U.S. Environmental Protection Agency
Air Docket
Attention: Docket No. OAR-2003-0190
Mailcode 6102T
1200 Pennsylvania Avenue, NW
Washington, DC 20460

To Whom It May Concern:

On behalf of the State and Territorial Air Pollution Program Administrators (STAPPA) and the Association of Local Air Pollution Control Officials (ALAPCO), we are pleased to provide the following comments on the U.S. Environmental Protection Agency’s (EPA’s) Advance Notice of Proposed Rulemaking (ANPRM) on the Control of Emissions from New Locomotive Engines and New Marine Compression-Ignition Engines Less than 30 Liters per Cylinder, as published in the Federal Register on June 29, 2004 (69 FR 39276).

First, we commend EPA’s leadership in publishing, on June 29, 2004, a final rule to control emissions from new diesel engines used in construction, agricultural and other nonroad equipment (69 FR 38958). As you are well aware, STAPPA and ALAPCO are strong proponents of stringent rules to tackle emissions from nonroad diesel engines, which are one of the nation’s largest sources of fine particulate matter (PM$_{2.5}$) and ozone-forming nitrogen oxides (NO$_x$) – both these pollutants pose a substantial threat to public health and welfare, including premature mortality from exposure to fine particulate matter. By putting in place rigorous engine standards and cutting sulfur in nonroad diesel fuel to 15 parts per million (ppm), this new rule will reduce nonroad diesel PM and NO$_x$ emissions by over 90 percent and, among other things, prevent 12,000 premature deaths each year, nearly 9,000 hospitalizations and close to 1 million work days lost annually. Our associations firmly believe that this rule will play a key role in state and local efforts to achieve and sustain clean, healthful air across the country.

We are particularly pleased that the final nonroad rule also extends the use of 15-ppm low-sulfur diesel fuel to locomotives and marine engines and, although our associations had urged that the final nonroad rule include tighter engine standards for these sources, we are pleased that the agency used the final nonroad rule as an opportunity to commit to a future rulemaking to establish more stringent standards for diesel locomotives and marine engines.

August 30, 2004
S. WILLIAM BECKER
EXECUTIVE DIRECTOR
STAPPA and ALAPCO fully support EPA’s efforts to promulgate a timely and effective program to control emissions from these categories and concur with the agency’s conclusion that such a program will help reduce the harmful health and welfare effects of PM, NOx, ozone and toxic air pollution. Accordingly, we offer the following general comments and recommendations regarding the overarching principles that we believe should govern the development of this program.

There Is a Compelling Need to Control Emissions from Diesel Locomotives and Marine Engines

Consideration of diesel locomotive and marine engine standards comes at a time when states and localities across the U.S. face the daunting challenge of developing strategies to achieve health-based National Ambient Air Quality Standards for ozone and PM$_{2.5}$. According to EPA, air quality in as many as 175 metropolitan areas currently violates the 8-hour ozone and/or PM$_{2.5}$ standards, exposing almost 160 million people to unhealthful levels of air pollution. It is increasingly clear that considerable efforts by EPA and state and local agencies will be needed to ameliorate the health and environmental impacts of sources of pollution contributing to these widespread problems. Further, many additional areas of the country are adversely affected by unacceptably high levels of toxic air pollution, much of which is caused or exacerbated by diesel engine emissions.

As EPA appropriately acknowledges in the ANPRM, diesel locomotives and marine engines are significant contributors to air pollution in many areas of the country. Because these engine categories are subject only to minimal controls, not only do they currently emit substantial quantities of PM and NOx, their relative contribution to emission inventories is anticipated to increase due to expected future growth in these sectors and the extensive reductions in emissions scheduled to occur from the onroad and nonroad diesel rules. In fact, estimates show that unless diesel locomotives and marine engines are subject to more stringent controls, by 2030 they will contribute more than one-quarter of all mobile source NOx emissions and nearly one-half of all mobile source PM$_{2.5}$ emissions. Moreover, in areas of the country with ports and/or locomotive yards and along coasts and railways, the contribution of these sources can be far greater.

For example, marine engines of the type on which EPA focuses in the ANPRM – those less than 30 liters per cylinder – are used for all aspects of commercial shipping except large, ocean-going vessels. According to a recent report by Environmental Defense, *Smog Alert: How Commercial Shipping is Polluting Our Air* (June 2004), all commercial marine engines “annually emit about 1 million tons of smog-forming NOx, 40,000 tons of small particulates, and 160,000 tons of sulfur dioxide. Ship emissions are significant contributors to many local air pollution inventories as well. In various cities across the country, commercial marine vessels pollute as much as hundreds of thousands of onroad vehicles, including diesel freight trucks, passenger cars, and buses.” Further, “[s]hip pollution does not come solely from large, foreign-flagged ships like tankers and container ships. Smaller watercraft [less than 30 liters per cylinder] can have a big impact on air quality depending on their engine type and the fuel they burn.”
Emission Control Requirements for Diesel Locomotives and Marine Engines Should Be Comparable to Those for Other Nonroad Engines and In the Same Timeframes

Section 213 of the Clean Air Act is clear in instructing EPA to establish locomotive and marine engine standards that “achieve the greatest degree of emission reduction achievable through the application of technology which the Administrator determines will be available” with appropriate consideration given to cost, noise, energy and safety. STAPPA and ALAPCO believe it is critical for EPA to fulfill this statutory mandate and take full advantage of this opportunity to achieve the full measure of emission reductions possible from diesel locomotives and marine engines. Further, these reductions must be required on an expedited schedule. Accordingly, we urge the agency to adopt aggressive, aftertreatment-based engine standards to reduce emissions of PM$_{2.5}$ and NO$_x$ by at least 90 percent and that such standards take full effect beginning in 2011. Our associations further recommend these standards and schedule apply not only to new diesel locomotives and marine engines, but also to rebuilt/remanufactured engines and to marine vessel auxiliary engines.

In addition to promulgating rigorous new engine standards, this rulemaking should also establish robust programs and requirements to ensure continued clean operation of these engines. Idling reduction technologies should be mandatory for new and in-use locomotives and marine engines, as should not-to-exceed standards and an in-use testing regime. Further, all locomotives and all three categories of commercial marine engines should be equipped with on-board diagnostics (OBD) and, to the extent feasible, smaller marine categories should be subject to OBD as well.

Finally, although EPA has not requested comments on the establishment of tighter standards for Category 3 marine engines, we believe the agency should also take further action to address these engines – U.S. and foreign flagged – which contribute significantly to air pollution levels and for which more stringent standards are feasible and cost effective.

Conclusion

STAPPA and ALAPCO believe that EPA’s June 29, 2004 ANPRM for diesel locomotive and marine engines signifies an important step toward instituting a meaningful program for controlling emissions from these very significant engine categories. While we are pleased by this step and appreciate the opportunity to provide our perspectives regarding it, we cannot overstate the vital importance of timely action to propose and promulgate a final program that will establish rigorous engine standards on an expeditious schedule. Therefore, our associations would welcome the opportunity to continue to work in partnership with EPA and other stakeholders as the agency moves ahead with this important program.

Sincerely,

Nancy L. Seidman  
STAPPA Chair  
Mobile Sources and Fuels Committee  

Eric P. Skelton  
ALAPCO Chair  
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