

Your editorial titled "a No-loser Clean-up" lacks several facts starting with the title and continuing throughout the editorial.

In less than three weeks, Southern California residents will start to enjoy the benefits of the biggest cleanup of the region's biggest source of diesel pollution. In this program, there will be no losers.

FACT: Except for the hundreds of drivers and dozens of motor carriers who will no longer be able to do business at the port because of illegal concession requirements that both ports are embarking upon.

American Trucking Association officials wouldn't agree, of course, since they lost big last week when a federal judge tossed out their lawsuit aimed at blocking the Clean Trucks program at the ports of Long Beach and Los Angeles. But their real problem is mostly attitude.

FACT: The efforts to clean up diesel pollution at the ports were never in jeopardy of being blocked. The lawsuit addresses the concession requirements not the emissions standards.

They are accustomed to few regulations, and are afraid the ports' new ban on dirty diesels might catch on elsewhere. Let's hope it does.

FACT: The trucking industry is one of the most heavily regulated industries in this country; from safety and maintenance to engine emissions standards to parking and route restrictions, hours of service limitations, idling limits and insurance requirements all of which are

enforced by separate public agencies at the local, state and federal level.

Association officials have said they're all in favor of cleaner air, but in fact they could have come up with a plan of their own and didn't. The ports did.

FACT: The ATA and CTA have both publically expressed they share in the goal of cleaner air. In fact, The CTA drafted and submitted an alternative emissions compliance plan to CARB that would have achieved significant air quality goals by cleaning up the oldest and dirtiest port trucks first while requiring diesel PM retrofits for the remainder of the fleet. ATA presented the ports with a point for point alternative addressing every component in the "clean trucks" program. The outline submitted by the ATA addressed safety, maintenance standards, parking and insurance requirements in addition to emissions.

It goes into effect Oct. 1, after which time owners of the oldest and dirtiest trucks will be told to keep them off port property. That first step in the Clean Trucks program will, starting Day One, cut diesel pollution by almost half. Then, year by year, the rules tighten until 2012, when only trucks that meet current clean-air standards will be allowed, thereby cutting particulate emissions by a total of 80 percent.

FACT: Due to a recent FMC filing the likely startup date will not be October 1.

FACT: According to the CAAP technical overview the 2005 baseline year Diesel Particulate Matter (DPM) emission by source category:

Ocean-Going Vessels, cargo handling equipment and harbor craft account for over 84% of total DPM, while trucks, still one of the major contributors, account for 10% with rail locomotives at 6%. How can a plan that addresses 10% of the total DPM pollution problem be responsible for reducing "diesel pollution" by half?

The whole world of shipping will be watching. Ships, trucks, trains and dockside equipment make the ports of Long and Beach L.A. the region's biggest source of diesel particulates and sulfur oxides by far, and the same is true of ports everywhere. The trucking association notwithstanding, this should end everywhere.

FACT: The CTA and the ATA have never challenged the emissions standards both on a local, state or federal level.

Truck owners and drivers also can benefit from the program, and not just from the cleaner air. The ports are offering subsidies of up to 80 percent for the purchase of clean new container-hauling trucks.

FACT: Although a laudable program, there is very little money available when compared to amount of trucks affected additionally, limited money and onerous requirements scare away applicants.

Long Beach's version of the program takes an old polluter off the road for every new one it subsidizes. L.A., however, is offering \$20,000 subsidies to attract big

hauling companies that already own clean trucks, which allows displaced polluters to do their dirty business elsewhere in the area.

FACT: This program favors larger companies leading to the displacement smaller local firms. This program demonstrates that Port of Los Angeles is handpicking the companies it wants to work in the port, offering them incentives and leaving others out in the cold.

There are other differences between the L.A. and Long Beach models. The L.A. port won't allow independent owner-operators to be part of its program. Long Beach will allow both independents and employed drivers.

FACT: This discriminates against a company based on type of company it is, it has nothing to do with diesel emissions standards.

One way or another, Clean Trucks can be made to work, and when it does it will prove an important point. Tolerating obsolete equipment that loads the air with dangerous emissions is a false economy. Clean technology is efficient technology.

FACT: New clean technology is the wave of the future. The trucking industry has constantly and consistently been seeking solutions that bring more efficient and clean technology into use throughout the state and the nation.

The ports' program in the long term will be a great lesson as well as a great benefit, even for the trucking association.

FACT: Hopefully the trucking industry can continue to supply the nation in the short term while they are waiting for the long term “benefits” of this lesson.