



Gavin Newsom, Governor
Yana Garcia, CalEPA Secretary
Liane M. Randolph, Chair

Office of the Secretary

Project Title: Repeal of the In-Use Locomotive Regulation

JUN 27 2025

Project Location: Statewide

Public Meeting Date: June 26, 2025; Agenda Item #25-4-1

California Natural Resources Agency

Project Description: Repeal of the California Air Resources Board's (CARB) In-Use Locomotive Regulation. CARB's Board approved the Locomotive Regulation in April 2023 and CARB submitted an authorization request to the United States Environmental Protection Agency (U.S. EPA) for the regulation in November 2023. Due to inaction from U.S. EPA on the authorization request, CARB withdrew the request in January 2025. Without authorization, CARB does not intend to enforce the Locomotive Regulation. To avoid confusion and uncertainty for California locomotive operators, staff requested the Board to approve the proposed repeal of the Locomotive Regulation to remove it from the California Code of Regulations.

This notice is to advise that the California Air Resources Board (CARB or Board), as the lead agency, approved the above action on June 26, 2025.

The CEQA statute specifies that CEQA does not apply to "[p]rojects that a public agency rejects or disapproves." (Pub. Resources Code § 21080(b)(5).) Here, CARB's proposal is to rescind the Locomotive Regulation in its entirety. This constitutes a project disapproval under CEQA, and is not subject to CEQA review, pursuant to the exemption in section 21080(b)(5).

CARB has also determined that this project is exempt from CEQA under the "general rule" or "common sense" exemption (14 CCR 15061(b)(3)). The common sense exemption states a project is exempt from CEQA if "the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA." Based on CARB's review, it can be seen with certainty that there is no possibility that the project would result in a significant adverse impact on the environment; therefore, this activity is exempt from CEQA. A brief explanation of the basis for reaching this conclusion is included in Chapter VI of the Initial Statement of Reasons (Staff Report).

The Staff Report and all other related documents are available for public inspection on the CARB webpage at: <https://ww2.arb.ca.gov/rulemaking/2025/locomotiverepeal>

These documents may also be examined at:

California Air Resources Board
Attn: Board Administration and Regulatory Coordination Unit
1001 I Street
Sacramento, CA 95814

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Certified: Rebecca Fancher /s/
CARB CEQA Unit

Date: 06/27/2025