



Port of
LONG BEACH
The Green Port

10-6-5
Richard Cameron

San Pedro Bay Ports Clean Air Action Plan

June 22, 2010

Clerk of the Board
Air Resources Board
1001 I Street
Sacramento, CA 95814

SUBJECT: Comments on the Draft ARB Rail Commitments

Clerk of the Board:

The ports of Los Angeles and Long Beach (Ports) would like to commend the California Air Resources Board (ARB) for their continued efforts to reduce rail emissions throughout the state. In addition, the Ports are very appreciative of all of the hard work and collaboration by ARB staff that have worked with the Ports, the Environmental Protection Agency, and the South Coast Air Quality Management District (AQMD), on the 2006 Clean Air Action Plan (CAAP) and the Draft 2010 CAAP Update. Through this collaboration, the Ports have been able to develop and implement strategies to reduce emissions from a variety of port sources, including rail.

The Ports have reviewed the Draft Rail Commitments that were recently released by ARB for public review. The Draft Rail Commitments establish voluntary commitments, tracking mechanisms, and deadlines to accelerate reductions of diesel particulate matter (PM) emissions and associated health risks at four high priority railyards in Southern California. While these commitments will help to reduce PM emissions from these four railyards, the Ports are concerned that these reductions are not as aggressive as we had expected would be required from the rail sector to meet State Implementation Plan (SIP) commitments. Further, the Draft Rail Commitments are inconsistent with the degree of aggressiveness that both ARB and AQMD were seeking to have implemented by the Ports, which do not have the same authority as the respective regulatory agencies.

Port of Los Angeles • Environmental Management
425 S. Palos Verdes Street • San Pedro • CA 90731 • 310-732-3675

Port of Long Beach • Environmental Planning
925 Harbor Plaza • Long Beach • CA 90802 • 562-590-4160

The San Pedro Bay Ports Clean Air Action Plan was developed with the participation and cooperation of the staff of the US Environmental Protection Agency, California Air Resources Board and the South Coast Air Quality Management District.

The Ports appreciate the opportunity to comment on the Draft Rail Commitments that are being considered by the Board on June 24, 2010. The Ports' comments are based upon a comparison between the Draft Rail Commitments and the Draft 2010 CAAP Update, which was developed with extensive input from ARB staff. The Ports' comments and questions are as follows:

1. The Draft Rail Commitments are focused on reducing PM emissions from activities within the fenceline of four specific railyards. When working on the Draft 2010 CAAP Update, the Ports understood from ARB and AQMD staff that both PM and NO_x reductions were needed from operations within near-dock railyards, and on all port track, to meet the SIP commitments and the health risk reductions needed by the local communities. We believe that the fenceline demarcation is insufficient and inconsistent with the standards requested of the Ports in the Draft 2010 CAAP Update measures on rail. Accordingly, we ask: will the ARB be pursuing additional PM and NO_x reduction strategies that extend beyond the fenceline of these four rail yards, to address rail activities statewide?
2. The Draft Rail Commitments establish a PM emission reduction target of 85% by 2020 with no specific control or equipment requirements. Instead, the Draft Rail Commitments leave the achievement of this standard entirely up to the rail companies. The Ports are concerned that the target set forth in the Draft Rail Commitments and the equipment specific requirements outlined in the Draft 2010 CAAP Update are not consistent. The rail commitments that have been established by ARB and the rail companies utilize a different implementation approach than had been discussed between the Ports and the agencies during development of the CAAP rail strategies. This inconsistency could very well present a challenge for the Ports' achievement of the goals of the CAAP through environmental documents and leases on near-dock railyards. Therefore, the Ports request ARB to list minimal equipment specific requirements to support the implementation of the CAAP.
3. The requirements for line-haul locomotives included in Rail Measure 3 (RL3) of the Draft 2010 CAAP Update were formulated to support ARB's stated goal from the "Staff Recommendations to Provide Further Locomotive and Railyard Emissions Reductions", which seeks to "...accelerate the turnover of cleaner Tier 4 line-haul locomotives serving port properties as expeditiously as possible following their introduction in 2015, with the goal of 95% Tier 4 line-haul locomotives serving the Ports by 2020". The Draft Rail Commitments do not include specific emission reduction requirements for line-haul operations. Again, the Draft Rail Commitments establish an emission reduction target within the rail yard fenceline and allow the operator to achieve this target in any

manner they choose. It is possible that this level of reduction within the fenceline may be achieved without any reductions from line-haul locomotives beyond existing regulatory requirements and therefore, again, would be inconsistent with the actions requested of the Ports by the ARB and AQMD on the Draft 2010 CAAP Update.

4. The Draft Rail Commitments require newly added switcher locomotives to meet Tier 3 off-road standards. This requirement is significantly less stringent than in the RL3 strategy listed in the Draft 2010 CAAP Update, which requires switcher locomotives to meet Tier 4 off-road standards by the end 2015.

We believe that it is necessary for the agencies and the Ports to have a consistent and complementary approach toward achieving emissions reductions from rail operations in order to meet our shared goals. We believe that ARB needs to follow a fair and equitable approach in negotiating requirements with all parties. Further, we believe that the Ports and ARB must be united in the requirements we are seeking from the rail companies to increase our chance of success in achieving our shared goal of 95% Tier 4 line-haul locomotives operating in California by 2020. The flexibility provided to the rail companies by the Draft Rail Commitments may not result in the same equipment specific implementation mechanisms discussed between the agencies and the Ports during development of the Draft 2010 CAAP Update. This divergent approach reduces the Ports' ability to effectively implement CAAP measure RL3. We therefore request that future discussions between ARB and the rail companies take a consistent approach with what was discussed with the Ports on the CAAP Update, and that the Ports, ARB, and the rail companies, continue to work together to achieve the long-term goals.

Thank you again for the opportunity to participate in the review of, and comment on, the Draft Rail Commitments. If you have any questions regarding this correspondence, please contact Heather Tomley, Assistant Director of Environmental Planning, Port of Long Beach, at (562) 590-4160; or Kevin Maggay, Air Quality Supervisor, Port of Los Angeles, at (310) 732-3947.

Sincerely,



Richard Cameron
Director of Environmental Planning
Port of Long Beach



Christopher Patton
Acting Director of
Environmental Management
Port of Los Angeles

cc: Cynthia Marvin, Air Resources Board
Harold Holmes, Air Resources Board