

September 30, 2011

Electronic Mail

Mr. Joseph Jakuta
jjakuta@otcair.org
Ozone Transport Commission
Hall of the States
444 North Capitol Street
Suite 638
Washington, DC 20001

Re: Comments on Proposed Model Rule for Non-Road Diesel Equipment Anti-Idling

Dear Mr. Jakuta:

Praxair Services, Inc. owns and operates a fleet of nitrogen pumper systems mounted to the tractor-trailers (hereafter pumper trucks). This letter provides comments on the Ozone Transport Commission's proposed model rule for Non-Road Diesel Equipment Anti-Idling which would serve as model regulatory language for member States to use when promulgating regulations for idling of non-road engines in the Ozone Transport Region.

Introduction to Praxair Services' Nitrogen Pumper Trucks

Our pumper trucks are dispatched to client locations throughout the Ozone Transport Region and provide nitrogen gas pumping capabilities to our clients at various temperatures and pressures. Our trucks operate at the direction of our customer, but are owned and operated by Praxair employees. The trailer of these pumper trucks is a self-contained system consisting of a diesel-fired heat exchanger, a diesel-fired non-road engine to drive a pump, a control room for the vehicle's operators, and a liquid nitrogen storage tank. The liquid nitrogen is vaporized in the truck's system and heated and/or pressurized according to client specifications. Our trucks have the capability to connect to additional liquid nitrogen supply trailers to provide additional capacity depending on the specifics of each project.

We believe most operation on our projects can be covered by the proposed exemptions from the idling restriction in the Model Rule; however, we want to bring your attention to the uniqueness of our systems and request further clarification on certain items.

Uniqueness of Praxair Services' Nitrogen Pumper Trucks

Upon receiving direction from our client, we start the truck which consists of starting the diesel-fired heat exchanger and diesel-fired engine to begin the process of acclimating the truck to cryogenic conditions. The piping, valves, and pumps must be cooled to temperatures well

below freezing conditions, a process that can take several minutes. During this “warm-up” period, the diesel equipment is operating; however, the truck is not supplying nitrogen to our customer (the intended purpose of the pumper truck).

In addition, once our project is done, we will continue to run the diesel engine to cool down the heat exchanger and allow the nitrogen piping, valves, and pumps to slowly warm to ambient conditions. This “cool down” step can take more than the 5 minutes proposed in the Model Rule. During these “warm-up” and “cool-down” periods at the beginning and end of our projects, we believe the engine operation does not meet the idling definition in the Model Rule because these periods are part of the function of pumping nitrogen on these pumper trucks.

Another specific example of necessary equipment idling on our pumper trucks includes pipeline related services involving pumping nitrogen into a client’s pipeline. We can receive an order from our customer to cease pumping nitrogen while they replace or insert a PIG into the pipeline or perform other activities. This action can take several minutes (more than the 5 minutes of idling proposed in the Model Rule) all the while our pumper trucks are not pumping nitrogen (the function for which the trailer system was designed). Once the PIG is inserted we will commence pumping nitrogen into the pipeline at the direction of our client. Shutting down our systems and the diesel engine while the PIG is inserted is not feasible in most situations due to the great temperature variations from cryogenic to ambient temperature for the piping, valve, and pumping systems. In addition, during these PIG insertion periods, we normally ‘idle’ the truck because the ‘idling’ period (while more than the 5-minutes proposed in the Model Rule) is often shorter than the time needed to “cool-down” the truck then start it back up again. Furthermore, repeated temperature swings provide stress on the systems that increases the frequency of maintenance procedures and reduces the safety designed into the systems.

At this time, we are uncertain whether certain operation of our pumper trucks would fit the definition of “idling” in the Model Rule as the engine is operating while the truck is not pumping nitrogen. However, we believe the examples provided above and other operating scenarios could be covered under Exemption 1 in the Model Rule (relating to idling necessary to ensure the safe operation of the equipment) due to the unique cryogenic conditions of our equipment.

Any guidance or recommendations from the OTC to Member States on what is and is not considered ‘idling’ for the purposes of this rule would be most appreciated. This guidance would

help to standardize everyone's understanding, expectations, and enforcement's interpretations across the OTR. This is particularly important for owners of portable non-road engine fleets.

Requested Clarification on Certain Terms in Model Rule

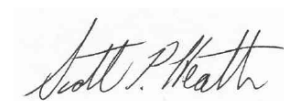
The Model Rule contains five proposed exemptions from the idling restriction. Specifically exemption 4 allows idling by a non-road diesel engine being used in an emergency or public safety capacity. However, the Model Rule does not include a proposed definition of the terms "emergency" or "public safety capacity".

Praxair Services is called in by certain customers on specific projects to provide nitrogen blanketing, rapid cooling with an inert gas, nitrogen purging, or in other operating situations. These projects are considered by our customers to be emergencies and without our services, the public's safety or the safety of workers/employees on our customer's facilities could be in jeopardy. To ensure a proper understanding of the use of the potential exemption from both the regulator and regulated entity perspectives, please consider including a definition for the terms "emergency" or "public safety capacity".

Closing

Should you have questions on this matter, kindly contact me at (215) 523-5607 or sheath@environcorp.com or Patrick Buchler, the Northern Region Operations Manager for Praxair Services, Inc. at (219) 923-0222 x 22.

Regards,



Scott Heath, ENVIRON
On behalf of Praxair Services, Inc.

SPH: plb

cc: P. Buchler
T. Greenert
B. Margraf
S. Heath, ENVIRON File 02-15793A