October 19, 2011

Mary Nichols, Chair

James Goldstene, Executive Officer

California Air Resources Board

1001 “I” Street

P.O. Box 2815

Sacramento, CA 95812

**Re: Support for Proposed 2011 Amendments to ARB’s Transportation Refrigeration Unit (TRU) Regulation**

Dear Chairman Nichols and Mr. Goldstene:

We write on behalf of the Natural Resources Defense Council, Union of Concerned Scientists, East Yard Communities for Environmental Justice, Environmental Health Coalition,

Coalition for Clean Air, American Lung Association of California, Central Valley Air Quality Coalition, Bayview Hunters Point Community Advocates, Sierra Club California, and our hundreds of thousands of California members in support of the proposed amendments to the 2004 regulation requiring clean up of diesel Transportation Refrigeration Units (TRUs), and strongly opposed to the industry proposal for compliance delays. We greatly appreciate the effort to preserve the health and air quality benefits of this important regulation.

As you know, diesel pollution contributes to serious health impacts throughout the state and particularly in communities with concentrated freight activity where TRUs are frequently used, including warehouses, rail yards, port terminals and other transportation services. Diesel engines, including those used by TRUs, are a major source of fine particulate matter (PM), which has been strongly linked by numerous studies to increased risk of emergency room visits, hospital admissions, asthma attacks, cardiovascular disease, respiratory disease, adverse birth outcomes, cancer, and premature death. In addition to these health impacts, diesel exhaust also contains many hazardous and carcinogenic chemicals, as well as smog-forming gases. Finally, diesel engines in California are the largest source of black carbon, a potent global warming pollutant.

The more than 175,000 TRUs in operation in California contribute significantly to air pollution and resulting health impacts. We applaud ARB for taking the initiative to control emissions from TRUs. This regulation as originally adopted would reduce over 3,000 tons of fine PM and almost 12,000 tons of NOx emissions through 2025. These emission reductions will be responsible for more than:

* 370 Lives Saved
* 125 Hospitalizations Avoided
* 5,600 cases of Asthma and other Lower Respiratory Symptoms Averted
* 470 cases of Acute Bronchitis Prevented

The total economic benefit of these air quality and health improvements tops $2.6 billion. In the future, we urge staff to quantify and report these important health benefits related to the initial regulation and proposed changes, as has been done for other diesel regulations (e.g. See December 2010 amendments to the Statewide Diesel Truck and Bus regulation and the Off-Road Diesel regulation).

The amendments proposed by staff allow for some additional time for most TRUs to comply, while maintaining the major emission reductions and health benefits of the initial regulation. We recognize the need for flexibility, but we cannot afford major delays in implementation due to the health impacts of TRUs. The amendments strike the right balance. *Maintaining these public health benefits is critical*, as large distribution centers with many TRUs running still pose significant health risks to nearby residents. Therefore, we are strongly opposed to extending “useful lifetimes” for high emitting equipment called for by industry representatives at the November 2010 hearing – which would amount to as much as a three year compliance delay. Note that the average large facility with TRUs running almost 2,000 hours per week will continue to pose very high cancer risks above 100 per million residents living within 1,000 feet through 2016 with the current regulation in place (ISOR page III-9).

For these reasons, *we urge you to adopt the staff proposed amendments without any further delays, lengthened equipment lifetimes or weakened compliance obligations that would prolong exposure to emissions from TRUs.* TRUs pose significant public health impacts throughout California; this sector needs to stay on course with air quality and public health improvements. We thank staff for their hard work on this regulation and consideration of health implications of the various amendment options.

Sincerely,

Diane Bailey Don Anair

Natural Resources Defense Council Union of Concerned Scientists

Jocelyn Vivar Ramirez, M.P.H. Joy Williams

East Yard Communities for Environmental Environmental Health Coalition

Justice

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