

MR. CLARK: Hello. My name is Stephen Clark. I

12 work for Stevedoring Services of America. That's in the
13 port of Long Beach, Oakland, and Seattle.

14 We're probably one of -- I feel one of the most
15 regulated industries out there. We've got the CAP, the
16 WRAP, the ILSI, the cargo handling rule. These rules have
17 been given to us, which we are complying with 100 percent.
18 But you don't have EPA waivers on the LSI or the cargo
19 handling rule. So I have to tell my management we need to
20 spend millions of dollars in an economy that's down 30
21 percent or wait until you get the EPA waiver, which means
22 I've got 30 days. So which foot do I shoot myself in?

23 MOBILE SOURCE ENFORCEMENT BRANCH CHIEF JACOBS:

24 In terms of enforcement and the EPA waivers, for the
25 on-road program, we do have the waivers in effect. And

1 those just carry over as we add additional sources.

2 For the off-road sources, there has been court
3 challenges, like the PSMA case and the like. And we are
4 anticipating EPA to approve all the pending waivers in the
5 near term. There is a process to challenge the process if
6 we started to enforce without the waiver. But, again, the
7 current administration is issuing the waivers and we fully
8 expect to have them --

9 MR. CLARK: Isn't that kind of putting the cart
10 before the horse and then giving us 30 days to comply?

11 MOBILE SOURCE ENFORCEMENT BRANCH CHIEF JACOBS:
12 Well, we give you a little more than 30 days. We adopt
13 these rules through the public process and provide more
14 than adequate lead time for compliance, and we have to go
15 out and enforce them so we have an equitable level playing
16 field.

17 And if you would like to talk about the waiver
18 issues more, maybe we can have a sidebar and go into it in
19 more detail, because we have a lot of other speakers.
20 But, again, we fully anticipate to have all these waivers
21 in hand.

22 MR. CLARK: Thank you.