



April 22, 2024

U.S. Environmental Protection Agency
 William J. Clinton Building
 1200 Pennsylvania Ave, NW
 Washington, DC 20460

Re: Support for California In-Use Locomotive Rule Waiver
 Docket ID – EPA–HQ–OAR–2023–0574

Dear Administrator Regan:

The undersigned California-based health and medical organizations urge the United States Environmental Protection Agency (EPA) to approve California’s waiver to implement the In-Use Locomotive rule. Cleaning up locomotive operations in California is critical to attaining health-protective clean air standards, reducing pollution-based disparities and addressing the climate crisis.

California is home to the most difficult air pollution challenges in the United States. According to the American Lung Association’s “State of the Air” 2023 report, six of the ten most ozone- and particle-polluted cities in America are in California, and over 90 percent of people live in a community impacted by unhealthy air.¹ Many communities in California do not meet federal clean air standards. Cleaning up the transportation sector is critical to meeting these health-protective standards as well as California’s climate standards. As part of these efforts, emissions from the aging locomotive sector in California must be addressed to protect health.

To meet the federal clean air standards, the California Air Resources Board (CARB) included the In-Use Locomotive rule in the 2022 State Implementation Plan for Ozone as by far the largest program identified to reduce ozone-forming emissions. The California locomotive fleet is

¹ American Lung Association. State of the Air 2023. April 2023. www.stateoftheair.org

significantly behind the curve on cleaner operations. CARB estimates that approximately 95% of the locomotive population in California does not meet the current Tier 4 emission standards, and a quarter are much more polluting Tier 0 engines.² The In-Use Locomotive rule will reduce almost one-third (63.2 tons per day in 2037) of the total oxides of nitrogen (NO_x) needed to meet the National Ambient Air Quality Standards for Ozone.³ In addition, most locomotives rely on diesel fuel to power engines, the byproduct being diesel particulate matter, a toxic air contaminant known to cause cancer and a host of other health harms. CARB estimates that the reduced emissions from cleaner locomotive operations in California will result in \$32 billion in health benefits and 3,233 lives saved over the course of implementation.

This waiver will not only benefit all Californians with improved regional air quality but also lower-income frontline communities living near railyards, who are most impacted by concentrated locomotive pollution. The transition to cleaner and zero-emission locomotive operations will also be a great benefit to many of California's most disadvantaged communities living in corridors near railyards. Implementation of the In-Use Locomotive rule is estimated to cut cancer risk for communities living within a mile of a railyard by 90 percent, according to CARB's health analysis. These health benefits are not included in the monetized value noted above.

Throughout the development of this rule, the California Air Resources Board engaged with community members, industry, and stakeholders in multiple workshops and hearings to finalize and bring to the CARB Board and ultimately EPA for approval.

The federal Clean Air Act provides California with the authority to enact standards like the In-Use Locomotive rule and requires EPA to approve waivers for state standards that are at least as protective of public health as applicable Federal standards. The In-Use Locomotive waiver meets this test: EPA must approve the waiver and California must implement the standard without delay.

In closing, we urge you to approve California's In-Use Locomotive waiver as it will bring critical health benefits to all residents, especially those living in frontline communities. We also ask EPA to set new federal cleaner and zero-emission standards for locomotives to protect the health of individuals beyond California. Please contact William Barrett with the American Lung Association at William.Barrett@Lung.org for any additional information.

Sincerely,

Alliance of Nurses for Healthy Environments
American College of Physicians California Chapter Services
American Lung Association
American Nurses Association\California
Asthma Coalition of Kern County
Breathe California
BUDDIGA Family Allergy Asthma Skin Immunology
California Black Health Network
California Nurses for Environmental Health and Justice
Center for Climate Change and Health

² California Air Resources Board. Locomotive Fact Sheet. April 2023. <https://ww2.arb.ca.gov/our-work/programs/reducing-rail-emissions-california/locomotive-fact-sheets>

³ California Air Resources Board. 2022 State Strategy for the State Implementation Plan, Table 7 at p. 38. September 2022. https://ww2.arb.ca.gov/sites/default/files/2022-08/2022_State_SIP_Strategy.pdf

Central California Asthma Collaborative
Children Now
Golden Gate Bay Area Chapter NAHN - National Association of Hispanic Nurses
LifeLong Medical Care
Maternal and Child Health Access
Prevention Institute
Regional Asthma Management & Prevention
San Francisco Bay Physicians for Social Responsibility