

Comment 1 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Gene

Last Name: Kostruba

Email Address: genekostruba@comcast.net

Affiliation:

Subject: CARB In-Use Locomotive Regulation

Comment:

Any steps to reduce diesel pollution are necessary. In Europe and other parts of the world, most trains are electric. We have nothing like that here in the US, and it's time we make large strides in that direction.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2022-09-23 12:25:29

No Duplicates.

Comment 2 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Daniel

Last Name: Rice

Email Address: drice@westernmilling.com

Affiliation: Western Milling

Subject: Comments re: In-Use Locomotive Regs on behalf of Western Milling

Comment:

Western Milling owns and operates three unit train receiving facilities throughout the California San Joaquin Valley in order to continually provide optimal nutrition to the largest dairy herd in the U.S. In 2017 the company upgraded its locomotive power to highest rated Tier 4 units at all three locations and phased out diesel engines that had been in operation for over 50 years. California is an 85% grain deficit state that relies on the continuous delivery of agricultural commodities via rail to manufacture livestock feed. Receiving facilities have worked closely with the Class 1 railroads for decades to develop an efficient system for unloading grains in a just-in-time model. This system generally works well however weather events, labor shortages, equipment or track failures can cause disruption to the rail network which often leads to impacts at the Receiving facility.

Western Milling is not at all opposed to working in earnest to improve the air quality in the San Joaquin Valley for the betterment of our employees, our communities and future generations. Our concern with the requirement for net-zero emission by 2035 stems from the need to process hundreds of rail cars on a continuous basis. Receiving windows can often range from 3 to 5 days but sometimes expand to 10 to 14 days when the rail network is stressed, this can lead to multiple trains arriving at the same time. Western Milling facilities are designed and staffed to unload one unit train at a time and are heavily reliant on dependable locomotive power to process over one hundred cars efficiently. This is currently possible with the Tier 4 locomotive units in place allowing us to process multiple trains in succession. However, we have concerns that electric power units (either shuttles or locomotives, none of which are commercially available today) and their need for down time to charge would drastically increase our need for greater capital expenditure possibly doubling our need for horsepower. In instances where a Receiver could not unload a unit train during established windows of time, financial penalties (demurrage) would be levied by the Class 1 railroads negatively impacting Western Milling business operations in California.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2022-10-10 13:42:09

No Duplicates.

Comment 3 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Jed A.

Last Name: Hendrickson

Email Address: jedhendrickson@gmail.com

Affiliation:

Subject: Oppose in use locomotive regulations

Comment:

I oppose all regulation directed by CARB. Unelected bureaucrats should not be allowed to excersise such authority. This only belongs to the legislature.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2022-10-15 14:25:52

No Duplicates.

Comment 4 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Judith

Last Name: Johnson

Email Address: judith.fa.johnson@gmail.com

Affiliation:

Subject: CARB In Use Locomotive Regulation

Comment:

I live adjacent to the Union Pacific tracks in Sacramento. The closest crossing to my house is at 4th Ave and 21st between Land Park and Curtis Park neighborhoods. Both are historic residential neighborhoods with considerable amounts of retail, offices, restaurants, etc. Union Pacific has been developing a nasty habit of idling trains for long stretches within 60-100 yds (or less) of residences. Most recently, they idled for 4 days one week and 6 the following week. The company has a large rail yard just minutes south of where they stopped that is between the back of a Safeway store and the Sac City College stadium. We suggested that would be a more logical place to stop, even though the pollution would continue. The noise and fumes made sleep nearly impossible and even though the nights have been cool, we are unable to open our windows. Multiple calls, emails, and online reports to Union Pacific achieved nothing, with hardly any response until after the trains moved on. Union Pacific endangers our health with pollution and by causing sleep deprivation. Regulations regarding their idling of equipment must be developed and enforced. Thank you.

Attachment: "

Original File Name:

Date and Time Comment Was Submitted: 2022-10-18 15:22:59

No Duplicates.

Comment 5 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Joseph
Last Name: Denton
Email Address: joeddenton@yahoo.com
Affiliation: Sacramento Resident

Subject: Support for the Proposed Regulation
Comment:

I strongly support the Proposed Regulation.
My family and I reside within Sacramento city limits, on the eastern boundary of the Land Park neighborhood along the railroad right of way immediately south of the intersection of 21st Street and Freeport Boulevard. There is a railroad siding adjacent to our home on the other side of the sound wall. Both Union Pacific and BNSF will often use this siding to stage locomotive engines and cars while they wait for additional locomotives to be brought from the Roseville Railyard. Sometimes this staging can last anywhere from 24-72 hours in duration. Our concern is that they consistently leave the locomotive engines idling for the entire duration of staging. This is a very concerning and hazardous practice by the rail operators and presents a significant health risk to my family and other families residing along the railroad right-of-way. It is especially concerning because it is unnecessary. Auxiliary Power Units should be used to maintain brake functionality during these periods. Alternatively, if this staging is truly such a frequent requirement, the rail operators should be required to install shore power to satisfy the power requirements needed for maintaining functionality to the brake system. I fully support the proposed regulation, specifically the limitation of 30 minutes for locomotive engine idling, coupled with the requirement to report each individual occurrence where rail operators claim an exemption and idle engines in excess of 30 minutes. Furthermore, I encourage CARB to consider the additional measure of even further scrutiny of these exercised exceptions to the idling limitations when the idling occurs within close proximity to residential properties. A rail operator claiming they need to maintain brake system functionality and idling a locomotive engine for 72 hours straight within 100 feet of my house may technically satisfy the federal regulations but it does not mitigate the health risks imposed on my family.
Thank you
Joseph Denton

Attachment: 'www.arb.ca.gov/lists/com-attach/5-locomotive22-UTdXPgR3BQkAdlQh.zip'

Original File Name: for public comment.zip

Date and Time Comment Was Submitted: 2022-10-29 10:17:53

No Duplicates.

Comment 6 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Timothy

Last Name: French

Email Address: tfrench@clpchicago.com

Affiliation: Truck & Engine Manufacturers Association

Subject: EMA Comments - Proposed In-Use Locomotive Regulations

Comment:

The Truck and Engine Manufacturers Association (EMA) hereby submits its comments regarding the proposed In-Use Locomotive Regulations that will be considered for adoption by CARB on November 17, 2022.

Attachment: 'www.arb.ca.gov/lists/com-attach/6-locomotive22-AmcGbQFhBQkBZAhn.pdf'

Original File Name: EMA Comments - CARBs Proposed In-Use Locomotive Regulations_NPRM (11.2.22).pdf

Date and Time Comment Was Submitted: 2022-11-02 08:43:43

No Duplicates.

Comment 7 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Jay
Last Name: Fuhrman
Email Address: fuhrmanj@metro.net
Affiliation: LA Metro

Subject: CARB In-use Locomotive Regulation
Comment:

Please see attached comments letter from LA Metro.

Attachment: 'www.arb.ca.gov/lists/com-attach/7-locomotive22-BWYHYFIhWGIVDAll.pdf'

Original File Name: CARB Locomotive Regulation Letter -- LA Metro.pdf

Date and Time Comment Was Submitted: 2022-11-03 12:18:59

No Duplicates.

Comment 8 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Tracy

Last Name: Alves

Email Address: talves@metrr.com

Affiliation:

Subject: Modesto and Empire Traction Company comments for proposed in-use Locomotive Regulation

Comment:

M&ET submits the attached comments on proposed in-Use Locomotive Regulation.

Attachment: 'www.arb.ca.gov/lists/com-attach/8-locomotive22-WzZdPlAlV1sBZFU6.pdf'

Original File Name: MET Comments.pdf

Date and Time Comment Was Submitted: 2022-11-04 08:44:20

No Duplicates.

Comment 9 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Mariela

Last Name: Ruacho

Email Address: Mariela.Ruacho@Lung.org

Affiliation: American Lung Association

Subject: Health Group Support Locomotive Rule

Comment:

Please attachment for comments from health and medical organizations.

Attachment: 'www.arb.ca.gov/lists/com-attach/9-locomotive22-Bm5VNIIyVmkGdAhg.pdf'

Original File Name: Health Group Support Locomotive Rule.pdf

Date and Time Comment Was Submitted: 2022-11-04 12:32:32

No Duplicates.

Comment 10 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Jeffrey

Last Name: Dunn

Email Address: Dunnj@scrra.net

Affiliation: Metrolink

Subject: Metrolink In-Use Locomotive Regulation Comment Letter

Comment:

Please see attached comment letter from Metrolink to the California Air Resources Board regarding the proposed In-Use Locomotive Regulation. If any questions or comments please direct to contact provided within the letter.
Thank you very much.

Attachment: 'www.arb.ca.gov/lists/com-attach/10-locomotive22-WygFYAd0ByZWmqIW.pdf'

Original File Name: SCRRA Comment Letter_CARB In-Use Locomotive Rule_11.04.22.pdf

Date and Time Comment Was Submitted: 2022-11-04 14:53:39

No Duplicates.

Comment 11 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Michael

Last Name: Pimentel

Email Address: michael@caltransit.org

Affiliation: California Transit Association

Subject: California Transit Association - Response to In-Use Locomotive Regulation

Comment:

Attachment: 'www.arb.ca.gov/lists/com-attach/11-locomotive22-BWZdOlQ5WWMGZlQ7.pdf'

Original File Name: California Transit Association - Response to Proposed In-Use Locomotive Regulation.pdf

Date and Time Comment Was Submitted: 2022-11-04 15:11:56

No Duplicates.

Comment 12 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Alex

Last Name: Khalfin

Email Address: alexander.khalfin@amtrak.com

Affiliation: Amtrak

Subject: Proposed In-Use Locomotive Regulation Amtrak Comment Letter

Comment:

Attachment: 'www.arb.ca.gov/lists/com-attach/12-locomotive22-WjsHbAN2WXgCZVU+.pdf'

Original File Name: Amtrak In-Use Locomotive Comment Letter 11.4.22.pdf

Date and Time Comment Was Submitted: 2022-11-04 17:07:22

No Duplicates.

Comment 13 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: David

Last Name: Schonbrunn

Email Address: David@Schonbrunn.org

Affiliation: Train Riders Ass'n of California

Subject: These regulations have the wrong focus

Comment:

Please see attached comment letter.

Attachment: 'www.arb.ca.gov/lists/com-attach/13-Locomotive22-KcyCaKDJSu0axb6m.pdf'

Original File Name: TRAC_Locomotive_Emissions_Comments.pdf

Date and Time Comment Was Submitted: 2022-11-06 22:23:37

No Duplicates.

Comment 14 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Carter

Last Name: Glenn

Email Address: cglenn@cornerstone-systems.com

Affiliation: Cornerstone Systems, Inc.

Subject: CARB In-use Locomotive Reg

Comment:

Letter Attached

Attachment: 'www.arb.ca.gov/lists/com-attach/14-locomotive22-U2IBN1Z6UDBVYIR5.docx'

Original File Name: 10-31-22 CARB In-use Locomotive Reg - Customer Letter.docx

Date and Time Comment Was Submitted: 2022-11-07 07:45:23

No Duplicates.

Comment 15 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Brian

Last Name: Schmidt

Email Address: brian@acerail.com

Affiliation: San Joaquin Joint Powers Authority

Subject: In-Use Locomotive Regulation

Comment:

Please see attached comments
letter from the three (3) California Intercity JPA's on proposed in-Use
Locomotive
Regulation.

Attachment: 'www.arb.ca.gov/lists/com-attach/15-locomotive22-VTxROVEkUGZQJAlq.pdf'

Original File Name: Intercity JPAs In-Use Locomotive Comment Ltr.pdf

Date and Time Comment Was Submitted: 2022-11-07 08:17:03

No Duplicates.

Comment 16 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Mary

Last Name: Dover

Email Address: mdover@nctd.org

Affiliation:

Subject: NCTD Comment Letter on CARB In-Use Locomotive Regulation

Comment:

Please see comment letter attached

Attachment: 'www.arb.ca.gov/lists/com-attach/16-locomotive22-VDpRNFMmAzQEXVR5.pdf'

Original File Name: NCTD - CARB Proposed In-Use Locomotive Regulation - 2022-11-7.pdf

Date and Time Comment Was Submitted: 2022-11-07 10:29:55

No Duplicates.

Comment 17 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Raymond W.

Last Name: Wolfe

Email Address: rwolfe@gosbcta.com

Affiliation: San Bernardino Co Transp Authority

Subject: San Bernardino County Transportation Authority Comment Letter

Comment:

The San Bernardino County Transportation Authority urges CARB to continue to work with commuter rail service providers, such as Metrolink, to address potentially negative impacts of the In-Use Locomotive Regulation to public transit.

Attachment: 'www.arb.ca.gov/lists/com-attach/2-coachellaozonerfp-AHNRNQZkUnVXMAVa.pdf'

Original File Name: SBCTA Comment Letter - In Use Locomotive Regulation.pdf

Date and Time Comment Was Submitted: 2022-11-07 09:32:18

No Duplicates.

Comment 18 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Darrin

Last Name: Peschka

Email Address: dpeschka@goventura.org

Affiliation: Ventura County Transportation Commission

Subject: Proposed In-Use Locomotive Regulation

Comment:

Attachment: 'www.arb.ca.gov/lists/com-attach/18-locomotive22-UThcNFAOUUnQHcgNm.pdf'

Original File Name: In Use Locomotive Regulation Proposal Comment.pdf

Date and Time Comment Was Submitted: 2022-11-07 11:01:34

No Duplicates.

Comment 19 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Anthony

Last Name: Molina

Email Address: amolina@caladvocates.com

Affiliation: California Grain and Feed Association

Subject: In-use Locomotive Regulation

Comment:

To: California Air Resources Board (CARB) - Freight
Systems Section

From: Anthony Molina on behalf of the California Grain
and Feed Association

Please review the attached comments from the California Grain
and Feed Association on CARB's proposed "In-use Locomotive
Regulation." Should you have any questions or comments, please do
not hesitate to reach out directly to Chris Zanobini, Chief
Executive Officer, California Grain and Feed Association, at (916)
441-1064 or chris@agamsi.org. Thank you.

Attachment: 'www.arb.ca.gov/lists/com-attach/20-locomotive22-VzRVNF06BTdRCANg.pdf'

Original File Name: CGFA Comments Proposed In-use Locomotive Regulation.pdf

Date and Time Comment Was Submitted: 2022-11-07 12:11:11

No Duplicates.

Comment 20 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Oscar

Last Name: Garcia

Email Address: oscar.garcia@neste.com

Affiliation:

Subject: Comments on In-Use Locomotive Regulation

Comment:

Attachment: 'www.arb.ca.gov/lists/com-attach/21-locomotive22-Uz1UN1EjBSJRMIMM.pdf'

Original File Name: Neste_In Use Locomotive Regulation_Comments_November 2022.pdf

Date and Time Comment Was Submitted: 2022-11-07 12:26:32

No Duplicates.

Comment 21 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Yasmine

Last Name: Agelidis

Email Address: yagelidis@earthjustice.org

Affiliation: Earthjustice

Subject: Environmental, EJ, Health & Labor Groups Support Strong In-Use Locomotive Rule
Comment:

Please find attached a comment letter from environmental,
environmental justice, health, and labor organizations in support
of CARB's proposal to adopt an In-Use Locomotive
Regulation.

Sincerely,

Yasmine Agelidis

Earthjustice

Attachment: 'www.arb.ca.gov/lists/com-attach/22-locomotive22-UzBXPgBsVGoAY1A+.pdf'

Original File Name: Comment Letter - CARB Loco Rule - Final.pdf

Date and Time Comment Was Submitted: 2022-11-07 12:41:54

No Duplicates.

Comment 22 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Nathan

Last Name: Crum

Email Address: nathan.crum@vpps.net

Affiliation:

Subject: Proposed In-Use Locomotive Regulation

Comment:

Please see attached letter.

Attachment: 'www.arb.ca.gov/lists/com-attach/23-locomotive22-BTdda1ZlUzIBKlNi.pdf'

Original File Name: 2022-11-07 Letter to CARB.pdf

Date and Time Comment Was Submitted: 2022-11-07 13:24:26

No Duplicates.

Comment 23 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Theresa

Last Name: Romanosky

Email Address: tromanosky@aar.org

Affiliation: Association of American Railroads

Subject: Comments of the Association of American Railroads

Comment:

Attached please find the comments of the Association of American Railroads.

Attachment: 'www.arb.ca.gov/lists/com-attach/24-locomotive22-AGFUMwR3BQkFYFU6.pdf'

Original File Name: AAR Comments on Proposed In-Use Locomotive Regulation.pdf

Date and Time Comment Was Submitted: 2022-11-07 14:53:35

No Duplicates.

Comment 24 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Alexis

Last Name: Leicht

Email Address: leicht@octa.net

Affiliation:

Subject: OCTA Comments - In-Use Locomotive Regulation

Comment:

OCTA comment letter attached.

Attachment: 'www.arb.ca.gov/lists/com-attach/25-locomotive22-WjNROVxwACYHcgdi.pdf'

Original File Name: In-Use Locomotive Regulation - 11.7.pdf

Date and Time Comment Was Submitted: 2022-11-07 15:33:21

No Duplicates.

Comment 25 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Paul

Last Name: Beard

Email Address: paul.beard@fisherbroyles.com

Affiliation:

Subject: In-Use Locomotive Regulation

Comment:

Attachment: 'www.arb.ca.gov/lists/com-attach/26-locomotive22-UWBVYlxzVzMHLwc1.pdf'

Original File Name: 11.7.22 Final Comment Re In Use Locomotive Regulation.pdf

Date and Time Comment Was Submitted: 2022-11-07 16:07:22

No Duplicates.

Comment 26 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Devon

Last Name: Ryan

Email Address: ryand@samtrans.com

Affiliation: Peninsula Corridor Joint Powers Board

Subject: Caltrain Comments on CARB Proposed In-Use Locomotive Regulation

Comment:

The Peninsula Corridor Joint Powers Board (Caltrain) comment letter regarding the California Air Resources Board Proposed In-Use Locomotive Regulation is attached. Contact information is included in the letter. Thank you.

Attachment: 'www.arb.ca.gov/lists/com-attach/27-locomotive22-UzAHYAFsV3BSJgVk.pdf'

Original File Name: Caltrain Comments_CARB In-Use Locomotive Regulation.pdf

Date and Time Comment Was Submitted: 2022-11-07 15:53:30

No Duplicates.

Comment 27 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Yasmine

Last Name: Agelidis

Email Address: yagelidis@earthjustice.org

Affiliation: Earthjustice

Subject: Support for a Strong In-Use Locomotive Regulation

Comment:

Please find a attached comment letter in support of CARB's
In-Use Locomotive Regulation from environmental, environmental
justice, health, and labor organizations.

Sincerely,

Yasmine Agelidis

Earthjustice

Attachment: 'www.arb.ca.gov/lists/com-attach/28-locomotive22-VzRWP1Q4Az0KaVc5.pdf'

Original File Name: Comment Letter - CARB Loco Rule - Final.pdf

Date and Time Comment Was Submitted: 2022-11-07 16:25:43

No Duplicates.

Comment 28 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Jennifer

Last Name: Shea

Email Address: jennifer.shea@wabtec.com

Affiliation: Wabtec Corporation

Subject: Comments on Proposed In-Use Locomotive Regulation

Comment:

Attached please find the comments of Wabtec Corporation.

Attachment: 'www.arb.ca.gov/lists/com-attach/29-locomotive22-UjFRNgR3UmMCW1U8.pdf'

Original File Name: CARB In-Use Loco Regulation - Wabtec Comments FINAL
11.07.2022.pdf

Date and Time Comment Was Submitted: 2022-11-07 16:58:30

No Duplicates.

Comment 29 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Heidi

Last Name: Swillinger

Email Address: Non-web submitted comment

Affiliation:

Subject: Emailed comment from Heidi Swillinger

Comment:

Please see attached.

Attachment: 'www.arb.ca.gov/lists/com-attach/30-locomotive22-AmEBaFA8WWcCYQZo.pdf'

Original File Name: Comment from Heidi Swillinger.pdf

Date and Time Comment Was Submitted: 2022-11-07 17:16:53

No Duplicates.

Comment 30 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Joanne

Last Name: Parker

Email Address: jparker@sonomamarintrain.org

Affiliation: Sonoma-Marín Area Rail Transit

Subject: SMART Comments on Proposed In-Use Locomotive Regulation

Comment:

Please see attached, also mailed directly to the Clerk of the Board.

Attachment: 'www.arb.ca.gov/lists/com-attach/31-locomotive22-AjBQZIRnB2YELAln.pdf'

Original File Name: 2022.Nov.7-SMART-CARB-Locomotive-CommentFINAL.reduced.pdf

Date and Time Comment Was Submitted: 2022-11-07 17:29:39

No Duplicates.

Comment 31 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Sarah

Last Name: Yurasko

Email Address: syurasko@aslrria.org

Affiliation:

Subject: ASLRRA Comments on the Proposed In-Use Locomotive Regulation

Comment:

Attached please find comments from the American Short Line and Regional Railroad Association in response to the California Air Resources Board's Proposed In-Use Locomotive Regulation

Attachment: 'www.arb.ca.gov/lists/com-attach/33-locomotive22-UjMAdVc6ACEHcwlo.pdf'

Original File Name: ASLRRA Comments to Proposed In-Use Locomotive Regulation.pdf

Date and Time Comment Was Submitted: 2022-11-07 18:00:44

No Duplicates.

Comment 32 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Graham

Last Name: Noyes

Email Address: graham@noyeslawcorp.com

Affiliation: Noyes Law Corp. for Sierra Railroad

Subject: Sierra Railroad Comment and Exhibits RE: Proposed In-Use Locomotive Regulation
Comment:

Dear Clerk of the Board,

This letter sets forth Sierra Railroad Company's (“Sierra Railroad”) company-specific comments and supporting exhibits concerning the California Air Resources Board's (“CARB”) Proposed In-Use Locomotive Regulation (the “Proposed Regulation”). Please advise of any questions or issues regarding this comment.

We appreciate the opportunity to comment on this matter.

Best Regards,

Graham

Graham Noyes

Noyes Law Corporation

401 Spring Street, Suite 205

Nevada City, CA 95959

www.fuelandcarbonlaw.com

(530)264-7157 Direct

graham@noyeslawcorp.com

<https://www.linkedin.com/in/grahamnoyes>

@Graham Noyes

Attachment: 'www.arb.ca.gov/lists/com-attach/34-locomotive22-VCdUOWnNnU3IGcgFg.pdf'

Original File Name: Sierra RR In Use Locomotive Comment and Exhibits 7 Nov 2022.pdf

Date and Time Comment Was Submitted: 2022-11-07 18:08:30

No Duplicates.

Comment 33 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Steve

Last Name: Roberts

Email Address: SteveRoberts@astound.net

Affiliation: Rail Passenger Assn. of CA and Nev

Subject: Proposed In-Use Locomotive Regulations

Comment:

Attached please find comments from the Rail Passenger Association of California and Nevada on the proposed In-Use Locomotive Regulations. Thank you for the opportunity for comments.

Steve Roberts President Rail Passenger Association of California and Nevada

Attachment: 'www.arb.ca.gov/lists/com-attach/35-locomotive22-AmsGbgEtBCJRJAdi.pdf'

Original File Name: In-Use Locomotive Regulations.pdf

Date and Time Comment Was Submitted: 2022-11-07 18:25:20

No Duplicates.

Comment 34 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Scott

Last Name: Myers

Email Address: scott.myers@optifuelsystems.com

Affiliation: OptiFuel Systems LLC

Subject: OptiFuel Comments - Proposed In-Use Locomotive Regulations

Comment:

OptiFuel Systems hereby
submits its comments regarding the proposed In-Use
Locomotive
Regulations that will be considered for adoption by
CARB
on November 17,
2022.

Attachment: 'www.arb.ca.gov/lists/com-attach/37-locomotive22-
WjVTJVMmVmxWNIMm.pdf'

Original File Name: OptiFuel Systems Comments - CARBs Proposed In-Use Locomotive
Regulations.pdf

Date and Time Comment Was Submitted: 2022-11-07 18:49:36

No Duplicates.

Comment 35 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Richard
Last Name: Chapman
Email Address: Richard@kedc.com
Affiliation:

Subject: Letter Attached
Comment:

Attachment: 'www.arb.ca.gov/lists/com-attach/38-locomotive22-VT4BYgFkVWVWDwAt.docx'

Original File Name: KEDC - CARB In-Use Locomotive Letter November 2022.docx

Date and Time Comment Was Submitted: 2022-11-07 19:27:54

No Duplicates.

Comment 36 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Andrew
Last Name: Sall
Email Address: asall@rctc.org
Affiliation: RCTC

Subject: RCTC In Use Locomotive Regulation
Comment:

Good Evening,
On behalf of the Riverside County Transportation Commission,
please see the attached letter with our comments regarding CARB's
proposed in use locomotive regulation.
Thank you for your consideration.

Attachment: 'www.arb.ca.gov/lists/com-attach/39-locomotive22-VSdUMVEkUmIDK1c0.pdf'

Original File Name: RCTC.CARB.Comment Letter.pdf

Date and Time Comment Was Submitted: 2022-11-07 20:23:40

No Duplicates.

Comment 37 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Mark

Last Name: Twain

Email Address: Mark.Twain@Loco-Emissions-Watchdogs.com

Affiliation:

Subject: Improvements to Locomotive In-Use Rule

Comment:

Please see attached white paper outlining suggestions to improve the regulation by:

Utilizing combined NOx and PM values

when defining 'Cleanest available locomotives'

Add hybrid locomotives and

after-treatment retrofits to allowed purchases with spending accounts

Utilize more appropriate duty cycles

to calculate in-use emissions for locomotives in switching service and passenger service

Base fees on actual in-use emissions

especially for Tier 4 passenger locomotives

Investigate single engine passenger

locomotive engine shut off system defeats

Attachment: 'www.arb.ca.gov/lists/com-attach/40-locomotive22-BWZWPwBsAD4FZgln.pdf'

Original File Name: Comments on Proposed CARB In-Use Locomotive Rule V3.pdf

Date and Time Comment Was Submitted: 2022-11-07 23:09:52

No Duplicates.

Comment 38 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Lisa

Last Name: Colicchio

Email Address: Non-web submitted comment

Affiliation:

Subject: Emailed comment from Lisa Colicchio

Comment:

Please see attached ZIP file with email and attachments.

Attachment: 'www.arb.ca.gov/lists/com-attach/14-fundingplan2022-B2JXPFU1WGJQOIUw.zip'

Original File Name: Emailed comment from Lisa Colicchio.zip

Date and Time Comment Was Submitted: 2022-11-08 13:53:30

No Duplicates.

Comment 39 for In-Use Locomotive Regulation (locomotive22) - 45 Day.

First Name: Jeffrey

Last Name: Dunn

Email Address: DunnJ@scrra.net

Affiliation: SCRRRA (Metrolink)

Subject: Metrolink In-Use Locomotive Regulation Comment Letter

Comment:

Attached for submission is a comment letter from the Southern California Regional Rail Authority (Metrolink) regarding the In-Use Locomotive Regulation, with appreciation to CARB and staff for their efforts to incorporate the perspectives of all stakeholders impacted by this regulation.

Attachment: 'www.arb.ca.gov/lists/com-attach/52-locomotive22-VmZXYIN8A2EDMAkn.pdf'

Original File Name: 03.15.23 Metrolink CARB Comment Letter_15 Day Notice.pdf

Date and Time Comment Was Submitted: 2023-03-15 13:45:53

No Duplicates.

Comment 1 for In-Use Locomotive Regulation (locomotive22). (At Hearing)

First Name: Graham

Last Name: Noyes

Email Address: graham@noyeslawcorp.com

Affiliation: NLC for Sierra Northern Railway

Subject: Comment of Sierra Northern Railway

Comment:

<p>Dear Clerk of the Board,</p>
<p>Attached please find the comment of Sierra Northern Railway regarding the Proposed In-Use Locomotive Regulation. This comment provides emission and cost-effectiveness analyses that demonstrate the value of integrating a Tier 3 strategy into the Proposed Regulation.</p>
<p>Please contact me regarding any questions regarding the comment.</p>
<p>Best Regards,</p>
<p>Graham</p>
<p class="MsoNormal" style="margin: 0in; font-size: 12pt; font-family: Calibri, sans-serif;"> </p>
<p class="MsoNormal" style="margin: 0in; font-size: 12pt; font-family: Calibri, sans-serif; background: white;">Graham Noyes</p>
<p class="MsoNormal" style="margin: 0in; font-size: 12pt; font-family: Calibri, sans-serif;">Noyes Law Corporation</p>
<p class="MsoNormal" style="margin: 0in; font-size: 12pt; font-family: Calibri, sans-serif; background: white;">401 Spring Street, Suite 205</p>
<p class="MsoNormal" style="margin: 0in; font-size: 12pt; font-family: Calibri, sans-serif; background: white;">Nevada City, CA 95959</p>
<p class="MsoNormal" style="margin: 0in; font-size: 12pt; font-family: Calibri, sans-serif; background: white;">www.fuelandcarbonlaw.com </p>
<p class="MsoNormal" style="margin: 0in; font-size: 12pt; font-family: Calibri, sans-serif; background: white;">(530)264-7157 Direct</p>
<p class="MsoNormal" style="margin: 0in; font-size: 12pt; font-family: Calibri, sans-serif; background: white;">graham@noyeslawcorp.com </p>
<p class="MsoNormal" style="margin: 0in; font-size: 12pt;

font-family: Calibri, sans-serif; background: white;">https://www.linkedin.com/in/grahamnoyes</p>
<p class="MsoNormal" style="margin: 0in; font-size: 12pt; font-family: Calibri, sans-serif; background: white;">@Graham Noyes</p>
<p class="MsoNormal" style="margin: 0in; font-size: 12pt; font-family: Calibri, sans-serif; background: white;"> </p>
<p class="MsoNormal" style="margin: 0in; font-size: 12pt; font-family: Calibri, sans-serif; background: white;"> </p>

Attachment: www.arb.ca.gov/lists/com-attach/42-locomotive22-UyACbVE1UXBQJAhp.pdf

Original File Name: Sierra Northern Railway Comment 17 Nov 2022 FINAL.pdf

Date and Time Comment Was Submitted: 2022-11-18 08:09:03

No Duplicates.

Comment 2 for In-Use Locomotive Regulation (locomotive22). (At Hearing)

First Name: Chuck

Last Name: Baker

Email Address: cbaker@aslrra.org

Affiliation:

Subject: Comments on the CARB's Proposed In-Use Locomotive Regulation

Comment:

<p>Please see the comment letter attached. </p>

Attachment: www.arb.ca.gov/lists/com-attach/43-locomotive22-VzQCawFtUmxVNgRq.pdf

Original File Name: Comment.pdf

Date and Time Comment Was Submitted: 2022-11-18 08:31:19

No Duplicates.

Comment 3 for In-Use Locomotive Regulation (locomotive22). (At Hearing)

First Name: Gary

Last Name: Starre

Email Address: gastarre@gmail.com

Affiliation: Southern California Railway Museum

Subject: Historic Locomotive Allowance

Comment:

<p>I am here from Southern California Railway Museum, Perris, California, a 501(c)(3) public benefit non profit educational museum. The museum has been a part of the Moreno Valley for over 60 years, displaying and demonstrating the operation of historic railway equipment, including diesel, steam and electric cars. Some of our locomotives are historic diesel engines from the mid 20th century that pulled famous passenger trains and helped build California. Each one usually operates only a few hours per month on our short museum railway. Our mission is to preserve, display, and DEMONSTRATE these restored locomotives, as well as provide a training for mechanics and engineers. In addition, we partner with local vendors who assist us in restoration. In a hearing about 18 months ago, during the height of the pandemic and decreased visitor attendance, we were asked during the meeting for an estimate as to how many gallons we used per year, to which we provided the number of 10,000 gallons/year for the historic fleet of affected locomotives, and that figure was graciously adopted by this Board in the proposal. We have since conducted a more intensive examination and realize that to continue our mission, we request that 14,000 gallons annually be allowed for the historic locomotive exemption. There are only about 3 or 4 museums like ours in California, so the total usage is extremely small, but will allow the Museum to go forward in the future.</p>

Attachment: www.arb.ca.gov/lists/com-attach/44-locomotive22-AHVcKldvVTIGMggm.png

Original File Name: UP942.png

Date and Time Comment Was Submitted: 2022-11-18 10:15:11

No Duplicates.

Comment 4 for In-Use Locomotive Regulation (locomotive22). (At Hearing)

First Name: Marty

Last Name: Westland

Email Address: martywestland@att.net

Affiliation: Carson and Colorado Railway

Subject: CARB Proposed Locomotive Regulation

Comment:

<p>To Whom it May Concern: I am appealing to the CARB to establish an exemption from the proposed regulations for historic locomotives that are used as instructional devices to preserve the heritage of our country. Our particular locomotive is an oil-burning steam locomotive that served the Owens Valley until 1954. It has been restored to operating condition; is owned by Inyo County; and now resides at the Eastern Sierra Museum in Independence, California. It is operated only a few days every year. The proposed regulations have apparently been written for application to diesel-electric locomotives, and are not applicable to historic steam locomotives. I would hate to see the proposed regulations applied to historic locomotives, simply because such requirements would make their operation almost impossible, and thus end a unique connection with our past. Please create an exemption for this historic equipment. Sincerely, Marty Westland, Board Member, Carson and Colorado Railway</p>

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2022-11-18 10:15:59

No Duplicates.

Comment 5 for In-Use Locomotive Regulation (locomotive22). (At Hearing)

First Name: Robert

Last Name: Winn

Email Address: rhwinn@socalrailway.org

Affiliation: Southern California Railway Museum

Subject: In Use Locomotive Regulation

Comment:

<p>Dear Board members and staff,</p>

<p> </p>

<p>I apologize for my inability to present via the Zoom meeting apparently I had a timing issue this morning. </p> I am the VP/COO of the museum. </p>

<p> </p>

<p>We have requested an exemption for our historic use museum. </p> The current proposal for museums such as ours is instead 10,000 gallons per year. </p> Failing an exemption we respectfully request a level of 14,000 gallons. </p> The 10,000 gallon figure was derived from conversations with your staff during the covid pandemic. </p> Our operation is primarily for educational purposes and we do not have any operation for profit such as moving freight.</p>

<p> </p>

<p>This will allow us to carry out our mission of providing the historical accuracy of locomotives and trains in the 20th century.</p>

<p> </p>

<p>The museum serves a wide range of community needs including fulfilling Make A Wish requests, providing a safe environment for school aged children to learn about railroads and mass transit.</p>

<p> </p>

<p>We also provide a platform for the propulsion technology changes</p>

<p> </p>

<p>Our emissions level is very small. </p> Railroad museums in California use less than 0.0003% of the diesel fuel used by locomotives in the state.</p>

<p> </p>

<p> </p>

<p> </p>

<p> </p>

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2022-11-18 10:59:51

No Duplicates.

Comment 6 for In-Use Locomotive Regulation (locomotive22). (At Hearing)

This comment was posted then deleted because it was unrelated to the Board item or it was a duplicate.

Comment 7 for In-Use Locomotive Regulation (locomotive22). (At Hearing)

First Name: Sarah

Last Name: Yurasko

Email Address: syurasko@aslrro.org

Affiliation: American Short Line and Regional Railroa

Subject: ASLRRA Supplemental Comments

Comment:

<p>Attached please find supplemental comments from the American Short Line and Regional Railroad Association.</p>

Attachment: www.arb.ca.gov/lists/com-attach/48-locomotive22-AmMGc1M+VXQAdAhp.pdf

Original File Name: ASLRRA Supplemental CARB Comments.pdf

Date and Time Comment Was Submitted: 2022-11-18 11:16:40

No Duplicates.

Comment 8 for In-Use Locomotive Regulation (locomotive22). (At Hearing)

First Name: Dave

Last Name: Cook

Email Address: dave.cook@railpropulsion.com

Affiliation: Rail Propulsion Systems

Subject: Presentation slides for Nov 17/18 board meeting public comment

Comment:

```
<p><span style="font-family: monospace; font-size: large;
white-space: pre; background-color: #ffffff;">Comment uploaded by
CARB Staff on behalf of Dave Cook (slides during oral
testimony)</span></p>
```

Attachment: www.arb.ca.gov/lists/com-attach/49-locomotive22-BmdVIVc0V1sFYQFu.pdf

Original File Name: ARB Board Presentation 221117 (V2).pdf

Date and Time Comment Was Submitted: 2022-11-18 11:19:13

No Duplicates.

Comment 9 for In-Use Locomotive Regulation (locomotive22). (At Hearing)

First Name: William

Last Name: Barrett

Email Address: william.barrett@lung.org

Affiliation: American Lung Association

Subject: Health community support for ACF and Locomotive Standards

Comment:

Please see attached letter on behalf of dozens of California health and medical organization and health professionals in support of CARB actions to reduce emissions through the ACF and In-Use Locomotive Standards.

Attachment: www.arb.ca.gov/lists/com-attach/64-locomotive22-UTkCYQdnVGsHdQVt.pdf

Original File Name: Health Letter to CARB re ACF_Locomotives_4.27.23.pdf

Date and Time Comment Was Submitted: 2023-04-27 07:49:48

No Duplicates.

Comment 10 for In-Use Locomotive Regulation (locomotive22). (At Hearing)

First Name: Graham

Last Name: Noyes

Email Address: graham@noyeslawcorp.com

Affiliation:

Subject: Written Comment

Comment:

Attachment: www.arb.ca.gov/lists/com-attach/65-locomotive22-AWlSJVxwWToHMwIv.pdf

Original File Name: HQ-02-BW465A@arb.ca.gov_20230427_112223.pdf

Date and Time Comment Was Submitted: 2023-04-27 09:26:15

No Duplicates.

Comment 11 for In-Use Locomotive Regulation (locomotive22). (At Hearing)

First Name: Sean

Last Name: Kearns

Email Address: sean.kearns@mail.house.gov

Affiliation: Office of Congresswoman Nanette Barragan

Subject: Letter from Congresswoman Barragan re: In-Use Locomotive Regulation

Comment:

Please see the attached letter from Congresswoman Nanette Diaz Barragán (CA-44) to the California Air Resources Board in support of the Proposed In-Use Locomotive Regulation (Agenda Item #23-4-1).

Attachment: www.arb.ca.gov/lists/com-attach/66-locomotive22-VTZRNgR3U2JWDwRt.pdf

Original File Name: CARB In-Use Locomotive Rule.pdf

Date and Time Comment Was Submitted: 2023-04-27 09:25:54

No Duplicates.

Comment 12 for In-Use Locomotive Regulation (locomotive22). (At Hearing)

First Name: Krystyna

Last Name: Kubran

Email Address: kkubran@352innovation.com

Affiliation: 352 Innovation, LLC

Subject: Locomotive Diesels to Hydrogen as the Combustible Fuel?

Comment:

CARB-

Thank you for the opportunity to provide a comment.

I noticed there was no mention of converting the existing diesel engines to run on hydrogen as the combustible fuel. Is that an option?

DOE HFTO just announced funding (Apr 24 newsletter) for studying hydrogen combustion, its impact on materials, emissions, etc.

Feb 22 HFTO did an H2ICE webinar where they noted every engine maker and supporting suppliers have an engine in various stages of design, companies like Cummins, Toyota, Yamaha & Mazda have H2ICE engines in production.

An American Class I loco manuf'r has already hired 2 National Labs to begin the process of converting older diesels to H2ICE.

H2ICE can be made zero emission.

H2ICE can run on a dirty H2 gas mix, so H2 sales won't be reduced as H2 quality stabilizes as the infrastructure grows.

I'm happy to help CARB with H2ICE in any way possible.

Thank you for this opportunity.

Sincerely,

Krystyna Kubran

352 Innovation, LLC

Putting the ENGINE in ENGINEERING

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2023-04-27 09:35:26

No Duplicates.

Comment 13 for In-Use Locomotive Regulation (locomotive22). (At Hearing)

First Name: Jessica

Last Name: Fleming

Email Address: jesselfleming@gmail.com

Affiliation:

Subject: Vote YES on In-Use Locomotive Regulation

Comment:

Clean energy is not only the future; it is the only way to protect communities across the world from further health and safety hazards. There are people suffering incredible, PREVENTABLE harm from currently lax standards. Please vote yes on this proposal to take the next step on providing clean air for these communities, especially the most vulnerable, and please go further to ensure that zero emissions becomes the standard as soon as possible.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2023-04-27 10:16:32

No Duplicates.

Comment 14 for In-Use Locomotive Regulation (locomotive22). (At Hearing)

First Name: Kevin

Last Name: Hamilton

Email Address: kevin.hamilton@centralcalasthma.org

Affiliation: CENTRAL CALIFORNIA ASTHMA COLLABORATIVE

Subject: Locomotive 22

Comment:

Central California Asthma Collaborative(CCAC) would first like to thank staff for their hard work on the In-Use Locomotive Regulation, and their willingness to work collaboratively with advocates and others to create the best possible outcome given the limitations.

CCAC supports the In-Use Locomotive Regulation as submitted. CCAC has seen great benefits from updated switchers and pushers in the spur lines moving through low income communities in the Central Valley. We are especially pleased to see the aggressive move by CA to address the federal regulations that protect Union Pacific and BNSF's continued reliance on old polluting technology that emits large amounts of black carbon, NOx, SOx and PM 2.5. We look forward to participating in the implement of the regulation.

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2023-04-27 10:35:58

No Duplicates.

Comment 15 for In-Use Locomotive Regulation (locomotive22). (At Hearing)

First Name: Devon
Last Name: Ryan
Email Address: ryand@caltrain.com
Affiliation: Caltrain

Subject: Comment on Proposed In-Use Locomotive Regulation
Comment:

Dear Chair and Members,

On behalf of Caltrain, we want to deeply thank the Chair and the members of the Board, especially our local representative Davina Hurt, for highlighting the importance of public transit in the discussion of air quality and equity in the state and the commitment passenger rail agencies are showing to the reduction of diesel emissions on their systems. We also want to thank CARB staff for working with us through major issues with the regulation that would impact passenger rail agencies and developing a thoughtful alternative pathway that maintains and in many ways strengthens the expected emissions reductions while being responsive to the limitations on public agencies. By fall of next year, Caltrain will replace 20 of its 1980's diesel locomotives with new zero emission electric multiple unit (EMU) trains and we are working on exercising an option with our manufacturer Stadler that expires in August to transition more of our fleet to zero emission EMUs. We are also in discussion with CalSTA regarding a pilot demonstration battery-equipped EMU that could help demonstrate and allow the FRA to vet this technology which could allow for off-wire zero emission rail and intercity service. This could positively impact all rail operators across the state and the nation. I hope that we can continue to work with CARB to ensure that this regulation is successful and must remind the Board that if California is going to be a leader in the zero emission rail transition, funding is needed to support it.

Thank you again,

Devon Ryan
Government and Community Affairs Officer
Peninsula Corridor Joint Powers Board (Caltrain)

Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2023-04-27 10:10:29

No Duplicates.

Comment 1 for In-Use Locomotive Regulation (locomotive22) - 15-1.

First Name: Tandy

Last Name: Hill

Email Address: Non-web submitted comment

Affiliation:

Subject: Proposed In-Use Locomotive Regulation - COMMENT

Comment:

Please see attached file.

Attachment: www.arb.ca.gov/lists/com-attach/50-locomotive22-UjFROFA8UW8CYVI8.pdf

Original File Name: comment.pdf

Date and Time Comment Was Submitted: 2023-03-02 09:10:47

No Duplicates.

Comment 2 for In-Use Locomotive Regulation (locomotive22) - 15-1.

First Name: Sean

Last Name: Henschel

Email Address: Sean@resolutecompany.com

Affiliation: Mojave Inland Port

Subject: Support on behalf of Pioneer Partners

Comment:

Attachment: www.arb.ca.gov/lists/com-attach/51-locomotive22-WjlUM1AjUWAGXwd1.pdf

Original File Name: CARB Reg SUPPORT- Pioneer Partners Mar.10.23.pdf

Date and Time Comment Was Submitted: 2023-03-09 09:05:05

No Duplicates.

Comment 3 for In-Use Locomotive Regulation (locomotive22) - 15-1.

First Name: Rob

Last Name: Spiegel

Email Address: rspiegel@cmta.net

Affiliation:

Subject: CMTA Comments: In-Use Locomotive Regulation

Comment:

Attached for submission is a comment letter from the California Manufacturers & Technology Association (CMTA) regarding the In-Use Locomotive Regulation. Thank you.

Attachment: www.arb.ca.gov/lists/com-attach/53-locomotive22-VjUCaQRxADJXDlQ3.pdf

Original File Name: CMTA Comments - CARB 15-Day Notice In-Use Locomotive Rule.pdf

Date and Time Comment Was Submitted: 2023-03-15 21:11:33

No Duplicates.

Comment 4 for In-Use Locomotive Regulation (locomotive22) - 15-1.

First Name: Marty

Last Name: Westland

Email Address: martywestland@att.net

Affiliation: Carson and Colorado Railway

Subject: Proposed In-Use Locomotive Regulation /Clarifications

Comment:

Re.Sec. 2478.2 Exemptions, I would suggest the following language:

"Locomotives that meet the following requirements are exempt from this Locomotive Regulation and all its reporting requirements.

(a) Locomotives propelled by engines with a total continuous rated power of less than 1,006 horsepower(hp). For locomotives..."(continue as proposed).

Explanation: When I read this proposal, it was not clear that these exemptions released the Operator from all aspects of this Regulation, including registration and recordkeeping. Inclusion of the term "continuous" rated power will eliminate some confusion in the assessment of steam locomotives which typically are not rated in horsepower, but in tractive effort.

Re.Sec. 2478.11 Reporting and Recordkeeping Requirements. par.(g)

Historic Railroad Report. I think the authors mistakenly omitted "No later than July 1 of each Calendar Year..." Without that language the paragraph does not define when and how often the operator "...shall submit..."

Re.Sec. 2478.13 (a)(2) I would suggest increasing the maximum fuel usage allowed. I propose "...does not use more than 20,000 gallons of fuel collectively..."

Explanation: Some historic steam locomotives will require more than 10,000 gallons of fuel for just a few days of operation. Given the small number of steam locomotives in the state, their limited days of operation, and practical absence of NOx emissions, I would appeal to the Board's generosity to grant more latitude for operation of museum/educational steam locomotives. Can an exemption be made for steam vs. diesel-electric locomotives?

Thank you for your consideration.

Sincerely,

Marty Westland, Director
Carson and Colorado Railway,
Independence, California

Re.Sec. 2478.2 Exemptions, I would suggest the following language:

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Explanation: Some historic steam locomotives will require more than 10,000 gallons of fuel for just a few days of operation. Given the small number of steam locomotives in the state, their limited days of operation, and practical absence of NOx emissions, I would appeal to the Board's generosity to grant more latitude for operation of museum/educational steam locomotives. Can an exemption be made for steam vs. diesel-electric locomotives?

Thank you for your consideration.

Sincerely,

Marty Westland, Director
Carson and Colorado Railway,
Independence, California

Re.Sec. 2478.2 Exemptions, I would suggest the following language:

"Locomotives that meet the following requirements are exempt from this Locomotive Regulation and all its reporting requirements.

(a) Locomotives propelled by engines with a total continuous rated power of less than 1,006 horsepower(hp). For locomotives..."(continue as proposed).

Explanation: When I read this proposal, it was not clear that these exemptions released the Operator from all aspects of this Regulation, including registration and recordkeeping. Inclusion of the term "continuous" rated power will eliminate some confusion in the assessment of steam locomotives which typically are not rated in horsepower, but in tractive effort.

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Attachment:

Original File Name:

Date and Time Comment Was Submitted: 2023-03-16 11:41:03

No Duplicates.

Comment 5 for In-Use Locomotive Regulation (locomotive22) - 15-1.

First Name: Anthony

Last Name: Molina

Email Address: amolina@caladvocates.com

Affiliation: California Grain and Feed Association

Subject: Proposed In-Use Locomotive Regulation - 15 Day Notice Comments

Comment:

Please see the attached comments from the California Grain and Feed Association. Thank you.

Attachment: www.arb.ca.gov/lists/com-attach/55-locomotive22-AWJVNFM0VGYGX1U2.pdf

Original File Name: CGFA Comments Proposed In-use Locomotive Regulation 15-Day Notice.pdf

Date and Time Comment Was Submitted: 2023-03-16 13:15:51

No Duplicates.

Comment 6 for In-Use Locomotive Regulation (locomotive22) - 15-1.

First Name: Will

Last Name: Barrett

Email Address: William.Barrett@Lung.org

Affiliation: American Lung Association

Subject: American Lung Association Support for In Use Locomotive Rule

Comment:

Attachment: www.arb.ca.gov/lists/com-attach/56-locomotive22-AGwFdgdWW0KUwdm.pdf

Original File Name: Lung Association_Support Locomotive Rule_3.16.23.pdf

Date and Time Comment Was Submitted: 2023-03-16 14:29:13

No Duplicates.

Comment 7 for In-Use Locomotive Regulation (locomotive22) - 15-1.

First Name: Devon

Last Name: Ryan

Email Address: ryand@samtrans.com

Affiliation: Peninsula Corridor Joint Powers Board

Subject: Caltrain Comments on CARB Proposed In-Use Locomotive Regulation

Comment:

The Peninsula Corridor Joint Powers Board (Caltrain) comment letter regarding the California Air Resources Board Proposed In-Use Locomotive Regulation is attached. Contact information is included in the letter. Thank you.

Attachment: www.arb.ca.gov/lists/com-attach/57-locomotive22-AWIGYVE8AyQKfgFg.pdf

Original File Name: Caltrain CARB In-Use Locomotive Regulation 15 Day Comments_3-16-23_Signed.pdf

Date and Time Comment Was Submitted: 2023-03-16 15:23:38

No Duplicates.

Comment 8 for In-Use Locomotive Regulation (locomotive22) - 15-1.

First Name: Graham

Last Name: Noyes

Email Address: graham@noyeslawcorp.com

Affiliation: NLC for Sierra Northern Railway

Subject: Sierra Northern Railway Comment RE: 15 Day Changes to IUL Regulation
Comment:

The following is a digest of Sierra Northern Railway's comment regarding the 15-day changes to the proposed In-Use Locomotive Regulation. The full comment and exhibits are attached.

The attached documents set forth Sierra Northern Railway's ("Sierra Northern") comments concerning the California Air Resources Board's ("CARB") Proposed In-Use Locomotive Regulation as updated by the proposed 15-day changes made available March 1, 2023 (the "Proposed Regulation").

Regarding the Alternative Fleet Milestone Option ("AFMO") that CARB has proposed, Sierra strongly recommends the addition of an early adopter provision to the AFMO. This early adopter provision would establish an accelerated first milestone in 2025 to facilitate emission reductions up to five years earlier than the Proposed Regulation. Rather than establishing only the 2030 milestone as proposed in the 15-day change, a fleet could opt to meet either a 2025 or 2030 milestone:

- Beginning in 2025, 100 percent of annual fleet usage in California must be from Tier 3 (or cleaner) locomotives (the Sierra recommended early adopter "2025 Milestone"), or,
- Beginning in 2030, at least 50 percent of annual fleet usage in California must be from Tier 4 (or cleaner) locomotives, (the CARB proposed "2030 Milestone").

The three remaining AFMO milestones in the Proposed Regulation would remain unchanged:

- Beginning in 2035, 100 percent of annual fleet usage in California must be from Tier 4 (or cleaner) locomotives.
- Beginning in 2042, 50 percent of annual fleet usage in California must be ZE.
- Beginning in 2047, 100 percent of annual fleet usage in California must be ZE (no exceptions).

Through the integration of the early adopter provision into the Proposed Regulation, CARB would:

- Deliver greater PM2.5 and NOx emission reductions to impacted communities.
- Deliver faster PM2.5 and NOx emission reductions to impacted communities.
- Catalyze a more rapid transition to 100% zero emission locomotives.
- Dramatically reduce the costs of the transition to zero emission locomotives.

We appreciate the opportunity to submit these comments. Please

contact me if there are any questions or issues with the transmission of the comments.

Best Regards,

Graham Noyes
Noyes Law Corporation
For Sierra Northern Railway

Attachment: www.arb.ca.gov/lists/com-attach/58-locomotive22-ViUFalczACFVIVIz.pdf

Original File Name: Sierra Northern Railway IUL 15d Comment 16 March 2023 FINAL w Exhibits.pdf

Date and Time Comment Was Submitted: 2023-03-16 15:44:32

No Duplicates.

Comment 9 for In-Use Locomotive Regulation (locomotive22) - 15-1.

First Name: Yasmine
Last Name: Agelidis
Email Address: yagelidis@earthjustice.org
Affiliation: Earthjustice

Subject: Strong Support for CARB's In-Use Locomotive Regulation.
Comment:

Dear Chair Randolph and Board Members:

Please find attached a comment letter in strong support of CARB's In-Use Locomotive Regulation. We strongly support this effort to regulate locomotive emissions in California, and call on you to vote to approve this regulation at the April Board hearing.

Sincerely,
Yasmine Agelidis
Earthjustice on behalf of coalition of community, environmental,
and health organizations

Attachment: www.arb.ca.gov/lists/com-attach/59-locomotive22-WzhSNVQnVGULUIB9.pdf

Original File Name: CARB - Locomotive Rule - March 16, 2023.pdf

Date and Time Comment Was Submitted: 2023-03-16 16:16:20

No Duplicates.

Comment 10 for In-Use Locomotive Regulation (locomotive22) - 15-1.

First Name: Sarah

Last Name: Yurasko

Email Address: syurasko@aslrta.org

Affiliation: American Short Line and Regional Railroa

Subject: ASLRRA and CSLRA Comments - 15 Day Notice

Comment:

Attached please find comments from the American Short Line and Regional Railroad Association and the California Short Line Railroad Association in response to CARB's Notice of Public Availability of Modified Text and Availability of Additional Document and Information for its Proposed In-Use Locomotive Regulation.

Attachment: www.arb.ca.gov/lists/com-attach/60-locomotive22-BmVXMFihBTQKUwAx.pdf

Original File Name: CARB 15 Day Notice Association Comments.pdf

Date and Time Comment Was Submitted: 2023-03-16 16:47:43

No Duplicates.

Comment 11 for In-Use Locomotive Regulation (locomotive22) - 15-1.

First Name: Mark

Last Name: Twain

Email Address: Mark.twain@loco-emissions-watchdogs.com

Affiliation:

Subject: Reminder of Emissions issues

Comment:

We submitted a detailed 30 page document at the last public meeting with practical suggestions to improve the in-use rule. This document also detailed how poorly performing the current Tier 4 diesel passenger locomotives are:

- Emitting actual in-use NOx emissions at 2 to 3 times the EPA standard
- One of the two OEM locomotives not being emissions tested in its operating condition
- Both of the locomotives apparently idling over 30 minutes when by regulation the locomotives don't meet any of the exceptions to disable the auto shutdown features

We were disappointed to observe that instead of taking serious the deficiencies of the current Tier 4 diesel passenger locomotives, CARB staff is instead giving the passenger rail agencies a free pass on high in-use toxic emissions. The NOx chart in the document indicates that the AFMO plan predicts no reduction in passenger locomotive NOx emissions through 2035 which is unacceptable considering in-use NOx emissions are well above the Tier 4 standard.`

We are resubmitting the previous suggestions and details of the passenger locomotive emissions challenges with the hope that CARB staff and leadership take this issue more seriously this time and consider actually reducing passenger locomotive emissions instead of committing more public funding to mediocre equipment and locking in decades of unnecessarily high NOx emissions.

Also disappointing was CARB's shortsighted elimination of the benefits of developing and operating near zero and/or hybrid locomotives by creating such a restrictive definition of Zero Emissions Capable Locomotive.

We suggest:

- The AFMO plan be scrapped and that CARB finally emissions test these passenger locomotives in their actual operating condition.
- Then use event recorder data, which is already collected, archived and contractually available to CARB, to properly inventory actual in-use emissions based on the operational configuration emissions test data.
- Seriously look into incentivizing practical near-zero and hybrid locomotives.

M.T.

Attachment: www.arb.ca.gov/lists/com-attach/61-locomotive22-WjkCawBsUW8FZIM9.pdf

Original File Name: Comments on Proposed CARB In-Use Locomotive Rule - Rev 0.pdf

Date and Time Comment Was Submitted: 2023-03-16 16:32:44

No Duplicates.

Comment 12 for In-Use Locomotive Regulation (locomotive22) - 15-1.

First Name: Michael

Last Name: Pimentel

Email Address: michael@caltransit.org

Affiliation: California Transit Association

Subject: California Transit Association - Letter on IUL 15-Day Changes

Comment:

The Association's comment letter is attached.

Attachment: www.arb.ca.gov/lists/com-attach/62-locomotive22-BWZcO1Q5U2kBYQhn.pdf

Original File Name: California Transit Association - Letter on IUL 15-Day Changes.pdf

Date and Time Comment Was Submitted: 2023-03-16 18:42:51

No Duplicates.

Comment 13 for In-Use Locomotive Regulation (locomotive22) - 15-1.

First Name: Marty

Last Name: Westland

Email Address: Non-web submitted comment

Affiliation:

Subject: Input Re. Proposed Regulation Order In-Use Locomotive Regulation

Comment:

Please see attached file.

Attachment: www.arb.ca.gov/lists/com-attach/5-00docketutility-BWxSOlwtByFSIANc.pdf

Original File Name: Input Re. Proposed Regulation Order In-Use Locomotive Regulation.pdf

Date and Time Comment Was Submitted: 2023-03-17 10:54:17

No Duplicates.