



Office of Advocacy

September 20, 1999

Thomas E. Kelly (MC-2131)
Small Business Advocacy Chair
U.S. Environmental Protection Agency
401 M Street, S.W.
Washington, D.C. 20460

Subject: Control of Air Pollution From New Motor Vehicle Engines: Proposed Heavy Duty Standards and Diesel Engine Standard: Small Business Advocacy Panel

Dear Mr. Kelly:

I received your letter on September 7, 1999 regarding Control of Air Pollution From New Motor Vehicle Engines: Proposed Heavy Duty Standards and Diesel Engine Standard, notifying us of the possibility of convening a Small Business Advocacy Review Panel under §609(b) of the [Regulatory Flexibility Act](#), as amended by the [Small Business Regulatory Enforcement Fairness Act of 1996](#).

Having examined the list of suggested small business representatives, we have added several additional parties to the list at this time. We agree to the EPA list (including the list of trade associations to act as SERs) and have added several individual diesel refiners, and several individual owners of diesel highway retail facilities, including members from the Petroleum Marketers Association of America and the National Association of Truck Stop Operators, as EPA suggested.

Next Steps

We understand that the agency plans to re-evaluate whether the proposal would have a significant impact on a substantial number of small entities. If the agency finds no such impact, a Panel would not be required under SBREFA. If a Panel were convened, a final Panel report would be prepared.

If a panel is warranted, we ask that EPA provide, in advance of the convening of the Panel, supporting materials and possibly a draft regulatory analysis and/or draft rule (see RFA §609(b)(4)), in order to allow sufficient review time by Panel members. We strongly recommend that the agency hold several prepanel meetings in accordance with the most current EPA SBREFA guidance to assure that adequate and timely information and data is provided to the small entity representatives and the panel representatives.

Sincerely,

Jere W. Glover
Chief Counsel for Advocacy

cc: Art Fraas, OMB

I. Additional Diesel Refiners

Al Gonzales
President, CEO and Owner
Age Refining Inc.

4455 Alpha Road, Building #2
Dallas, TX 75244-4548

Steve Lewis
CEO
Petrostar Inc.
200 Artic Slope, Suite 200
Anchorage, AK 99518-3030

II. Additional Diesel Marketers

Bryan McClain, Director
Choctaw Nation Travel Plaza (Truck stop distribution center)
P.O. Drawer 1210
Durant, OK 74702-1210

W. L. (Bill) Ferren, President (Distributor/Retailer)
B-B-F Oil Co., Inc.
P.O. Box 8041
Pine Bluff, AR 71611-8041

Gerry Ramm (PMMA chairman of motor fuels committee)
Inland Oil Company
P.O. Box 1170
Ephrata, Washington 98823

Donald Schnacke
Kansas Independent Oil and Gas Assoc.
Topeka, KS

Duke Palmer (Distributor)
President
Lucky Lady Oil Inc.
Ft. Worth TX

David Froelich (Distributor)
Froelich Oil Co.
222 E. Front Ave.
Bismarck, ND 58504

Chester Cadieux (Service Station owner)
President
KWIK Trip Inc.
PO Box 3475
Tulsa, OK 74101

Dale Lindsey (Distributor)
President
Harbor Enterprises
PO Box 389
Seward, AK 99664