



December 13, 2023

Michael S. Regan
 Administrator
 U.S. Environmental Protection Agency
 Office of the Administrator: Mail Code 1101A
 1200 Pennsylvania Avenue NW
 Washington, D.C. 20460
 Email: Regan.Michael@epa.gov

Martha Guzman
 Regional Administrator
 U.S. Environmental Protection Agency
 Region 9
 75 Hawthorne St.
 San Francisco, CA 94105
 Email: Guzman.Martha@epa.gov

Re: Addressing California’s Air Pollution Crisis

Dear Administrator Reagan and Regional Administrator Guzman:

We write as a follow-up to the meeting that took place in the Inland Empire in August of this year. First off, we appreciate the agency, including staff from Washington D.C., Michigan, and other parts of the country, visiting Southern California to see how the freight industry wreaks havoc on communities in terms of its air pollution and other impacts. We appreciate that the EPA

has taken significant action since that time through the issuance of a proposed rule for the South Coast Warehouse Indirect Source Rule, issuing the at-berth authorization, and issuing a final rule on locomotive preemption. These are vital actions, and we appreciate EPA listening to communities in Southern California. Despite these critical actions, there remains significant work to be completed by EPA, particularly as it relates to port equipment, trucks, and locomotives.

I. EPA’s Waivers and Authorizations Remain Vital to the Health of Millions of Californians.

California’s regulations of onroad and nonroad sources of pollution are a cornerstone of the State Implementation Plan to meet federal air quality standards and are critical to protecting residents from deadly diesel pollution. EPA waivers and authorizations for these rules are of paramount importance. We recognize that some of these authorization and waiver requests have just been submitted to EPA, but we urge EPA to prioritize their review. The following chart lists the California rules that are (or will be) pending at EPA.

Rulemaking	Adoption Date	Submission Date
2016 Amendments to SORE Regulation	9/18/2017	12/22/2022
2022 Amendments to TRU Regulation	2/24/2022	12/29/2022
2022 Amendments to SORE Regulation	8/1/2022	12/22/2022
2022 Amendments to Commercial Harborcraft	11/14/2022	1/31/2023
2022 Advanced Clean Cars 2	11/30/2022	6/2023
2023 Locomotive Regulation	October 27, 2023 (effective date January 1, 2024)	11/7/2023
2023 Advanced Clean Fleets Regulation	August 30, 2023 (effective date October 1, 2023)	11/17/2023

The commercial harborcraft, advanced clean fleets, and locomotive rules, in particular, are of critical importance to both the attainment of national standards and the protection of freight-impacted communities. Moreover, all of California’s regulations remain important for

communities outside of California because EPA waivers and authorizations provide options for other states to adopt if they want to protect communities from harmful air pollution.

II. Issuance of Waivers and Authorizations Should Not Delay National Regulations.

During the discussion in the Inland Empire and Harbor Area, we confirmed that the most vital efforts of EPA are to adopt regulations to protect communities from pollution. While action on waivers and authorizations for California is vital, we note that this should not happen to the detriment of efforts to pass important national regulations to advance zero-emissions in other categories like trucks, locomotives, and other freight equipment. We need EPA to adopt national regulations as an important effort to address pollution throughout the nation. Moreover, these reductions are also necessary to aid in many of California's most polluted regions like the South Coast Air Basin attaining federal air quality standards.

We look forward to your continued engagement to protect freight-impacted communities in California and across the country.

Sincerely,

Adrian Martinez
Earthjustice

Amy Morrison
Backbone Campaign

Jane Williams
California Communities Against Toxics

Ruben Aronin
California Business Alliance for a Clean Economy

Gregory Stevens
California Interfaith Power & Light

Trisha Dello Iacono
Elizabeth Szulc
CALSTART

Maya Golden-Krasner
Center for Biological Diversity

Ana Gonzalez
Center for Community Action & Environmental Justice (CCA EJ)

[Additional Signatories Continued on Next Page]

Kevin Hamilton
Central California Asthma Collaborative (CCAC)

Bruce Strouble, Ph.D.
Citizens for a Sustainable Future

Atenas Mena
Clean Air Now

Jesse Marquez
Coalition For A Safe Environment (CFASE)

Taylor Thomas
East Yard Communities for Environmental Justice (EYCEJ)

Fern Uennatornwarangoon
Environmental Defense Fund (EDF)

Andrea Marpillero-Colomina
GreenLatinos

Molly Greenberg
Moving Forward Network (MFN)

Guillermo Ortiz
Natural Resources Defense Council (NRDC)

Teresa Bui
Pacific Environment

Ivette Torres
People's Collective for Environmental Justice (PC4EJ)

Joel Ervice
Regional Asthma Management & Prevention (RAMP)

Brian Urbaszewski
Respiratory Health Association

Kathleen Woodfield
San Pedro & Peninsula Homeowners Coalition (SPPHC)

Jason John
Sierra Club California

[Additional Signatories Continued on Next Page]

Jack Eidt
SoCal350.org

Bill Moyer
Solutionary Rail

Janet Scoll Johnson
Sunflower Alliance

Steven Higashide
Union of Concerned Scientists (UCS)

Zhenya Polozova
Warehouse Workers for Justice (WWJ)

Theral Golden
West Long Beach Association (WLBA)

CC: Dr. Steven S. Cliff, Ph.D., Executive Officer
California Air Resources Board
Steven.Cliff@arb.ca.gov