

June 24, 2024

John Lovenburg  
Vice President, Environmental  
BNSF Railway  
2500 Lou Menk Drive  
Fort Worth, Texas 76131  
[John.Lovenburg@bnsf.com](mailto:John.Lovenburg@bnsf.com)

Dear Mr. Lovenburg,

The California Air Resources Board (CARB) received BNSF Railway's (BNSF) 2023 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). CARB staff determined that in 2023 BNSF complied with provisions of the 1998 MOU which requires the final annual locomotive fleet average be under 5.5 grams per brake horsepower-hour (g/bhp-hr) for oxides of nitrogen (NO<sub>x</sub>) for locomotive operations in the South Coast Air Basin, to meet the final fleet average standard.

### **Compliance Evaluation: Calendar Year 2023**

BNSF's Compliance Report included the following:

1. Signed letter of certification verifying the information in the report is true, accurate, and complete.
2. Fleet summary information regarding the methodology used to comply with the 1998 MOU (Form F-S).
3. Fleet average calculation showing the individual locomotive megawatt-hours (MWh) and emissions levels, as well as calculations and any necessary adjustments (Form F-A-1 through F-A-6).

BNSF's 2023 Compliance Report submittal included activity information (in MWh) and emissions levels for over 5,000 locomotives. CARB staff determined that for calendar year 2023, BNSF's final fleet average of 5.1 g/bhp-hr meets the NO<sub>x</sub> compliance level set forth in the 1998 MOU.

CARB will make the BNSF Compliance Report 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.

John Lovenburg  
June 24, 2024  
Page 2

If you have any questions or comments, please contact Layla Gonzalez, Manager, Freight Systems Section at [Layla.Gonzalez@arb.ca.gov](mailto:Layla.Gonzalez@arb.ca.gov) or Jaskamal Kaur, Air Pollution Specialist, Freight Systems Section at [Jaskamal.Kaur@arb.ca.gov](mailto:Jaskamal.Kaur@arb.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ajay Mangat', with a stylized flourish at the end.

Ajay Mangat, Chief, Freight Technology Advancement Branch  
Transportation and Toxics Division

cc: Allen Doyel, Senior Attorney, BNSF, [Allen.doyel@bnsf.com](mailto:Allen.doyel@bnsf.com)  
Ashley Lane, Environmental Manger, BNSF, [ashley.lane2@bnsf.com](mailto:ashley.lane2@bnsf.com)  
Layla Gonzalez, Manager, Freight Systems Section, Transportation and Toxics Division  
Jaskamal Kaur, Air Pollution Specialist, Transportation and Toxics Division