

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