

November 16, 2021

Mr. John Lovenburg
Vice President, Environmental
BNSF Railway Company
2500 Lou Menk Drive
Fort Worth, Texas 76131
John.Lovenburg@bnsf.com

Dear Mr. Lovenburg:

The California Air Resources Board (CARB) received BNSF Railway's (BNSF) 2020 Fleet Average Agreement Annual Compliance Report (Compliance Report) pursuant to Section IV.B. of the 1998 Memorandum of Mutual Understanding and Agreements, South Coast Locomotive Fleet Average Emissions Program (1998 MOU Agreement). CARB staff determined that BNSF complied with provisions of the 1998 Agreement for its operations in 2020. BNSF's 2020 activity shows a slight improvement in overall fleet average emissions in the South Coast Air Basin with less utilization of Tier 0 and Tier 1 locomotives and increased use of Tier 4 locomotives. CARB looks forward to the continued decrease in reliance on older tier locomotives as business returns to normal.

As you know, since 2019 CARB has presented In-Use Locomotive Concepts designed to address the impact of harmful emissions from locomotives and environmental justice concerns throughout the State. Subsequently, the Governor issued an Executive Order that calls for off-road vehicles, equipment, and operations to transition to zero emission by 2035. As a reminder, the statewide reporting concept is key to implementing these efforts. If you have any questions about the reporting component or would like to discuss any other proposed regulatory concepts, please let us know.

Compliance Evaluation under the 1998 MOU

The 1998 Agreement requires that the annual locomotive final fleet average be at least 5.5 grams per brake horsepower-hour (g/bhp-hr) for oxides of nitrogen (NOx) for locomotive operations in the South Coast Basin, to meet the final fleet average.

Compliance Evaluation: Calendar Year 2020

BNSF's Compliance Report included the following:

1. BNSF's letter of certification: This letter is signed by the railroad and certifies that the information in this report is true, accurate and complete.
2. BNSF's fleet summary information: This is information regarding the methodology used by the railroad to comply with the 1998 Agreement (Form F-S).

3. BNSF's fleet average calculation: This information includes individual locomotive megawatt-hours and emission levels, as well as calculations and any necessary adjustments (Form F-A-1 through Form F-A-6).

Staff reviewed BNSF's submittal of its Compliance Report, which included activity information (in megawatt-hours) and emission levels for over 4,900 locomotives in 2020. CARB staff determined that for calendar year 2020, BNSF's final fleet average of 4.7 g/bhp-hr.

CARB will make the information publicly available except for individual locomotive activity levels, which are business confidential according to California Government Code Section 6254.7. The activity data will be aggregated by tier and emission level.

Should you have any questions or comments, please contact Ajay Mangat, Manager, Freight Systems Section at ajay.mangat@arb.ca.gov or Jaskamal Kaur, Air Pollution Specialist, Freight Systems Section at jaskamal.kaur@arb.ca.gov.

Sincerely,



Cari Anderson, Branch Chief,
Freight Transport Branch,
Transportation and Toxics Division

cc: See next page

cc: Edward Phillips, Senior Manager, Air and Carbon Programs, BNSF Railway

Edward.phillips@bnsf.com

Allen Doyel, Senior General Attorney at BNSF Railway

Allen.doyel@bnsf.com

Ajay Mangat, Air Resources Supervisor, Freight Transport Branch

Ajay.mangat.arb.ca.gov

Jaskamal Kaur, Air Pollution Specialist, Freight Transport Branch

Jaskamal.kaur@arb.ca.gov