

April 19, 2024

Hon. Michael S. Regan, Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW; 1101-A
Washington, D.C. 20460

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

Dear Administrator Regan:

Granting the above referenced authorization request submitted by the California Air Resources Board (CARB) could disrupt the United States supply chain, hurt the economy – including through inflation, drive some short line railroads out of business, and divert millions of tons of freight from rail to more carbon intensive transportation options.

Please reject this authorization request, which would permit CARB to circumvent federal laws and impose unfeasible mandates requiring railroads across the United States to purchase zero-emission locomotives that are not yet commercially viable while also artificially limiting the useful life of their locomotive fleets. The draconian financial and operational burdens CARB would impose include requiring railroads to deposit as much as \$800 million per year per railroad into “spending accounts” that could only be used to purchase and test currently non-existent zero-emission technology and equipment. CARB would also limit the useful life of more than 25,000 locomotives by barring any locomotive that is 23 or more years past its original manufacture date from operating in California. Such policy disregards the fact that locomotives are long-term and capital-intensive investments that traverse North America on the interconnected rail network. Small railroads in particular cannot simply replace these locomotives.

Critical for the undersigned organizations that span the nation, railroads operate on an interconnected continent-wide network. Implementation of CARB's extreme requirements would impact rail operations and rail service throughout North America, as railroads do not operate state-specific fleets. Moreover, granting the waiver would open the floodgates to expansion of these disruptive mandates given that Section 209(e) of the Clean Air Act permits other states to adopt the CARB regulation once authorized by EPA. Creating a patchwork of state laws governing rail operations would severely undermine the interconnectivity of the freight rail network and run afoul of federal laws created with preserving that network in mind.

Freight rail is highly fuel-efficient, and rail currently carries about 40 percent of U.S. long-distance freight while contributing just 1.7 percent of transportation-related emissions of greenhouse gases. It is difficult to see how the CARB regulation, which would undermine freight rail's efficiencies and could divert rail freight to highways, are in the national interest. In fact, adoption of the CARB regulation could lead to more carbon emissions over time. Moreover, CARB has acknowledged that because compliance costs are so high, some short line railroads

would likely be forced to cease operating, cutting some rural communities off from vital rail service entirely.

Collectively, our organizations represent virtually every corner of the nation and every sector of the economy. We urge you to reject CARB's authorization request. Granting it would undermine vital freight rail service and threaten jobs and quality of life in all our communities.

Sincerely,

Alabama

Alabama Port Authority
Business Council of Alabama
Mobile Chamber of Commerce

Arkansas

Agricultural Council of Arkansas
Arkansas Soybean Association
Arkansas State Chamber of Commerce
Associated Industries of Arkansas
Little Rock Regional Chamber
Wholesale Beer Distributors of Arkansas

Arizona

Arizona Mining Association
Arizona Rock Products Association
Arizona Cattle Feeders' Association
Chandler Chamber of Commerce
Greater Flagstaff Chamber of Commerce

California

Almond Alliance of California
Association of California Egg Farmers
Bay Area Council
Cal Chamber
California Asian Pacific Chamber of Commerce
California Building Industry Association
California Business Properties Association
California Business Roundtable
California Cattlemen's Association
California Farm Bureau
California Fashion Association
California Grain and Feed Association

California Homebuilding Foundation
California League of Food Producers
California Manufacturers & Technology Association
California Metals Coalition
California Retailers Association
Central Valley Business Federation
Council of Business and Industries
El Cerrito Chamber of Commerce
Fresno County Farm Bureau
Glass Packaging Institute
Inland Empire Economic Partnership
Los Angeles Area Chamber of Commerce
Metal Finishing Association of California
Multicultural Business Alliance
Orange County Business Council
Orange County Hispanic Chamber of Commerce
Pacific Coast Renderers Association
Pacific Egg and Poultry Association
Pacific Merchant Shipping Association
Plumbing Manufacturers International
Port of Redwood City
San Gabriel Valley Economic Partnership
West Ventura County Business Alliance
Western States Trucking Association

Colorado

Colorado Springs Chamber & Economic Development Corporation
Denver Metro Chamber of Commerce
Pueblo Economic Development Corp
Upstate Colorado Economic Development

Connecticut

Connecticut Construction Industries Association, Inc.

Delaware

Delaware State Chamber of Commerce

Florida

Associated Industries of Florida
Florida Feed Association
Florida Ports Council

Georgia

Georgia Corn Growers Association
Georgia Construction Aggregate Association
Georgia Transportation Alliance
Southeastern Lumber Manufacturers Association

Idaho

Idaho Farm Bureau Federation

Illinois

Calumet Area Industrial Commission
Chemical Industry Council of Illinois
Chicagoland Chamber of Commerce
Illinois Association of Aggregate Producers
Illinois Chamber of Commerce
Illinois Manufacturers' Association
Illinois Retail Merchants Association
Illinois Soybean Association
Joliet Region Chamber of Commerce and Industry

Indiana

Agribusiness Council of Indiana
Indiana Chamber
Indiana Manufacturers Association

Iowa

Ames Chamber of Commerce
Iowa Association of Business and Industry

Kansas

Greater Topeka Chamber
Kansas Agribusiness Retailers Association
Kansas Grain and Feed Association
Kansas Independent Oil & Gas Association
Kansas Livestock Association
Kansas Soybean Association
Wichita Regional Chamber of Commerce

Kentucky

Kentuckians for Better Transportation
Kentucky Chamber of Commerce

Louisiana

Louisiana Loggers Association
Louisiana Retailers Association

Massachusetts

Worcester Regional Chamber of Commerce

Michigan

Michigan Aggregates Association
Michigan Chamber of Commerce
Michigan Corn Growers Association
Michigan Manufacturers Association

Minnesota

Duluth Area Chamber of Commerce
Minnesota Grain and Feed Association
Minnesota Soybean Growers
St. Paul Area Chamber

Mississippi

Mississippi Economic Council
Mississippi Farm Bureau Federation
Mississippi Manufacturers Association

Missouri

Associated Industries of Missouri
Greater Kansas City Chamber of Commerce
Greater St. Louis, Inc.
Inland Rivers, Ports, and Terminals, Inc.
Kansas City SmartPort
Missouri Chamber of Commerce and Industry
Missouri Corn Growers Association
Missouri Farm Bureau
Missouri Limestone Producers Association
Missouri Soybean Association
North American Equipment Dealers Association
Springfield Area Chamber of Commerce

Montana

Montana Chamber
Montana Grain Growers Association
Montana Mining Association
Treasure State Resources Association

Nebraska

Greater Omaha Chamber
Nebraska Chamber of Commerce & Industry
Nebraska Pork Producers Association

Nevada

Nevada Farm Bureau Federation
Northeastern Nevada Regional Development Authority
Northern Nevada Development Authority
Reno + Sparks Chamber of Commerce
Southwest Central Regional Economic Development Authority
White Pine Chamber of Commerce

New Hampshire

Business & Industry Association of New Hampshire

New Jersey

Newark Regional Business Partnership
New Jersey Business & Industry Association
New Jersey Chamber of Commerce

New Mexico

New Mexico Business Coalition
New Mexico Chamber of Commerce
New Mexico Farm and Livestock Bureau

New York

Business Council of New York State
Manufacturers Alliance of New York State
Manufacturers Association of Central New York
New York Construction Materials Association, Inc.
New York Farm Bureau, Inc.
New York State Economic Development Council

North Carolina

NC Chamber
North Carolina Poultry Federation
North Carolina Cattlemen's Association

North Dakota

Greater North Dakota Chamber
North Dakota Corn Growers Association
North Dakota Grain Growers Association

Ohio

Ohio Chamber of Commerce

Oklahoma

Greater Oklahoma City Chamber
Oklahoma Agricultural Cooperative Council, Inc.
Oklahoma Petroleum Alliance
Tulsa Regional Chamber
The State Chamber of Oklahoma

Oregon

Albany Area Chamber of Commerce
Linn Economic Development Group
Oregon Rail Users' League
Oregon Business and Industry
Oregon Cattlemen's Association

Pennsylvania

PennAg Industries Association
Pennsylvania Aggregates and Concrete Association
Pennsylvania Manufacturers' Association

South Carolina

South Carolina Chamber of Commerce

South Dakota

South Dakota Agri-Business Association
South Dakota Chamber of Commerce and Industry
South Dakota Farm Bureau Federation
South Dakota Grocers Association
South Dakota Hospitality Association
South Dakota Restaurant Association
South Dakota Retailers Association
South Dakota Soybean Association

Tennessee

Memphis Chamber of Commerce
Tennessee Beverage Association
Tennessee Chamber of Commerce and Industry
Tennessee Farm Bureau
Tennessee Poultry Association
Tennessee Soybean Promotion Council

Texas

Dallas Regional Chamber
El Paso Chamber
Fort Worth Chamber of Commerce
Greater Houston Partnership
Laredo Economic Development Corporation
North Texas Commission
Texas Aggregates and Concrete Association
Texas Association of Business
Texas Association of Manufacturers
Texas Food and Fuel Association
Texas International Produce Association
Texas Soybean Association
Texas Vegetable Association

Utah

Utah Farm Bureau Federation
Utah Inland Port Authority
Utah Manufacturers Association
Utah Petroleum Association

Virginia

Virginia Chamber of Commerce
Virginia Manufacturers Association
Virginia Soybean Association

Washington

Burlington Chamber of Commerce
Greater Yakima Chamber of Commerce
Thurston Chamber of Commerce
Washington Farm Bureau

Wisconsin

Wisconsin Agri-Business Association
Wisconsin Soybean Association

West Virginia

West Virginia Chamber of Commerce

Wyoming

Wyoming Business Alliance
Wyoming Mining Association

CC: Members of the U.S. Senate and House of Representatives