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The Honorable Daniel R Elliot III
Chairman
Surface Transportation Board
395 E Street, SW
Washington, DC 20423

ENTERED
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Public Record

Dear Chairman Elliot,

I am writing regarding the Petition for Declaratory Order filed by the Environmental Protection Agency (EPA) which is before the Surface Transportation Board (STB). The petition is related to rules addressing excessive locomotive idling which were proposed by the South Coast Air Quality Management District (SCAQMD) and recommended by the California Air Resources Board. I support these rules and find them to be a reasonable approach to addressing the impact of locomotive emissions on air quality in the Southern California region.

The question raised by the EPA petition is whether the Interstate Commerce Commission Termination Act (ICCTA) would preempt the implementation of the SCAQMD rules, if the rules were approved by the EPA as a part of the State Implementation Plan under the Clean Air Act.

I respectfully request that STB give due weight to the requirements of the federal Clean Air Act when making your assessment. It is my hope that STB will confirm that the Clean Air Act and ICCTA can be harmonized to allow for the implementation of these reasonable idling rules.

Freight rail is very important to the Nation's economy, including the economy of Southern California. Our twin ports of Los Angeles and Long Beach handle over 40 percent of the containerized goods entering this country, and much of this freight travels by rail. While rail is integral to our region's ability to move freight, it can also represent significant sources of pollution. The protection of our air quality can and must go hand in hand with the protection of our economy.

I believe the rules proposed by SCAQMD and recommended by CARB are a reasonable approach to balancing economic vitality with healthy air quality standards for Southern California and urge you to assist in upholding these rules.

Thank you for your consideration and I look forward to learning your decision.

Sincerely,



Alan Lowenthal
California 47th Congressional District