

California Air Resources Board Enforcement Division's Southeast Los Angeles Railyard Audit Fall 2021 – Spring 2022

California Air Resources Board (CARB) Enforcement staff (staff) completed a full railyard inspection/audit at the Burlington Northern Santa Fe (BNSF)/Union Pacific (UP) railyards. This audit was conducted to help address community concerns brought up at the Southeast Los Angeles (SELA) Community Steering Committee (CSC) meeting in Fall 2021 regarding compliance at the railyards in the East Los Angeles railyard area that also borders the East Los Angeles – Boyle Heights – West Commerce (ELABHWC) AB 617 community. CARB used railyard reporting data from BNSF to determine drayage trucks compliance with both the engine performance standard and reporting, verified compliance with engine performance standards for cargo handling equipment (CHE), inspected transportation refrigeration units (TRUs) on trailers and trains, and used the Portable Emissions Acquisition System (PEAQS) to screen for high emitting trucks. The results of these inspections and audits are discussed below.

Drayage Truck Regulation Reporting Project for SELA 617 Community

The purpose of this project was to contact trucking/drayage companies who operated trucks in the BNSF Los Angeles and Commerce intermodal rail yards, that were not currently registered in the Drayage Truck Registry (DTR) but were compliant with the engine performance standard (i.e., had engine model years (EMY) 2007 or newer). Through a settlement agreement in 2016, UP started turning away non-compliant trucks. Therefore, this project was solely for trucks entering rail yards operated by BNSF in the LA/Commerce area, specifically BNSF's Commerce, Hobart, and LATC intermodal yards.

For trucks not reported in DTR, staff contacted the drayage companies and advised them of the regulatory requirements to register their trucks in DTR and that their trucks were currently noncompliant for failure to register the trucks. They used the data set from the BNSF quarterly noncompliance drayage report for the fourth quarter 2021 to conduct this outreach effort. Ninety-eight companies in the BNSF report had compliant trucks with the engine performance standard but failed to register their trucks in the DTR. Staff were able to contact 49 companies, left messages for 43 additional companies, and was unable to reach six. Approximately 470 total trucks were reached through this outreach effort.

Table 1. Drayage Truck Registry Outreach 2022.

Category	# Companies	Approx. # of Trucks with Unique VINs ¹
Able to make contact	49	198
Left message	43	248
Unable to reach a contact	6	24
Total	98	470

¹ Some vehicles in the data set were duplicates due to multiple, different entries of the vehicle identification numbers (VINs). This accounts for the approximation of the trucks listed above.

In conjunction with this outreach, staff completed two audits of drayage fleets identified in the BNSF non-compliance report as not compliant with the engine performance standards. DH Carrier was found to be non-compliant with the Drayage Truck Rule and the Periodic Smoke Inspection Program (PSIP). The PSIP program requires fleets to test their trucks for compliance with CARB's smoke opacity standard annually. The second audit found OMC Transport to be in violation of the Drayage Truck Rule and for failure to have emission control labels (ECL) on three of their truck engines. Case settlement documents for both cases can be found on CARB's website at the following links. (<https://ww2.arb.ca.gov/dh-carrier-inc-settlement>; <https://ww2.arb.ca.gov/omc-transport-inc-settlement>).

Cargo Handling Equipment and Transportation Refrigeration Units on Trains and Trailers
Staff last performed an audit of all 208 pieces of cargo handling equipment at the Southeast LA railyards (UP and BNSF) in 2017. They found 100 percent compliance with the engine performance standards. Staff completed a similar audit in fall 2021 and found 100 percent compliance with the engine performance standard as well.



Additionally, staff found 100 percent compliance in SELA (and ELABHWC's) railyards for TRUs on train cars and truck cargo container trailers (inside railyards) that are registered in California (Table 2) below.



Table 2. CARB TRU Inspections in 2022 at Community Railyards.

Terminal/ Rail Yard	Date	AB 617 Community Name	Total Inspected	Pass	Fail	NOV Issued Yes or No
BNSF Commerce	4/26/2022	Commerce	54	54	0	No
UP Commerce	4/26/2022	Commerce	30	30	0	No
UP LATC	2/23/2022	Boyle Heights/ East LA	11	11	0	No

Railyard Locations: BNSF Commerce (Hobart Yard - 4000 Sheila St, Commerce, CA 90023); UP Commerce (4341 E Washington Blvd, Commerce, CA 90023); UP LATC (750 Lamar St, Los Angeles, CA 90031)

PEAQS Deployment Near Community Railyards in 2021.

Staff routinely conduct inspections on trucks and TRUs operating on public roads immediately outside of BNSF, capturing many vehicles that frequent the railyards. In recent years CARB has also included multiple deployments that include PEAQS, an emissions screening tool that obtains a real-time reading of each truck's exhaust emissions. In 2022, two PEAQS deployments were conducted in May, as well as additional heavy-duty vehicle inspections without PEAQS.

Figure 1 shows a recent PEAQS deployment outside of BNSF. The highest emitting trucks as identified by PEAQS are pulled over with the assistance of California Highway Patrol (CHP) for a full inspection.



Figure 1. General set up of PEAQS at Port of Los Angeles.

Staff conducted full inspections on the trucks. They inspected for compliance with the following regulations: The Heavy-duty Diesel Vehicle Inspection Program, Drayage,

TRU, and Truck and Bus rules. The Heavy-duty Diesel Vehicle Inspection Program (HDVIP) includes a visual inspection of all emission control equipment, the engine emissions control labeling (ECL), and a quick snap engine emissions test for smoke opacity. The opacity test limit is five percent for vehicles equipped with a diesel particulate filter, and the visual inspection can identify tampering issues such as DPF removal or bypass systems (Table 3). Of the 636 vehicles screened during the deployment, a total of 34 trucks were pulled over for inspection. Compliance varied ranging from 100 percent for the Drayage and Truck and Bus regulations to zero for TRUs (two inspections).

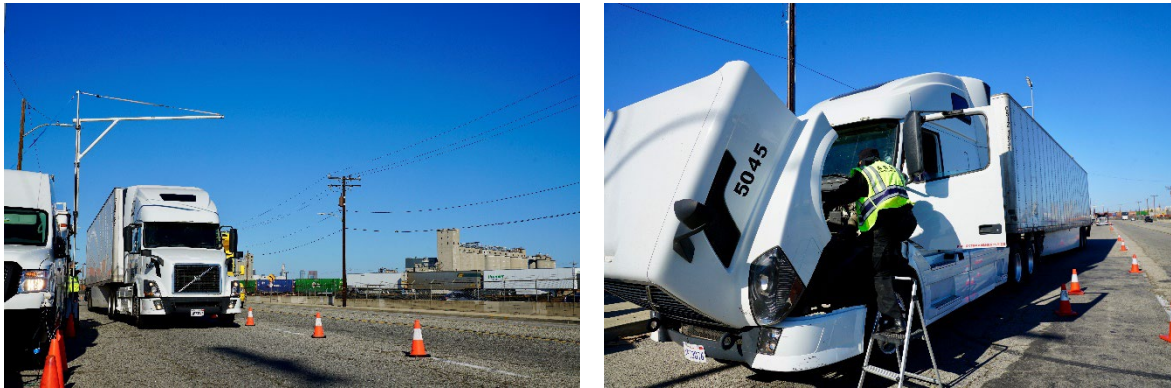


Table 3. Inspections and Citations during PEAQS Deployment in May 2022.

Inspection Type	Inspections Conducted	Compliance %	Citation Count
Drayage	4	100%	0
HDVIP			
<i>ECL</i>	24	88%	3
<i>Smoke Opacity (from Quick Snap Test)</i>	26	92%	2
<i>Tampering</i>	22	91%	2
TRU	2	0%	2
Truck and Bus	19	100%	0

Additional inspections have occurred since this deployment in the Southeast LA area near BNSF and UP railyards. These inspections can be viewed on CARB’s Enforcement Data Visualization System (EDVS; <https://webmaps.arb.ca.gov/edvs/>). Figure 2 is a map of the locations of those enforcement efforts for heavy-duty trucks in 2021. The compliance rates found in the May 2022 PEAQS deployment were similar to those

found in Southeast Los Angeles from January 1, 2022, through Sept 30, 2022. TRU compliance remained low with less than a third compliant, and Drayage rule compliance was 100 percent. Additionally, staff conducted Commercial Vehicle (truck) Idling rule compliance inspections and found a 98 percent compliance rate for 286 trucks.

Table 4. Inspections and Citations for the BNSF Railyard Area for First Three Quarters of 2022.

Inspection Type	Inspections Conducted	Compliance %	Citation Count
Drayage	6	100%	0
HDVIP			
<i>ECL</i>	29	86%	4
<i>Smoke Opacity (from Quick Snap Test)</i>	32	91%	3
<i>Tampering</i>	28	93%	2
TRU	36	31%	18
Truck and Bus	24	96%	1
Idling (Commercial Vehicle)	286	98%	1

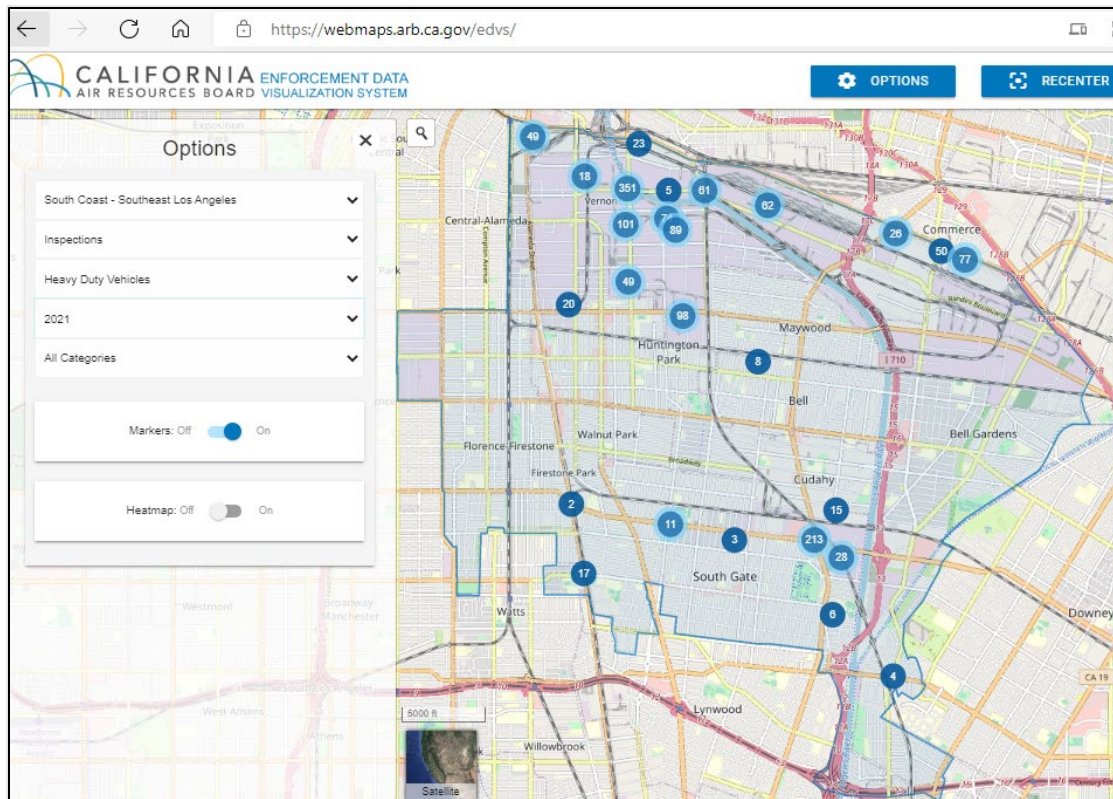


Figure 2. EDVS Map of Southeast Los Angeles Heavy Duty Vehicle Inspections in 2021.

Discussion

While compliance appears high for trucks and equipment servicing the railyards, areas for improvement exist. Beginning in January 2023, drayage trucks will need meet the compliance requirements of the Truck and Bus Regulation which requires all trucks weighing over 14,000 pounds to have a 2010 MY or newer engine. California Department of Motor Vehicles (DMV) will withhold registration on any truck registered in California that fails to meet the Truck and Bus engine performance standard.

In addition, the new Heavy-Duty Inspection & Maintenance program will go into effect starting January 1, 2023. In the first phase of the program, PEAQS will be deployed in various areas to screen for potential high-emitting vehicles in the field. Vehicles flagged by the monitoring devices will be required to undergo an additional emissions test to verify their emissions-control equipment is functioning properly and repair any malfunctioning emission control equipment, if necessary.

In mid-2023, phase two of the HD I/M program requires all heavy-duty trucks to register with CARB and obtain a certificate of compliance to operate in the state. Then in 2024, in the last phase of the program, heavy-duty truck registration in California will require proof of compliance with the HD I/M Program emission standards. Emission inspections will be required to be performed twice a year for vehicles with

onboard diagnostic (OBD) systems, increasing to four times per year beginning in 2027.

Given the low compliance rates for TRUs on trucks, CARB staff plans to continue to do enforcement in and around the railyards in 2023. CARB staff also plans to continue using PEAQS near the railyards.

Please contact CARB Outreach Enforcement Section at coes@arb.ca.gov with any questions about this railyard audit.