

**As Prepared for Delivery**  
Comments of William Barrett  
National Senior Director, Clean Air Advocacy  
American Lung Association  
On  
The U.S. Environmental Protection Agency  
Greenhouse Gas Emissions Standards for Heavy-Duty Vehicles—Phase 3  
Docket ID No. EPA-HQ-OAR-2022-0985  
May 2, 2023

Good morning, my name is Will Barrett, National Senior Director for Clean Air Advocacy with the American Lung Association. I greatly appreciate the opportunity to address you this morning, and the attention of your agency to these sources of harmful air pollution.

I will focus my attention on the off-road locomotive preemption proposals. We greatly appreciate that EPA continues to review past decisions and act to correct course when necessary to protect public health.

We agree that the proposed locomotive amendments would enable EPA's preemption regulations to more closely track to the language in the Clean Air Act and avoid unintended impediment to state policy development.

Last week, the California Air Resources Board concluded a rulemaking to modernize and clean up locomotive emissions through a variety of operational standards. Combined, these actions represent the single largest share of state actions identified in the California State Implementation Plan to achieve ozone standards by 2037. The locomotive operations program will achieve over 30 percent of the NOx reductions needed to meet California's ozone SIP commitments.

California's rules focus on rail operations in the state due to the significant harms caused by aging fleets of line haul, passenger and other locomotives. The board approved multiple compliance pathways for regulated parties to bring major clean air improvements online.

The policies are designed to ensure that locomotives over 23 years old will no longer operate in California, bringing cleaner engine technologies into the fleet. This is crucial given that Tier 4 engines represent less than 5 percent of the locomotives operating in California today, while Tier 0 - or earlier - engines make up nearly a quarter of in-state locomotives.

CARB approved enforceable idling limits, and created a framework for investment in cleaner technologies. The policy also includes reporting requirements and a framework for phasing zero-emission technologies across California rail operations over the coming decades.

CARB heard impassioned testimony from residents of rail-impacted communities demanding action to reduce the suffering caused by locomotive emissions. CARB estimates that the operational emissions from just one train exceed those of more than 400 heavy-duty trucks.

When implemented, the In-Use Locomotive standards will bring major public health and health equity improvements. The rules are projected to result in over three thousand lives saved, tens of billions in public health benefits and a 90% average cancer risk reduction (cases per million people) in communities nearest California railyards by 2045.

Again, we appreciate EPA's review of the locomotive preemption language to avoid unintended impediments to these or other state standards for locomotives.

We believe this is a pragmatic approach that will continue to require EPA to judge the need for more health-protective state policies through the waiver review process, but will not prohibit more health-protective concept development by default.

In closing, we encourage EPA to move forward with this change, but also to work toward more stringent Tier 5 and Zero-Emission standards for locomotive engines to improve health throughout the nation, and especially in the most rail-impacted communities.