

November 15, 2019

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

Dear Mr. Lovenburg:

The California Air Resources Board (CARB) received BNSF Railway's (BNSF) 2018 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 Agreement). CARB staff determined that BNSF complied with provisions of the 1998 Agreement for its operations in 2018.

In 2018, BNSF reported an increase in the use of Tier 0 locomotives, and a decrease in the use of Tier 3 and Tier 4 locomotives in the South Coast Air Basin. We are concerned about the reliance on older, dirtier locomotives to meet growth in demand. This highlights the need for a new strategy to address interstate line-haul locomotive emissions across the State.

CARB staff are developing concepts to address the impact of harmful emissions from locomotives and railyard activity. These concepts could be implemented at the State and/or the Air District level, and provide an opportunity for the railroads to better address regional pollution for rail operations and long-standing environmental justice concerns with communities near railyards. CARB's first public workshop to discuss these concepts will be held November 20, 2019 in Los Angeles. For more details, visit our website at <https://ww2.arb.ca.gov/our-work/programs/reducing-rail-emissions-california/locomotives-and-railyards-meetings-workshops>.

Starting in calendar year 2010, the 1998 Agreement requires that BNSF have an annual locomotive final fleet average of 5.5 grams per brake horsepower-hour (g/bhp-hr) for oxides of nitrogen (NO_x) for locomotive operations in the South Coast Air Basin. Additionally, the 1998 Agreement allows BNSF to use accumulated fleet average credits, including credits accrued from the use of ultra-low emitting locomotives in the South Coast Air Basin, in order to meet the locomotive final fleet average.

Compliance Evaluation

BNSF's Compliance Report included the following:

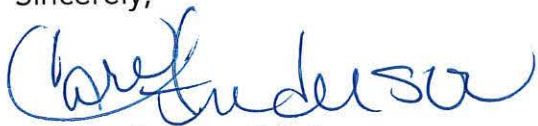
1. BNSF's letter of certification: This letter is signed by the railroad and certifies that the information in this report is true, accurate and complete.
2. BNSF's fleet summary information: This is information regarding the methodology used by the railroad to comply with the 1998 Agreement (Form F-S).
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 individual locomotives in 2018. CARB staff determined that, for calendar year 2018, BNSF's final fleet average of 5.3 g/bhp-hr meets the required NOx compliance level set forth in the 1998 Agreement without using any credit.

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 regarding BNSF's compliance with the 1998 Agreement, please contact Ajay Mangat, Manager, Freight Systems Section at (916) 324-2718 or ajay.mangat@arb.ca.gov or Jennifer Kozumplik, Air Pollution Specialist, Freight Systems Section at (916) 322-6019 or jennifer.kozumplik@arb.ca.gov.

Sincerely,



Cari Anderson, Chief
Freight Transport Branch
Transportation and Toxics Division

cc: See next page.

Mr. John Lovenburg
November 15, 2019
Page 3

cc: Ms. Amanda Maruffo
Senior Manager
Environmental Operations (Illinois & Iowa)
1670 S Henderson Street
Galesburg, Illinois 61401

Ms. Marisa Blackshire
Senior General Attorney
3770 E. 26th Street
Los Angeles, California 90058

Mr. Christopher Grundler
Office Director
U.S. Environmental Protection Agency
Office of Transportation and Air Quality (6401A)
1200 Pennsylvania Avenue, NW
Washington, D.C. 20460

Mr. William Charmley
Division Director
U.S. Environmental Protection Agency
Office of Transportation and Air Quality
Assessment and Standards Division
2000 Traverwood Drive
Ann Arbor, Michigan 48105

Ajay Mangat, Manager
Freight Transport Branch
Transportation and Toxics Division

Jennifer Kozumplik
Air Pollution Specialist
Freight Transport Branch
Transportation and Toxics Division

