

March 27, 2024

The Honorable Michael S. Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW; 1101-A
Washington, DC 20460

Re: CARB's Clean Air Act Authorization Request (EPA-HQ-OAR-2023-0574)

Dear Administrator Regan:

On behalf of the Intermodal Association of North America (IANA), a leading transportation trade association representing the combined interests of the intermodal freight industry, I am writing to express our opposition to the waiver request from the California Air Resources Board (CARB) pertaining to its "In-Use Locomotive Regulation."

IANA represents more than 1,000 corporate members, including railroads, ocean carriers, ports, intermodal truckers and over-the-road highway carriers, intermodal marketing and logistic companies, and suppliers to the industry. Our mission is to promote the growth of efficient intermodal freight transportation – which improves the environment and reduces emissions. Moving goods in the most efficient and cost-effective way is paramount and a shared goal of our members.

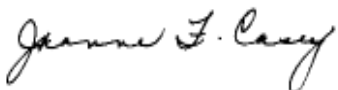
The CARB regulation contradicts this goal and others within the Administration and in Congress pertaining to the economy, the supply chain, and the environment. Specifically, we believe the regulation is unworkable and unrealistic. Forcing its full implementation via waiver approval could create negative externalities upstream and downstream from rail operations and throughout the nation. As interested parties recently testified in front of your agency, California's rule would reduce supply chain fluidity and reliability while also raising costs that exceed any supposed benefit from the regulation.

While the idling and reporting components of the regulation matter, the phase out dates for current diesel configurations in ports and yards by 2030 and all operations by 2035 are unrealistic. BNSF estimates that this will affect 65 percent of the locomotive fleet, which would be prohibited from operating in California should EPA grant the waiver and CARB fully implement its rule. The spending provision, freezing roughly \$1.6 billion in capital from BNSF and Union Pacific alone each year is misapplied and will limit the railroads' ability to invest in critical capacity enhancements, such as the Barstow Intermodal Gateway (BIG) project in California. This project is of particular interest and consequence to intermodal shippers and providers who have committed to expanding rail capacity at West Coast ports, to avoid the types of supply chain congestion that were experienced during the pandemic.

In summary, IANA is concerned that the CARB rule will negatively harm the railroads operating in California, a vital link to our nation's economy. Rail is the ultimate interstate operation and as such uniform, interstate policy should drive decisions and EPA has a unique opportunity to assert its authority on this issue.

For these reasons we again urge you to reject the CARB waiver request. We look forward to any future engagement with your agency.

Sincerely,



Joanne F. Casey
President and CEO