



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

November 9, 2022

OFFICE OF
AIR AND RADIATION

Mr. Samir Sheikh
Executive Director
San Joaquin Valley Air Pollution Control District
Central Region Office
1990 East Gettysburg Avenue
Fresno, California 93726-0244

Dear Mr. Sheikh:

On June 22, 2016, the San Joaquin Valley Air Pollution Control District (District) submitted a petition approved by its Governing Board on June 16, 2016, requesting that the Environmental Protection Agency (EPA) undertake rulemaking to establish new national nitrogen oxide (NO_x) standards under the Clean Air Act (CAA) for heavy-duty trucks and locomotives. On December 9, 2016, the California Air Pollution Control Officers Association (CAPCOA) notified the Agency that they were also joining this petition.

On December 20, 2016, EPA responded to the District's petition and to CAPCOA's notification with regard to NO_x standards for new on-highway heavy-duty vehicles. Further, as part of that response, we stated that, "At this time, EPA is not prepared to respond to San Joaquin's request that the Agency establish new national NO_x and PM standards for locomotives." In this letter, we are providing our response to your 2016 petition with regard to locomotives.

We recognize that our most recent regulation addressing air pollutant emissions from locomotives was promulgated in 2008. While that rule put in place more stringent emission standards for new locomotives and new locomotive engines, in California and elsewhere locomotives remain a significant source of NO_x and fine particulate matter (PM_{2.5}) emissions, often disproportionately impacting the health of communities near railyards and ports. In addition, the very slow natural fleet turnover of this sector results in older locomotives and locomotive engines remaining in use for decades.

We further recognize the acute needs that were identified in your petition and have greatly appreciated the more recent work from Senator Padilla bringing together a broad range of stakeholders to increase attention on these needs. It is EPA's mission to protect public health and the environment. With these considerations in mind, the Agency has reviewed your petition for rulemaking and we are committing to do the following:

- EPA has formed a team to evaluate how best to address air pollutant emissions from the locomotive sector. This team will develop a set of options and recommendations for possible EPA regulatory actions addressing new locomotives and new locomotive

engines. EPA will examine our current locomotive rules and consider appropriate actions to ensure that they continue to meet CAA section 213(a)(5)'s requirement that they achieve the greatest degree of emission reduction achievable through the application of technology that the Administrator determines will be available for the locomotives or engines to which the standards apply, giving appropriate consideration to the cost of applying such technology within the period of time available to manufacturers and to noise, energy, and safety factors associated with the application of such technology.

- EPA also intends to undertake a notice and comment rulemaking process to reconsider our existing locomotive preemption regulations to ensure they don't inappropriately limit California's and other states' authorities under the CAA to address their air quality issues.

The analysis and regulatory-focused actions we have described above are only one part of the Agency's overall strategy to address harmful emissions from the rail sector. The Inflation Reduction Act provides \$3 billion for grants and rebates to reduce air pollution at our country's ports, as well as an additional \$60 million to the Diesel Emissions Reduction Act program specifically for goods movement projects in low-income and disadvantaged communities. We are just starting to put together our plans to implement the provisions of this historic Act. We are looking forward to working with your District and other stakeholders as we develop these programs that could help accelerate the introduction of cleaner locomotives.

As EPA develops policy options for the locomotive sector, we intend to engage with stakeholders including locomotive and locomotive engine manufacturers, technology suppliers, environmental justice communities, environmental and public health non-governmental organizations, other federal partners, state and local air quality agencies, railroad companies, and labor unions.

Thank you for your continued interest in these issues. We appreciate the opportunity to be of service and trust the information provided is helpful. If you have any questions regarding this letter, please contact Byron Bunker in our Office of Transportation and Air Quality at 734-214-4155 or Bunker.Byron@epa.gov.

Sincerely,



Joseph Goffman
Principal Deputy Assistant Administrator

cc: Ms. Aeron Arlin Genet, President
Santa Barbara County APCD
California Air Pollution Control Officers Association
1107 Ninth Street, Suite 801
Sacramento, California 95814