air pollution challenges head on. As you also know, California is facing a very real economic crisis right now as well. With millions of Californians out of work and businesses struggling to hold on, we must be extremely cautious in implementing new environmental regulations that can hurt families, consumers and small businesses.

To that end, I urge you to delay the enforcement of the new mandate requiring small gas station owners to install enhanced vapor recovery (EVR) nozzles to capture 98 percent of vapor emissions instead of the current 95 percent. I am not writing to argue against the value or soundness of the measure, but I am writing to suggest that more time is needed before it can be successfully enforced without significant negative effects on our state's economy.

The equipment upgrades called for in this regulation require a significant investment by small station owners. The difficulty of obtaining financing in this economic climate is well documented, and CARB just six months ago certified some of the most cost-effective equipment available. Local Air Quality Districts are threatening to impose daily and monthly fines in the tens of thousands of dollars for noncompliance. Even CARB's best estimates indicate that as many as 50 percent of the stations in California will be unable to comply with the new regulations by April 1.

I appreciate the good work that you and your fellow Air Resource Board members do every day on behalf of our great state. But California's current economic conditions require extreme caution in implementing new regulations that call for this type of investment by small business owners right now. Please consider this request to delay enforcement of these new regulations for six or 12 months – enough time to allow these small businesses to comply.

Sincerely,

  
Arnold Schwarzenegger