



February 10, 2009

Commission President Bill Bryant
Commissioner John Creighton
Commissioner Pat Davis
Commissioner Lloyd Hara
Commissioner Gael Tarleton
Port of Seattle
2711 Alaskan Way
Seattle, WA 98121

Dear President Bryant and Port Commissioners:

On behalf of conservation, community, labor, business and other organizations in King County, we applaud the Port of Seattle's leadership on the clean air issue, appreciate the staff effort in formulating an implementation model, and request three changes for a more effective, sustainable and **fair** truck retrofit plan.

As you know, the Port of Seattle is currently developing a **plan**¹ to meet the 2010 port truck standards set under the Northwest Ports Clean Air Strategy in part to protect the health and safety of the South Seattle communities, as well as the men and women who work at the Port itself. The Northwest Ports Clean Air Strategy's standards for 2010 would ban 400 of the most polluting trucks now serving the Port of Seattle. The Port will require replacement of almost all of the 1,800 of the diesel trucks now in **drayage** service by 2015. We believe a sustainable and comprehensive strategy is needed to meet the port's clean air goals and we look forward to working with you on that plan.

Three Options to Move to the 2010 and 2015 Goals

We strongly support current planning that aims to take the dirtiest **trucks** off the road immediately and welcome the idea of providing retrofit replacement trucks through Cascade Sierra Solutions or another non-profit or government entity. This approach could work with any of the implementation options now on the table to meet the 2010 goals to ban pre-1994 trucks. The three options as we understand them are:

- a. Port of Seattle enters into voluntary agreements with the terminal operators to allow only approved trucks through the terminal gates.
- b. Port of Seattle requires all port trucking companies conducting business on Port of Seattle property, through either concession or tariff agreements, to use approved trucks and business methods, similar to the programs now used by the Port of Los Angeles.

¹ The critical features of the current retrofit proposal are set out in grant proposals that have been submitted to the state Department of Ecology, the Environmental Protection Agency and the California Air Resources Board.

- c. Port of Seattle requires all port trucking companies to use approved trucks through a King County, City of Seattle or State of Washington ordinance.

We urge the Port of Seattle to conduct a **full**, comprehensive community economic and environmental analysis of the effectiveness, sustainability and fairness of these models before committing significant resources towards implementation of the clean air standards for 2015.

Three Changes are Needed Now

There are three changes to the Cascade Sierra Solutions (or similar) retrofit proposal that we believe are critical to ensuring that the Port of Seattle's clean trucks program for 2010 is sustainable, effective, and fair. These changes would meet our combined environmental and community goals as outlined later in this letter:

1) Offer retrofit or replacement trucks leases to trucking companies rather than to drivers.

Under current economic and workplace conditions, individual trucking company workers will be unable to bear the costs of leasing and maintaining replacement trucks **from** Cascade Sierra Solutions. Although these drivers are classified as "independent contractors," trucking company workers lack the power to pass the costs of clean trucks on to the trucking companies, the shippers, or the buyers. The Cascade Sierra Solutions plan is actually an **economic disincentive** for truck drivers -- requiring them to take on additional costs and debt or involuntarily forcing hundreds of drivers out of their jobs. In the end, this plan may incentivize drivers to take their polluting vehicles into other Northwest communities and will most likely waste taxpayer **funding**.

Trucking companies, in comparison, are much better qualified to manage and maintain retrofit trucks. Trucking companies have better access to credit, can pass costs on to shippers and buyers, are able to reallocate resources, and are better able to manage risk and fluctuating cargo volumes. Trucking companies will ultimately be more responsive to the maintenance requirements of retrofit engines and are less likely to default or violate the **terms** of a retrofit truck lease or contract.

Trucking companies should be allowed to lease a retrofit truck for every driver on payroll who turns in a pre-1994 truck for scrappage. (Some of the pre-1994 trucks are already owned by the companies, who then lease them to drivers.) Most trucking companies will then probably sub-lease the retrofit trucks to their workers, but the trucking companies themselves will be ultimately responsible for maintaining the trucks at peak performance levels and keeping them in **drayage** service. The trucking companies should also be required to hire, or at the very least contract with, the drivers who turn in their trucks to avoid inadvertent displacement of current workers who wish to remain in the **drayage** industry. This is a more sustainable, effective, and fair way to implement the Cascade Sierra Solutions model.

2) Ensure the buyback and scrapping of 1993 and older trucks; retrofit trucks from Washington's drayage fleet first.

The most effective way to remove the largest amount of diesel pollution is to take the dirtiest trucks out of service and ensure that they do not reenter the marketplace. Merely banning those trucks from the port docks will not work because drivers will probably take their trucks to other communities in the region. The port's proposed plan must include the buyback of those trucks –

estimated at about 400 – and it must guarantee that they will be scrapped, not resold or shipped overseas.

We also recommend that instead of spending \$2,500 per truck to buy scrapped trucks **from** California, the port's plan should include buying and retrofitting the many local 1998 – 2002 model year **drayage** trucks now for sale by drivers who are trying to exit the **industry**.² Under the current proposed plan, local trucks aged 1998-2002 would remain in the region, and continue to decline, for another 5-7 years without pollution **improvements**.³ This would more quickly remove more pollution from the region.

3) Mandate installation of more effective emissions control devices

The current plan calls for the use of flow through filters. Those (Level 2) filters capture about 50% of particulate emissions of the retrofit trucks and 0% of nitrogen oxide emissions. Diesel particulate filters (Level 3), however, capture at least 85% of diesel particulate matter and 25% of nitrogen oxide emissions. Over five years, using Level 3 filters alone would reduce emission by an additional 6.6 tons of diesel particulate **matter** and 0.9 tons of nitrous oxides per truck. We understand there are concerns about which filters would work best for short-distance, low-speed **drayage**. We encourage the Port to **find** solutions that would **maximize** pollution removal from our communities, including the use of hybrid, electric and other diesel engine alternatives.

Our Shared Environmental and Community Goals

We believe we share with the Port the following goals for the effort to reduce air pollution for the sake of our local community health as well as that of the wildlife in the Puget Sound basin:

- Ensure that we meet the 2010 deadline for the benefit of the community health
- Ensure that we maximize:
 - the sustainability of this program for the long term
 - regional air pollution gains
 - global air quality goals (including scrapping of the old trucks)
- Ensure that environmental benefits are for everyone equally and fairly and do not unfairly burden any one group of people

² Buy backs and retrofits of local trucks would also allow drivers to exit the industry voluntarily; many workers say they are stuck in **drayage** because they owe money on their trucks and would much rather work in another industry.

³ Unfortunately, no scenario under the **Port's** standards for 2010 would address the 1994 -1997 trucks or the 2005 – 2006 trucks until 2015.

With all of these improvements, the Port of Seattle can make progress towards significantly reducing dangerous diesel pollution and greenhouse gas emissions **from** its activities in a sustainable, effective and fair way. We urge you to direct the port's staff to incorporate these changes into its plan before approving any clean air truck program.

Sincerely,

Linda R. Anderson, Executive Board
Amalgamated Transit Union

David West, Executive Director
Center for a Changing Workforce

Michael **Ramos**, Executive Director
Church Council of Greater Seattle

Heather Weiner, Director
Coalition for Clean and Safe Ports

Jonathan Betz-Zall
Joyce Tseng, Board of Directors
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Arsalan Bukhari, Executive Director
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Linda **Orgel**, Secretary
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Greater **Seattle** Climate Dialogues

Sally **Kinney**, Co-chair
Interfaith Taskforce on Homelessness

Jerome Johnson, Vice President
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Sharon Lee, Executive Director
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