

**Representative Stephen G. Handy** proposes the following substitute bill:

**CONCURRENT RESOLUTION URGING THE  
ENVIRONMENTAL PROTECTION AGENCY TO UPDATE  
SWITCHER LOCOMOTIVE EMISSION STANDARDS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Stephen G. Handy**

Senate Sponsor: Todd Weiler

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**LONG TITLE**

**General Description:**

This concurrent resolution urges the Environmental Protection Agency to update switcher locomotive emission standards.

**Highlighted Provisions:**

This resolution:

- ▶ recognizes the railroad's economic impact in Utah;
- ▶ describes the Environmental Protection Agency's (EPA) emission standards for switcher locomotives;
- ▶ recognizes that more stringent emission standards for switcher locomotives would reduce harmful emissions in the state;
- ▶ acknowledges that federal law prohibits states from adopting more stringent emission standards for switcher locomotives; and
- ▶ urges the EPA to develop and make more stringent emission standards for switcher locomotives.

**Special Clauses:**

None



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*Be it resolved by the Legislature of the state of Utah, the Governor concurring therein:*

WHEREAS, railroads continue to play a vital role in Utah's economy;

WHEREAS, there are approximately 63 switcher locomotives operating in Utah;

WHEREAS, the vast majority of the switcher locomotives operating in Utah are certified to the Environmental Protection Agency's (EPA) Tier 0 or Tier 0+ emission standards;

WHEREAS, the Utah Division of Air Quality finds replacing and repowering switcher locomotives to be a cost-effective emission control strategy;

WHEREAS, replacing or repowering a switcher locomotive certified to the Tier 0+ emission standard to meet Tier 4 emission standards would result in an 89% reduction in nitrogen-oxide emissions and an 88.5% reduction in direct particulate-matter emissions;

WHEREAS, the Clean Air Act, 42 U.S.C. Sec. 7543(e) prohibits states from establishing emission standards for locomotives;

WHEREAS, current EPA emissions standards only require switcher locomotives certified to the Tier 0 emission standard to be remanufactured to meet the Tier 0+ emission standard and such remanufacturing may continue indefinitely; and

WHEREAS, the EPA has continued to tighten the National Ambient Air Quality Standards for fine particulate matter and ozone without providing improved locomotive remanufacturing emissions requirements to help meet said standards:

NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah, the Governor concurring therein, hereby requests that the EPA develop and make more stringent switcher locomotive emissions standards requiring that Tier 0 and 0+ locomotives be repowered to meet Tier 4 standards or otherwise be retired in a timely and cost-effective manner.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President of the United States, the United States Environmental Protection Agency's Office of the Administrator, and each member of Utah's congressional delegation.