

**EAST YARD COMMUNITIES FOR ENVIRONMENTAL JUSTICE  
COMMUNITIES FOR A BETTER ENVIRONMENT  
COALITION FOR A SAFE ENVIRONMENT  
CENTER FOR COMMUNITY ACTION & ENVIRONMENTAL JUSTICE  
AMERICAN LUNG ASSOCIATION OF CALIFORNIA  
LONG BEACH ALLIANCE FOR CHILDREN WITH ASTHMA  
NATURAL RESOURCES DEFENSE COUNCIL  
COALITION FOR CLEAN AIR  
COMMUNITIES FOR CLEAN PORTS**

June 25, 2007

*Via email*

Dr. Geraldine Knatz  
Executive Director  
Port of Los Angeles  
P.O. Box 151  
San Pedro, CA 90733  
Email: [caap@pola.com](mailto:caap@pola.com)

Richard D. Steinke  
Executive Director  
Port of Long Beach  
925 Harbor Plaza  
Long Beach, CA 90802  
Email: [caap@polb.com](mailto:caap@polb.com)

**RE: Comments re Proposed Clean Trucks Program**

Dear Dr. Knatz and Mr. Steinke:

Thank you for the opportunity to provide comment on the San Pedro Bay Ports' Clean Trucks Program (the Program). The undersigned organizations are members of the Green L.A. Port Working Group, and represent a broad range of community, public health, and environmental justice organizations committed to reducing the impact of pollution from the ports and goods movement sector. In many ways, this letter echoes the concerns and recommendations expressed in the May 7, 2007 letter that several of the undersigned groups sent to you regarding the proposed Program.<sup>1</sup> But now that more of us have had the time to study of the Program, and in light of the public debate that has occurred around it, we wish to provide additional comments to you – and to specifically stress the necessity for higher environmental and community impact provisions.

We applaud the concessionaire model proposed in the Program, and congratulate you on proposing a significant first draft of a plan to address a major source of the port-related pollution whose billions of dollars in health and other costs have been shouldered by local communities, and indeed by all Californians, for decades. We strongly support your efforts to put an end to this unfair and unjustifiable cost-shifting by companies in the goods movement chain who are profiting by doing business at the Ports.

---

<sup>1</sup> Letter to Dr. Knatz and Mr. Steinke, May 7, 2007, "Comments re Proposed Clean Trucks Program," NRDC, CCA, LBACA, CCP.

We strongly agree that a trucking system which requires employee status for truck drivers and ensures that trucking companies are accountable for environmental and safety maintenance of truck fleets is the most cost-effective and meaningful approach to achieving significant emissions reductions now and well into the future. After all, the current, broken port trucking system has given us today's problems: 16,000 old, dirty diesel trucks on the road today, in which the "independent owner-operators" are placed in financial straits that make it impossible for them to afford and maintain the cleanest available trucks needed to abate severe air pollution problems in the Southland. If the existing business model is preserved under the Program, then there is every reason to believe that it will not be long before taxpayers and the Ports will once again be faced with spending another several billion dollars to replace another fleet of by-then old and relatively dirty trucks.

While we support the economic model proposed by the Program, we have very strong concerns about its draft environmental standards and community impact measures. Specifically, we believe that the Program, as currently outlined, will not meet the emission reduction promises set by the Ports' landmark Clean Air Action Plan (CAAP).

First, while we are supportive of statewide regulation of trucking, the Ports cannot simply rely on these standards to clean up the drayage truck fleet. The CAAP laid out ambitious goals to reduce pollution from trucks, and solely relying on the state standard will not allow the ports to meet these goals. For example, HDV 1 envisions that the ports' truck program will achieve specified reductions in diesel particulate matter (DPM), oxides of nitrogen (NOx) and sulfur oxides (SOx) in fiscal years 2006/2007 through 2010/2011—with projected reductions of 2,095, 16,273 and 6 tons per year of DPM, NOx and SOx respectively by the end of fiscal year 2010/2011.<sup>2</sup> Accordingly, the ports must ensure that for example, its plans to ban pre-1988 trucks by January 1, 2008 and pre-1993 trucks by January 1, 2009 are stringent enough to meet these goals.

Specifically, in order that the Program meet CAAP's goals, it is imperative that it includes the following environmental and community impact standards:

### **Higher Environmental Standards**

- A real "clean truck" standard, which means the cleanest available individual truck, at the time of purchase – based on the truck's toxic, criteria pollutant and greenhouse gas emissions. (The Program should not rely on "averaging" or allow other loopholes.)<sup>3</sup>

---

<sup>2</sup> CAAP Technical Report, at 71.

<sup>3</sup> It is our understanding that in 2007 the U.S. EPA Heavy Duty Highway Engine Standards allow for NOx averaging (i.e. engine families only need to meet a NOx average of approximately 1.2 g/bhp-hr) to attain the 2007 standard – a practice that is incompatible with the dramatic per-vehicle NOx reductions required the South Coast Air Basin's combination of severe air quality problems and exponential growth at the Ports. Specifically, given the need for significant NOx reductions to attain the federal PM2.5 standard by 2015 and the 8-hour ozone standard by

- Explicit criteria that ensure 50% of the trucks falling in the “frequent and semi-frequent” visit categories are replaced with clean alternative-fuel trucks, as proposed in the Clean Air Action Plan.<sup>4</sup> In order to meet envisioned fleet composition goals and ensure a level playing field, the concessionaire model should require all participants to meet a sufficient minimum percentage of alternative-fuel trucks. As you know LNG trucks can provide significant emission benefits over their diesel counterparts. In addition, the Ports should continue to aggressively pursue the development of other alternatives such as hybrid-electric trucks.
- A truck replacement grant program that results in equal purchasing costs for alternative-fueled trucks and clean diesel trucks, so that companies are able to make purchasing decisions based on air quality ramifications, as opposed to relying only on initial purchasing cost.
- Cost-effective scrappage programs for dirty trucks so that they are permanently removed from service, and the emissions reductions are truly realized by preventing displacement of trucks to other areas.
- A clear plan on how the Ports will ensure that the fleet continues to incorporate new cleaner technologies beyond the Program’s five-year timeline. After all, the Ports very clearly project trade volume to continue increasing significantly long past the end of the Program – which will continue to drive up emissions.

#### **Community Impacts:**

- Mandatory requirement that licensed motor carriers and concessionaires have designated truck parking lots in properly industrial zoned areas with adequate lot space to store their entire truck fleet. The lot property should be clean, paved, properly maintained, and fenced in.
- A process led by Port staff to engage licensed motor carriers and community stakeholders along the transportation corridors in developing community impact mitigation measures that will inform the community impact standard with which concessionaires must comply, and would identify workforce development programs for truck magnet communities (those residing near intermodal and transloading facilities, truck corridors and warehouse and distribution centers).
- Targeted public advertisement and notice to residents on the new trucking system requirements, and contact information for the public to report problems (similar to 1-800-CUT-SMOG programs). Special signage of designated port truck routes must also be posted.

---

2020, the Ports must ensure that trucks replaced after 2010 are certified to the .2 g/bhp-hr standard for NOx. Given the significant NOx benefits of the 2010 U.S. EPA Heavy Duty Highway Engine Standard, it is in the best interest of the ports to ensure a significant penetration of these trucks into the fleet.

<sup>4</sup> CAAP Technical Report, at 62-63. Budget Scenario 7 in HDV-1, which CAAP identifies as the scenario “under consideration,” envisioned that some 5,300 alternative-fuel trucks would replace “frequent and semi frequent trucks” at the Ports. The Ports based this assessment on a 50/50 mix between clean alternative-fuel trucks and diesel.

Dr. Knatz and Mr. Steinke

June TBD, 2007

Page 4 of 5

- Workforce development programs that include trainings on the minimum truck safety operations and environmental maintenance requirements.
- Prohibition of the following truck activities in non-commercial community and residential areas – parking, repair and maintenance, disposal of truck parts and fluids, and abandoning unhitched containers.

By incorporating these critical environmental and community impact standards, our communities can feel confident in touting this program as one that will achieve the goals set forth by the Clean Air Action Plan.

Thank you for the opportunity to comment. We look forward to working with you to pass a Clean Trucks Program that is sufficiently strong and aggressive to finally address the severe and long-standing public health problems caused by the existing port trucking system.

Sincerely,

Angelo Logan, Executive Director  
East Yard Communities for Environmental Justice

Bahram Fazeli, Research & Policy Analyst  
Communities for a Better Environment

Jesse Marquez, Executive Director  
Coalition For A Safe Environment

Sylvia Betancourt, Policy Advocate  
Center for Community Action & Environmental Justice

Colleen Callahan, Advocacy Manager  
American Lung Association of California

Elina Green, Project Manager  
Long Beach Alliance for Children with Asthma

Adriano Martinez, Attorney  
Natural Resources Defense Council

Rafael Pizzaro, Senior Campaign & Outreach Associate  
Coalition for Clean Air

Joel Bush, Executive Director  
Communities for Clean Ports

Dr. Knatz and Mr. Steinke  
June TBD, 2007  
Page 5 of 5

cc: Ralph Appy, Port of Los Angeles  
Robert Kanter, Port of Long Beach  
Cynthia Marvin, California Air Resources Board  
Peter Greenwald, South Coast Air Quality Management District  
Roxanne Johnson, Environmental Protection Agency Region 9