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June 22, 2010

California Air Resources Board
1001 "I" Street
P.O. Box 2815
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Re: Protect communities near railyards. Agenda Item 10-6-5 (June 24, 2010) Public Meeting to Consider Staff Recommendations for Commitments between ARB and UP and BNSF Railroads to Accelerate Further Diesel PM Emission Reductions at Four High Priority Railyards in the South Coast Air Basin

Dear CARB Board Members:

Thank you for directing your staff to dedicate time and resources to reduce toxic emissions and health risk at railyards in California. I am very appreciative of the attention and direction the board members have given to staff regarding this issue. However, I am concerned that the product that staff will present to the board on June 24, 2010, falls short of what the community needs and what the board directed.

The current proposed agreement (commitment letters) between the railyards and the California Air Resources Board (CARB) achieves only an additional 9-12 percent emissions reduction (depending on the yard)—over a 10-year span—at the four high-risk railyards identified by CARB. Due to the extremely high cancer risk for people living in close proximity to the railyards, more efforts are necessary to further reduce the risks. These should include air monitors around the railyards, and if monitoring shows non-compliance to the stronger regulations, fines and penalties should ensue.

Additionally, measures to reduce oxides of nitrogen and particulate matter at California's railyards should be crafted to maximize greenhouse gas (GHG) reductions, while achieving the greatest public health benefits as quickly as possible. For example, electrification or alternate fuel use of yard hostlers, rather than repowering them with diesel engines, can eliminate diesel emissions and provide GHG emission reductions as well. These measures support and have the potential to further contribute to the GHG reduction goals of AB32.

While the board directed staff to pursue site-specific measures to reduce cancer risk and emissions from the highest risk railyards, because it would give a relief to communities around the yards faster, we believe that many of the provisions in the agreement could be implemented by railyards across the state. We urge you to adopt statewide measures to reduce pollution from these sources.

Lastly, I am concerned that communities do not benefit from emissions reductions from this new Memorandum of Understanding (MOU) until after 2015. Due to the current elevated health risks,

operational efficiencies can and need to be implemented now to begin protecting these communities today. There are 14 other major railyard communities across the state. If we do not protect them now, these communities could end up receiving the dirtier locomotives as the cleaner locomotives come to the four high-risk yards. All these communities will benefit from a statewide regulation for all non-preempted locomotives, cargo handling, operational measures and risk reduction audit plan.

Thank you for considering these comments and for your continued diligence on this issue.

Sincerely,

Rebecca Koski

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