



April 28, 2017

The Honorable Scott Pruitt, Administrator
US Environmental Protection Agency
Office of the Administrator, Mail Code: 1101A
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Re: Support for CARB Petition Requesting new Rulemaking on Locomotives

Dear Administrator Pruitt:

Environmental Health Coalition is (EHC) is a 37-year-old nonprofit organization. EHC builds grassroots campaigns to confront the unjust consequences of toxic pollution, discriminatory land use, and unsustainable energy policies. Through leader development, organizing and advocacy, EHC improves the health of children, families, neighborhoods and the natural environment in the San Diego/Tijuana region.

We are writing in support of the California Air Resources Board (CARB) petition of April 13, 2017, that requests that US EPA adopt more stringent emission standards for locomotives. We urge you to begin rulemaking on this urgently needed regulation to reduce air toxics hot spots near railyards in impacted communities such as Barrio Logan community of San Diego and the west side of National City in our region.

The CARB petition, "Petition for Rulemaking Seeking the Amendment of the Locomotive Emission Standards for Newly Built Locomotives and Locomotive Engines and Lower Emission Standards for Remanufactured Locomotives and Locomotive Engines," requests more stringent standards for remanufactured locomotives and a Tier 5 standard for new locomotives that would require zero-emission operation capability. The petition proposes that the new standards take effect in 2023 and 2025, respectively. The proposed emission standards would cut toxic and smog-causing emissions by 85% for particulate matter and 66% for oxides of nitrogen below current Tier 4 levels. The proposed standards recognize new developments in technology that support zero emission rail operations while also providing fuel savings for the railroads.

Need for Reduced Rail Emissions in Impacted Communities in San Diego

Barrio Logan: Barrio Logan is a mixed-use neighborhood south of downtown San Diego with 96% minority residents. Barrio Logan is also one of the communities most impacted by air pollution in the San Diego region. Residents are surrounded by air pollution sources including the Port of San Diego's Tenth Avenue Marine Terminal, large shipyards, San Diego Naval Station, the I-5 freeway, the Coronado Bridge, and a BNSF railyard, as well as smaller industries within the residential community itself. The multiple risk factors faced by residents are documented by CalEnviroScreen, California's

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analytical tool to identify communities most burdened by pollution from multiple sources and most vulnerable to its effects. Barrio Logan is number one in the county for overall pollution burden and is near the top in the county for diesel particulate pollution¹. According to EJSCREEN², Barrio Logan ranks in the 97th percentile nationally for traffic proximity. Barrio Logan's rate of asthma-related hospital visits is higher than 92.9 percent of census tracts throughout the state, with about 81 visits per 10,000 people. Cancer is also a major health hazard for residents; Barrio Logan's cancer risk is in the 80th-90th percentile nationally².

The BNSF Railyard in Barrio Logan is located less than a quarter mile from Perkins Elementary School. According to a Health Risk assessment of the railyard³ that was done by CARB in 2008, the estimated cancer health hazard from the railyard is between 50 and 100 cancers per million. The 10 per million cancer risk isopleth goes far beyond the Barrio Logan community, taking in a wide swath of San Diego's downtown and adjacent communities, and extending across San Diego Bay into the City of Coronado:

Figure V-1: Estimated Near-Source Cancer Risk (Chances per Million People) from the BNSF San Diego Railyard



¹ CalEnviroScreen Version 2.0. Office of Environmental Health Hazard Assessment (OEHHA).

² "EJSCREEN Report (Version 2016) Blockgroup: 060730050001". EJSCREEN Tool. US Environmental Protection Agency.

³ California Air Resources Board, 2008. *Health Risk Assessment for the BNSF Railway San Diego Railyard*. June 9, 2008.

National City: The residential community of west National City is immediately downwind of the National City Marine Terminal. Like Barrio Logan, this community also ranks near the top of California's disadvantaged communities, as scored by CalEnviroScreen. The largest shipper at that terminal is Pasha Automotive Group, which imports approximately 400,000 vehicles a year through the National City terminal, and transports about half of those by rail. Pasha is now planning to expand its current capacity to import and store vehicles on the terminal, and to increase the proportion of this cargo that moves off the site on rail. It is imperative that as rail cargo throughput increases at National City Marine Terminal, the locomotives become cleaner to reduce air quality impacts to the downwind community.

US EPA Authority and Duty to Protect Public Health and Set Rail Emission Standards

As you know, US EPA has the sole authority under the Clean Air Act to establish emission standards for new locomotives and new engines in existing locomotives. The Clean Air Act also charges EPA with protection of the quality of the Nation's air resources so as to promote the public health and welfare. Further, the Administrator must set federal air quality standards that the Administrator judges are requisite to protect the public health.

Whereas California has adopted a Sustainable Freight Action Plan that will promote cleaner freight technology in many ways, the State cannot regulate emissions from new locomotives. Beyond California, residents of every state in the nation need relief from locomotive emissions, which are often concentrated in low income communities of color.

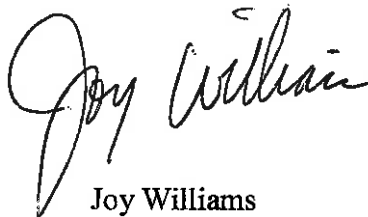
Petition

The CARB petition requests more stringent standards for remanufactured locomotives and a Tier 5 standard for new locomotives that would require zero-emission operation capability. The petition proposes that the new standards take effect in 2023 and 2025, respectively. Whereas we would ideally like earlier deadlines for these new standards to take effect, we understand that the CARB's proposed deadlines may be needed to allow development of locomotive engines that meet the new standards. We urge you to begin rulemaking, as CARB has requested. Thank you.

Sincerely,



Diane Takvorian
Executive Director



Joy Williams
Research Director

