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League of Minnesota Cities

April 23, 1981

Director, Standards and Regulation Division
Office of Noise Abatement and Control, ANR-490
U.S.E.P.A.
Washington, DC 20460

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

Dear Sir:

On January 27, 1981 you deferred for one year the introduction of the 80 decibel truck at the request of International Harvester Company and Mack Trucks. We must now wait till January 1, 1983 to hear the gentler sounds of advanced technology.

Due to a request of industry executives to the President (letter dated February 3, 1981) you are now asking comments on the possible rescission of the 80 decibel standard. As Executive Director of the League of Minnesota Cities, I find such contemplated action troublesome for a variety of reasons.

1. The national need to quiet medium and heavy trucks was well documented in the rule making docket. Such national need mirrors the need of Minnesota communities: a need which has also been documented repeatedly in our State. (1) (2)
2. The fate of the Office of Noise Abatement and Control (ONAC) of the U.S.E.P.A. is questionable at the present time, with good probabilities that its regulatory staff and junctions will be terminated in the near future. (3)
3. Local governments should not be, ever, placed in a situation where potentially pre-emptive federal regulations are devoid of accompanying mechanisms for affecting changes as required. (4)

Therefore, even though logic and the congressional mandate support the noise control of medium and heavy trucks at the federal level, recent actions from your Agency forces me to request that the Agency rescind all of its present rules concerning noise limits for medium and heavy trucks and interstate motor carriers. (In this fashion Minnesota Communities will be able to rely on State rules controlling the noise from the subject vehicles. (5)

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Failure to heed this advice by your Agency will raise difficult questions on the State's Motor vehicle noise limits, lead us into interminable court encounters between manufacturers and the State, and pressure cities to use more cumbersome and expensive noise control measures (e.g. curfews, routing, etc...) exclusively, to control the pervasive and very real noise problem created by trucks in Minnesota.

②

Sincerely,

Donald A. Slater

Donald A. Slater
Executive Director

DAS:mmm