



Pennsylvania Department of Environmental Protection

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Secretary

717-787-2814

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 Pennsylvania Department of Environmental Protection, we are pleased to provide the following comments on the U.S. Environmental Protection Agency's (EPA's) Advance Notice of Proposed Rulemaking 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).

Pennsylvania commends EPA for its remarkable achievements in promulgating rules to reduce diesel emissions from highway and many nonroad sources over the next few years. The Commonwealth supported these rules since diesel emissions are a major source of fine particulate matter (PM_{2.5}) and ozone-forming nitrogen oxides (NO_x) – both of which pose a substantial threat to public health and welfare.

In the final rule controlling emissions from new diesel engines and fuel used in construction, agricultural, and other nonroad equipment (69 FR 38958), the agency committed to a future rulemaking to establish more stringent engines standards for diesel locomotives and marine engines. Pennsylvania fully supports EPA's efforts to promulgate a timely and effective program to control emissions from these categories. We concur with the agency's conclusion that such a program will help reduce the harmful health and welfare effects of PM, NO_x, ozone, and toxic air pollution.

The consideration of diesel locomotive and marine engine standards comes at a time when Pennsylvania, like many other states, face a daunting challenge in developing strategies to clean up their air to achieve health-based National Ambient Air Quality Standards for ozone and PM_{2.5} and to maintain clean air for decades to come. In Pennsylvania, 38 counties have been designated as nonattainment for eight-hour ozone, and EPA has proposed designation of 22 counties as nonattainment for fine particulates. These are primarily urban areas which also face problems posed by unacceptably high levels of toxic air pollution, exacerbated by diesel engine emissions.

Diesel locomotives and marine engines are currently subject only to minimal controls. Without additional controls, their relative contribution to emission inventories is anticipated to



increase due to expected future growth and the extensive reductions in emissions to occur from the onroad and nonroad diesel rules. In areas of Pennsylvania with ports and/or locomotive yards and railways, the contribution of these sources can be much greater.

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. 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. These standards should take full effect beginning in 2011. Because of the long life of these particular engines, standards and schedules should apply not only to new diesel locomotives and marine engines, but also to rebuilt/remanufactured engines.

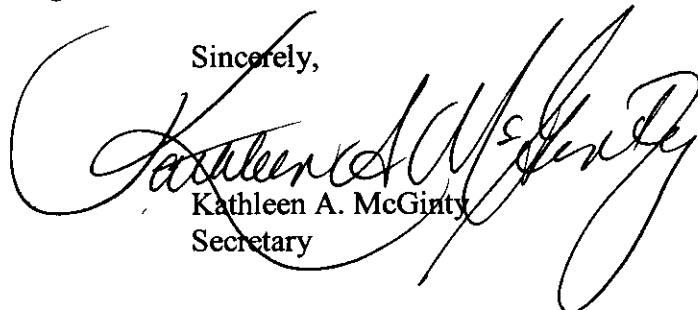
In addition to imposing rigorous new engine standards, this rulemaking should also establish robust programs and requirements to ensure continued clean operation of these engines. Idling reduction technologies should be mandatory for new and in-use locomotives and marine engines, as should not-to-exceed 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.

Pennsylvania lacks confidence in the emission factors developed in the studies described in Analysis of Commercial Marine Vessel Emissions and Fuel Consumption Data, February 2000. EPA also expressed their own concerns with these methods in the analysis. The EPA should design a comprehensive study that will document all underlying engine data, examine all necessary pollutants, use consistent measuring techniques, test engines under varying loads in all instances, and not rely on statistical analysis to derive untested results. This effort will produce a better inventory for any future air quality planning decisions.

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 relatively cost effective.

Transportation is a significant contributor to Pennsylvania's air pollution problem, and, for the most part, states depend on EPA's standards to address these contributions. EPA should continue its leadership in aggressively regulating engines and fuels together and take an additional step by addressing all modes of operation including idling where technology is clearly feasible and cost-effective. We urge EPA to propose and then promulgate regulations as quickly as possible and look forward to submitting comments at that time.

Sincerely,



Kathleen A. McGinty
Secretary