

LA clean-truck plan faces major roadblocks

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Bill Mongelluzzo / The JOURNAL of COMMERCE ONLINE

SAN FRANCISCO -- West Coast transportation interests told a meeting of agricultural shippers over the weekend that a clean truck plan proposed by the ports of Los Angeles and Long Beach faces an uphill battle to survive legal and political hurdles and still meet its targeted implementation date of Jan. 1, 2008.

The proposed plan to replace 16,000 trucks with clean 2007-model vehicles and convert independent drivers to direct employees will probably be challenged for possible violations of the Interstate Commerce Act as well as the Shipping Act, said Karen Vellutini, vice president of sales and marketing at Devine Intermodal trucking.

The ports intend to approve the final version of the plan in July and begin implementation on Jan. 1, giving them less than seven months to win approval from the Los Angeles City Council, California Association of Port Authorities and Federal Maritime Commission, said John McLaurin, president of the Pacific Merchant Shipping Association.

"I don't think it's going to happen," McLaurin told the annual meeting of the Agriculture Transportation Coalition on Friday.

The ports are pushing an ambitious schedule for approval of their Clean Air Action Plan because without it, expansion of the nation's largest port complex is out of the question, said Marcel Van Dijk, marketing manager at the Port of Los Angeles.

All port expansion, be it building a new marine terminal or near-dock rail yard or enlarging an existing facility, depends upon the ability of the ports to reduce diesel emissions from vessels, trains, trucks and terminal equipment by 45 percent over the next five years. The trucking portion of the clean air plan mandates an 80-percent reduction in diesel emissions from trucks in five years.

The Environmental Protection Agency has declared the Los Angeles basin a severe non-attainment area under the Clean Air Act and is threatening to withhold funds if pollution is not reduced significantly. The California air Resources Board has declared diesel exhaust to be a toxic air contaminant that must be reduced.

Studies by local agencies have found increased incidents of cancer, heart disease, respiratory illnesses such as asthma and premature deaths in the so-called diesel death zones located near ports, rail yards and along truck routes.

The ports have two dozen environmental impact reports for major projects sitting in limbo until they prove to regulatory agencies that they will significantly reduce diesel emissions from port operations.

The good news is that technology exists to reduce pollution, Van Dijk said. He noted that terminal operators in the past few years have replaced a number of yard tractors and dozens of pieces of lift equipment with alternative fuel models. Pollution from those operations has dropped to 2001 levels despite significant cargo growth, he said.

Shipping and trucking interests said they support the clean air initiatives but they oppose an effort by the ports to link emissions reductions with a change in the owner-operator port trucking model that has been in existence since trucking was deregulated in the U.S. in 1980.

They said the mandate to phase in over five years a driver workforce of direct employees who are paid hourly wages may be illegal and will most likely result in decreased driver productivity, reduced income for drivers and reduced trucking competition and higher trucking rates in the harbor.

McLaurin said the plan is “ill-conceived” and is part of a national program by the Teamsters union to organize truck drivers. The Teamsters’ next targets will be Oakland, Seattle, New York-New Jersey and Miami, he said.

On June 7 the National Industrial Transportation League told port officials in a letter that it strongly opposes the program.

League Executive Vice President Peter J. Gatti said that while his organization supports the plan’s environmental goals. “we believe that it will unnecessarily increase costs, reduce competition, threaten vital operating capacity and most importantly will have a minimal effect toward improving the environment.”