

Congress of the United States
Washington, DC 20515

November 13, 2023

The Honorable Michael S. Regan
Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Administrator Regan,

Thank you for the work that the Environmental Protection Agency (EPA) has done to improve air quality in Southern California and across the country. To continue improving air quality in Southern California, we strongly urge the Environmental Protection Agency (EPA) to approve the South Coast Air Quality Management District's (SCAQMD) Rule 2305 to be incorporated into the federally enforceable State Implementation Plan (SIP). Rule 2305, also known as the Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, would significantly improve the air quality in communities throughout Southern California, especially for those living in areas adjacent to warehouses and distribution centers and who are disproportionately exposed to harmful mobile source emissions.

Warehouses and distribution centers are a ubiquitous component of the United States' supply chain and contribute to our local and national economies at the cost of creating major pollution hotspots that attract significant sources of emissions. Within Southern California, warehouse operations have contributed to the worst air pollution in the nation, the stagnation of any meaningful improvement in air quality since the late 2000s, and noticeable public health consequences.¹ The Inland Empire, in particular, has rapidly emerged as a major hub for logistics and warehousing with over 1 billion square feet of land devoted to warehouses.² However, emissions from warehouses are not publicly tracked and no dedicated regulations exist to address the specific environmental impacts of warehouses.

SCAQMD's WAIRE Program contains several key provisions that will contribute to cleaner air in some of Southern California's most polluted communities. The WAIRE Program requires warehouse owners and operators to earn WAIRE Points, earned by implementing emissions reduction measures, or pay a mitigation fee. The number of WAIRE Points that must be earned by a warehouse owner or operator is determined based on the number of heavy-duty truck trips in a given year, a reflection of the overall warehouse activity and emissions. The WAIRE Points system ensures that warehouses with greater operations contribute more greatly to reducing air

¹ Congressman Mark Takano, *State of Air Quality in California's 39th Congressional District*, March 2023, https://takano.house.gov/imo/media/doc/environmental_report.pdf.

² Robert Redford Conservancy for Southern California Sustainability at Pitzer College, "Mapping and Environmental Data Visualization," <https://www.pitzer.edu/redfordconservancy/mapping-data-visualization/>.

pollution. Additionally, warehouse owners and operators can take advantage of existing laws to earn WAIRE Points. Acquiring zero-emission vehicles and zero-emission vehicle infrastructure are two substantial avenues that these facilities can reduce emissions and comply with the WAIRE Program and can be supported through the EPA's Clean Heavy-Duty Vehicle Program created under the Inflation Reduction Act.³ Facilities are also able to pursue a myriad of other avenues to earn WAIRE Points including by submitting a Custom WAIRE Plan which provides greater flexibility that ensures warehouses are reducing air pollution without undue burdens, which could weaken the local economy. Additionally, the recordkeeping and reporting element of the rule will provide greater transparency of warehouse locomotive operations and the volume of mobile emission sources passing through the region annually – information that was not previously accessible publicly.

We are supportive of the WAIRE Program which provides a novel and revolutionary avenue to begin reducing emissions at the pollution hotspots that significantly contribute to nonattainment in the region. The WAIRE Program will better address mobile sources of emissions associated with warehouses which include the heavy-duty trucks that transport goods to and from warehouses, transport refrigeration units, passenger vehicle trips for employees and visitors, and yard trucks. SCAQMD estimates that the WAIRE Program will reduce nitrogen oxide and particulate matter emissions associated with warehouses and the mobile sources attracted to warehouses in the Southern California Air Basin by 10-15 percent.⁴ Approving the rule and incorporating it into California's SIP will significantly improve the quality of life of Southern California residents and set a national precedence on how to address warehouse-related emissions in other regions.

The emissions reductions made possible through the WAIRE program are vital for addressing public health issues, and we are particularly appreciative that the air quality improvements will mainly target poorer communities and communities of color that are disproportionately impacted. In California, there are nearly 4 million people, including more than 250,000 children under the age of 5, that live within a half-mile radius of a warehouse.⁵ The communities living within the half-mile radius of warehouses have higher Black, Latino, and Asian populations and more families below the federal poverty line when compared to the state average. Living in such close proximity has exposed these communities to high levels of pollution that contribute to significant public health issues. Traffic-related emissions of nitrogen oxides (NO_x), primarily driven by the heavy-duty trucks used at warehouses across the region, increase the risk of development of childhood asthma and increased risk of dementia, heart disease, and stroke in adults. The WAIRE Program will help address the public health disparities associated that exist

³ United States Environmental Protection Agency, "Inflation Reduction Act: Clean Heavy-Duty Vehicle Program," <https://www.epa.gov/inflation-reduction-act/clean-heavy-duty-vehicle-program>.

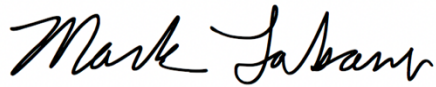
⁴ South Coast Air Quality Management District, "South Coast AQMD Governing Board Adopts Warehouse Indirect Source Rule," *Advisor* 28, no. 4 (2021), <https://www.aqmd.gov/docs/default-source/publications/aqmd-advisor/aug-sep-2021.pdf>.

⁵ Alleen Nowlan, *Making the Invisible Visible: Shining a Light on Warehouse Truck Pollution*, Environmental Defense Fund, April 2023, <https://globalcleanair.org/wp-content/blogs.dir/95/files/2023/04/EDF-Proximity-Mapping-2023.pdf>.

in Southern California where communities with the least amount of resources to address these disparities have been disproportionately burdened by the emissions from warehouse facilities.

SCAQMD's WAIRE Program is a major step towards addressing one of the largest sources of emissions in Southern California. As the Congressional members whose districts are affected by warehouse-related air pollution, we respectfully urge EPA to consider the health and quality of life of the vulnerable communities within the Southern California Air Basin and approve SCAQMD's Rule 2305 to be included in California's SIP. We thank you for EPA's important work on the critical issue of air quality and applaud the management district's commitment to developing this rule that will significantly improve the air quality in vulnerable communities and save hundreds of lives in our districts.

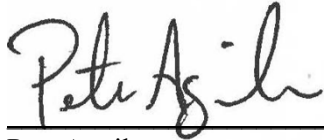
Sincerely,



Mark Takano
Member of Congress



Raul Ruiz, M.D.
Member of Congress



Pete Aguilar
Member of Congress