

NATIONAL ASSOCIATION OF NOISE CONTROL OFFICIALS

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Executive Director

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U.S. Environmental Protection Agency  
Washington, D.C. 20460

N-96-01  
II-A-1070

Attention: ONAC Docket 81-02 (Medium and Heavy Trucks)

Dear Sir:

Isn't it curious that your recent deferral of the 80 dB truck to January 1, 1983 and request-for rescission come as a result of petitions from International Harvester Co. and Mack Trucks?

~~As all of us "old soldiers" in the environmental noise control arena know very well, those two companies are the "good guys" in the quest for quiet diesel trucks. They have led the industry in introducing quiet trucks ahead of all federal regulations. Those quiet trucks, out there for anyone who cares to hear, should serve as a reminder to you and the last responsible members of the industry of the readily available technology to get the job done - a job that has just waited too long!~~

81-02-36

Why then delay the inevitable? 2

In their February 3, 1981 letter to the President, industry leaders begged the President to "eliminate excessive and counterproductive government regulation" and identified the subject rule as one of them. They further request withdrawal of the 80 dB standard "until the health and welfare benefit of such regulation has been fully evaluated."

As you well know, such evaluation is part of the docket for the adoption of the rule in the first place! Apparently your job was never convincing to the industry, which is now seizing the present economic and political situation to divest itself of all governmental reminders of public responsibility.

Add to this attack the uncertain future of ONAC and we have the

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~~ingredients for industrial anarchy. (6) Quite a strategy - withdraw the rule while staff is available, get rid of the staff so that it cannot rehash the "health and welfare benefits" of the regulation, and hope that such moves will shock the public with 83 dB truck forever and forever and forever.. (7)~~

As noise control officials our position in this matter is simple...

~~a) If ONAC survives the Administration's decimation of responsive regulatory programs, defend or defer the rule until your last soldier. (8) You and industry know the synergistic fuel economy reward noise control has brought to the manufacturers and users alike - make it known. (9) Show all involved that not all government rules are in need of compromise. Some rules, like the one in question, bring with them overwhelming positive contributions ignored by complacent industries in times of wealth and prosperity. Fight and count on our support all the way. (9)~~

~~b) If ONAC days are numbered, the last farewell of the departing staff should include the elimination of all noise rules adopted by the Agency where the issue of federal preemption exists. (10) Anything less will drive state and local programs, still dedicated to the resolution of major environmental noise problems, to interminable court cases, curfews, restrictions, etc., at greater economical, sociological, physiological, and psychological expense to the industry and the public in general. (11)~~

~~You see, truck noise is a problem, one that cannot be hidden or buried. It is a major problem, one that the public will not give up until it is resolved. (12)~~

Sincerely,

*Al Perez*  
for Al Perez

(By direction of the NANC Board of Directors)