

**West Coast Diesel Emissions Reductions Collaborative**  
July 20, 2004—San Francisco, CA  
Construction and Distributed Generation Sector Workgroup Meeting

**Facilitator**

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**Attendees**

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## **I. Formal Welcome (Rick Albright)**

EPA Region 10 Air, Waste and Toxics Director Rick Albright welcomed everyone to the meeting and thanked everyone for their participation.

Mr. Albright reminded everyone that the best way to achieve our goal is to:

- 1) Build the Collaborative by getting the word out on these issues and this effort and providing forums for new ideas and input (such as our public workshop on June 15<sup>th</sup> in San Francisco and this meeting/call)
- 2) Implement near-term successes by working together to announce 1 or more regional projects using existing federal grants and small amounts (under \$1 million) of discretionary EPA funds as soon as possible, and
- 3) Create numerous technical papers describing the scope, costs and benefits of large-scale/long-term, regional projects that the Collaborative will implement if adequate funding becomes available.

He also outlined that today's call would focus on:

- 1) Seeing if this Sector Workgroup has any near-term projects for either an early September announcement, or that should be bumped to the front of the line for possible FY05 funding, and
- 2) Seeing which longer term projects (meaning, projects that would need more than \$250k of funding) this Sector Workgroup would like to focus on and identify who in the group is most interesting in developing these projects

## **II. Re-cap from June 15<sup>th</sup> meeting (Michelle Roos)**

Michelle Roos, EPA Region 9 lead for the Collaborative, reviewed what she felt were the ideas with the most momentum/energy from the June 15<sup>th</sup> Collaborative Public Workshop:

- 1) Diesel mitigation strategies built into private or public construction contracts through a) bidding preferences, b) "green fleet" bonuses or c) federal or state review (ie. NEPA,CEQA, etc)
- 2) 1-800-CUTSMOG/ "smoking stack" - type program for construction projects along the West Coast
- 3) Carl Moyer-type pot of funding for construction projects
- 4) Access and use of cleaner fuel/power (ULSD, bio-diesel, natural gas, electrification, etc) on construction sites, especially in the Pacific Northwest

### **III. Special Presentation by EPA Headquarters/ National EPA work with General Contractors Association**

Peter Truitt, from the Sectors Strategy Division at EPA Headquarters, talked about EPA's "Sector Strategy Program," <http://www.epa.gov/sectors/program.html>.

EPA's Sector Strategies Program seeks industry-wide environmental gains through innovative actions taken with a number of manufacturing and service sectors. The program focuses on three priority areas:

- *Promoting environmental management systems.* Sector teams work with trade associations to develop and implement a plan for delivering needed outreach, training resources, and support to build a 'business case' for EMS.
- *Overcoming regulatory or other barriers to performance improvement.* Sector teams address the most significant impediments to better industry-wide performance. Each sector point-of-contact also can serve as a liaison between trade associations and assistance providers in EPA and states.
- *Performance measurement.* Sector teams explore creative ways to measure and report industry-wide environmental and economic progress using performance indicators, success stories, and other tools.

Mr. Truitt has been working with the Association of General Contractors of America and EPA's Office of Transportation and Air Quality (OTAQ) and advised the group

- 1) to think more about incentives for construction that relied less on bidding preferences (which could disadvantage small businesses) and more on bonuses for "green" technology, and
- 2) to emulate the Texas Emissions Reduction Plan (<http://www.tnrcc.state.tx.us/oprd/sips/terp.html>) to subsidize the purchase of cleaner technology

### **IV. Report outs**

1. **Diesel mitigation strategies built into private or public construction contracts through a) bidding preferences, b) "green fleet" bonuses or c) federal or state review (ie. NEPA, CEQA, etc)**

#### **A. Bidding Preferences**

#### **Tim Carmichael, Coalition for Clean Air**

Coalition for Clean Air sponsored SB 2541 in the CA legislature, which gave a preference for contractors to use clean equipment on retrofits in state contracts. It

stopped in the Appropriations Committee, but there was some political support behind it, and may stand a better chance next year.

**Daniel Reich, US EPA R9**

Dan Reich reviewed legislative language from other States/Cities...

**i) Connecticut**

“ All diesel powered construction equipment with engine horsepower ratings of 60HP and above, that are on the project or are assigned to the contract for a period of excess of 30 days shall be retrofitted with Emission Control Devices and/or use Clean Fuels in order to reduce diesel emissions.”

**ii) New York City**

“Any solicitation of a public works contract and any contract entered into as a result of such solicitation shall include a specification that all contractors in the performance of such contract shall utilize the best available technology for reducing the emission of pollutants for diesel-powered nonroad vehicles and all contractors in the performance of such contract shall comply with such specifications.”

**iii) Massachusetts**

“Methods that shall be used by the Contractor to control nuisance odors associated with diesel emissions from construction equipment include: 1) turning off diesel combustion engines on construction equipment not in active use and on dump trucks that are idling while waiting to load or unload material for 5 minutes or more. 2) Establishing a staging zone for trucks that are waiting to load or unload material at the contract area in a location where the diesel emissions from trucks will not be noticeable to the public.3) Locating combustion engines away from sensitive receptors such as fresh air intakes, air conditioners, and windows.”

**B. Green Fleet Bonuses**

**Larry Sherwood, Sacramento Metropolitan Air Quality Management District**

Larry Sherwood spoke about the Sacramento Ozone Summit two years ago where the District recommended that local municipalities pass local ordinances under three categories:

1. Limit diesel idling to 5 min, over 14,000 pounds (currently going to city council in Sacramento)
2. Low Emissions Fleet Policy- incentivize low emission light duty vehicles (Sacramento has set goals)
3. Green Construction- clean up construction equipment emissions

Regarding number 3 above, right now Pacer County is developing a flexible approach that would certify rental firms/construction firms as “green contractors” that would then receive bidding bonuses. Being “green” would entail curtailing activities on *Spare the Air Days*, mitigating emissions using ULSD or emulsified fuel, and replacing/retrofitting

engines using Carl Moyer incentive funds or Sacramento Emergency Clean Air Transportation funds (SECAT), which at one point totaled \$28 million.

**Rick Ruvolo, City/County of San Francisco**

Rick Ruvolo urged the group to think about the Clean Cities Program/Partners as a testing group for any of these strategies. In the City of San Francisco they have passed legislation mandating that the city purchase low emissions/alt vehicles and curtail the use of construction equipment on spare the air days. The problems have really centered on finding sources of money to clean-up private fleets and the difficulties in obtaining money from the CMAQ program. Therefore, Mr. Ruvolo was interested in working with the Collaborative to implement demonstration projects and urged the group to reach out to more Clean Cities Partners/offered to send information along.

**C. Federal or State Environmental Review**

**Dan Reich, US EPA R9**

Dan Reich has been working with others to request diesel mitigation activities during major construction projects. For example, during the environmental impacts review for LAX expansion, they successfully encouraged mitigation language mandating PM traps and NOx catalysts when technically feasible, as well as anti-idling and cleaner fuel provisions. EPA is interested in developing “boiler plate” language for this or for comment letters or for construction contracts.

**Karen Irwin, US EPA R9**

Karen Irwin is interested in establishing bid specifications for cleaner-operating construction equipment as part of a major construction project, such as the Orange County Transportation Improvements Project.

**2. 1-800-END SMOG / “smoking stack” - type program for construction projects along the West Coast**

This type of program is run out of a variety of agencies/districts, most mostly successful for the on-road category. There may be a possibility to develop this concept more for the construction sector.

1-800-CUTSMOG is the South Coast hotline in LA. It’s for all vehicles and calls initiate a letter from the district

1-800-EXHAUST is the Bay Area hotline.

Washington has a smoking vehicle hotline operated by the traffic police and people can be ticketed.

Sacramento had a smoking vehicle program but it was not continued.

**3. Carl-Moyer type pot of funding for construction projects – retrofits and cleaner fuel**

This was an interest of the group in general, in order to pay for cleaner fuel and retrofits and possibly subsidize some of the above mentioned diesel mitigation strategies

**Martha Arguello, Physicians for Social Responsibility**

Marta Arguello also wanted to see a project dealing with mobile health vans. Ms. Arguello noted that mammography vans use a diesel engine to run their on-board equipment and that these engines could be cleaner.

4. Access and use of cleaner fuel/power (ULSD, bio-diesel, natural gas, electrification, etc) on construction sites, especially in the Pacific Northwest

**Cindy Catto, Oregon-Columbia Chapter of the Associated General Contractors**

Cindy Catto talked about the need for ULSD or other cleaner fuel sources in Oregon in order to get additional reductions from retrofits and that Kevin Downing, from Oregon Department of Environmental Quality (ODEQ), has been pursuing introduction of ULSD.

**V. Next Steps**

The group decided to focus on gathering more information, possibly in the form of short prospectuses or draft language, in 4 areas before the next Workgroup meeting in August. Please contact the below mentioned lead to volunteer to help out. One suggestion might be for each of these “subgroups” to have a meeting/conference call. Please contact Michelle Roos if you need help setting that meeting up.

**Develop boilerplate contract language for either NEPA/CEQA review or state/city legislation that would promote “green” construction** (lead: Daniel Reich, EPA)

**Develop a few possible short-term (\$50-100k), medium-term (a few \$100k) and long-term (over \$1 million) projects to mitigate diesel construction equipment emissions (fuel and engine)** (lead: Michael Murphy, Bay Area)

**Develop a better understanding of how/if major construction projects could help bring down the cost differential for ULSD in Oregon** (lead: *tentatively* Kevin Downing)

**Develop bidding preference language for a few major projects (possible one in each state) that are undergoing federal review.** (lead: Karen Irwin)

