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Community Coalition Outraged at Industry Attempt to Put Lifesaving Clean-Air Programs at Risk; Vows to Fight at All Costs to Protect LA Green-Growth Model for Nation's Ports

Environmentalists, community members and port drivers expressed outrage at the nation's largest trucking lobby's repeated efforts to kill a pair of critical-clean air programs in the San Pedro Bay after a Court of Appeals panel sent a favorable ruling back to the U.S. District Court. The panel suggested that the District Court was wrong when it denied the American Trucking Association's request for an injunction that could shut down the Ports' Clean Trucks Programs.

The 40 public health, environmental, community, labor and faith-based organizations united in the Coalition for Clean & Safe Ports vowed to use every legal and political option to prevent efforts by the American Trucking Association, a Virginia-based organization committed to the unaccountable market ideology that has created pollution and poverty at our nation's seaports.

"While the hired guns high-five one another, my kids gasp for air," said Alicia Carrera, a Long Beach mother of three asthmatic children. "This is more dirty tricks from a shameless industry that has bullied its way around our backyard for too long."

Environmentalists agree that harbor-area children, port workers and Southern California residents have breathed easier since the programs went into effect last October and that shelving any component would have dire impact on public health, safety and security.

Although the ATA claimed harm, some of their member companies jumped in to the port drayage market precisely because of the existence of the Clean Trucks Programs, and several CEOs actively lobbied at the federal level to ensure key provisions moved forward. Furthermore, President Barack Obama, Speaker of the House Nancy Pelosi, CA Senators Barbara Boxer and Dianne Feinstein, and the entire state Democratic delegation in Congress lauded LA's green-growth policy for its potential to stimulate good job creation, spur environmentally-sound future expansion, and create a level-playing field for companies to compete.

In order to meet state air regulations, save lives and pave the way for future growth, the Port of LA was compelled to dramatically reduce truck emissions within five years by adopting a "concession model" that relied on powerful financial incentives and rebates to assist businesses large and small to take responsibility for fleet turnover.

"The Los Angeles Harbor Commission, City Council, and Mayor Villaraigosa did the right thing in passing a comprehensive, sustainable Clean Trucks Program," said Colleen Callahan of the American Lung Association of California. "Not only do public health advocates support it, economists agree it will boost the regional economy and help responsible companies compete at a time when we need it the most."

The ATA fought the new standards, including the Port of Long Beach's minimal concessionaire requirements which were widely viewed as friendly to the worst actors in a highly polluting industry. Clean air, they argued, was a perfectly good goal provided that individual workers behind the wheel of the trucks – not those who profit from goods movement – had to pay the cost of cleaner commerce.

An injunction could put into question how the ports will meet air regulations to prevent new cases of asthma, respiratory illness and death – and who will pay for it – until the full case goes to trial.

“This decision places in jeopardy the clean-air goals at the ports, as well as every port infrastructure expansion project that relies on clean trucks,” said attorney David Pettit of the Natural Resources Defense Council, which successfully sued the Port of Los Angeles in 2001 alongside community groups, forcing the harbor commissions of the San Pedro Bay to get serious about clean-up. “We are going to vigorously fight to protect these truck plans in court.”

NRDC has argued it is imperative for trucking companies to assume the responsibility for owning green trucks because they are in the best position to maintain the cleanest-available technology, as underpaid “independent” drivers lack the stability or capital to assume the burden. Port drivers take home on average \$29,000 a year, a figure derived before the recession caused cargo volume to drop, which decreases their income.

Roger Andino, a driver with six years of experience who hauls for Southern Counties Express, a small company that purchased over 100 new clean trucks, expressed fear: “Now that I’m finally an employee, it’s scary for me and my family to think my boss could turn me back into an independent contractor to force me to buy or lease a new truck. I couldn’t afford a clean energy truck a year ago and I definitely can’t afford one now.”

“I don’t want the port truck drivers who earn third-world wages to be forced to pay for cleaner commerce,” said Carrera. “Shame on the ATA for their plot to perpetuate a broken system that makes communities suffer and forces taxpayers to foot the bill. It is immoral to place profit above people and public health.”

“This broad coalition came together to end the public health crisis caused by the undeniable link between poverty and pollution,” said Callahan. “Southern Californians deserve a strong port program that ensures companies take full responsibility for a new fleet of low-emissions and alt-fuel trucks. We will not stop fighting until we achieve a stable and sustainable port trucking market that no longer puts anyone’s lungs or livelihoods at risk.”

The Coalition for Clean & Safe Ports includes: *American Lung Association of California • Clergy & Laity United for Economic Justice (CLUE) • Coalition for Clean Air • Coalition for Humane Immigrant Rights of Los Angeles • Coalition for a Safe Environment • Communities for a Better Environment • Communities for Clean Ports • East Yard Communities for Environmental Justice • Engineers and Architects Association • Harbor Watts Economic Development Corporation • Hermandad Mexicana Latinoamericana • Long Beach Alliance for Children with Asthma • Long Beach Community Partners Council • Long Beach Greens • Los Angeles Alliance for a New Economy • Los Angeles/Long Beach Labor Coalition • Mexican American Political Association • National Association for the Advancement of Colored People, Carson/Torrance (NAACP) • Natural Resources Defense Council • Physicians for Social Responsibility • Progressive Christians Uniting • San Pedro Democratic Club • Sierra Club Harbor Vision Taskforce • Change to Win • L.A. County Federation of Labor • UNITE HERE Local 11 • UNITE HERE Local 681 • IAM Lodge 1484 • IBEW Local 11 • IBT Joint Council 42 • IBT Local 63 • IBT Local 495 • IBT Local 630 • Local 848 • IBT Local 952 • SEIU Local 1877 • Southern California Council of Laborers*