



GILBERT A. CEDILLO

COUNCILMEMBER

FIRST DISTRICT

January 24, 2014

Michael P. De Pallo, Chief Executive Officer
Southern California Regional Rail Authority
One Gateway Plaza, Floor 12
Los Angeles, CA 90012

RE: Draft Health Risk Assessment Protocol for Metrolink Central Maintenance Facility

Dear Mr. De Pallo

While I appreciate the opportunity you have accorded for comments on the Draft Health Risk Assessment (HRA) Protocol, I must emphasize that Metrolink's preparation of the HRA, as stated in the opening sentence of the Draft HRA Protocol's Introduction, is in response to concerns raised by the surrounding communities. However, these are not merely concerns raised by my constituents, but rather are years of documented complaints based upon first-hand observations and adverse health conditions experienced by residents, particularly children and elderly, of the adjacent communities of Cypress Park, Glassell Park, and Elysian Valley.

Upon review by my staff of the Draft HRA Protocol and the comments submitted by the Working Group and LAUSD, I support and concur with the recommendations and requests identified by both the Working Group and LAUSD based on their respectively noted concerns, lack of confidence, and deficiencies in the Protocol's approach, baseline assumptions, and methodologies, and incorporate them by reference herein.

Failure to Specifically Respond to Adverse Health Impacts

Of significant concern is the limitation of the Protocol to the evaluation of carcinogenic risk and non-carcinogenic hazards associated with chronic (long term) exposures to diesel particulate matter (DPM) and failure to include criteria pollutants to address the concerns raised by residents relating to impacts from CMF emissions on their health from cumulative short duration exposures.

In view of the function and limitation of HRAs, I strongly request that Metrolink, its consultants CEC, and SCAQMD outreach, consult and collaborate with the Los Angeles County Department of Public Health's Bureau of Toxicology and Environmental Assessment. The Bureau is composed of physicians, nurses, epidemiologists, researchers, industrial hygienists, environmental specialists and home inspectors, who have the expertise and experience to respond to concerns about possible toxic exposures such as those generated from the CMF emissions through education and outreach, consultation services and collaborative efforts with regional and state agencies. The Bureau would be able to conduct a targeted investigation of potential environmental exposures that are at the heart of the concerns raised by our

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constituents and LAUSD, which would complement and address the clear inadequacy of the HRA to address the health impact conditions experienced by the community.

CMF HRA Patterned after 2007 CARB 17 HRAs for California Rail Yards

As stated above, I support and concur with the technical analysis, and recommendations identified in the comments submitted by LAUSD. LAUSD noted that while providing a general framework, the CMF HRA is to address community concerns regarding short and long term pollutant exposures.

Patterning the CMF HRA approach after the CARB 17 HRA limits the pollutant exposures to DPM emissions, and thus does not allow for a comprehensive risk assessment of all toxic contaminants and the resultant health risks that are generated by CMF activities and emissions to which workers, students, and residents are exposed.

The guidelines for the rail yard HRAs leave room for flexibility in both the gathering and interpretation of data. A major concern is that it is always possible to follow the letter of the guidelines while completely missing the spirit. The guidelines and resultant HRAs may not accurately assess the hazards that are peculiar to sensitive receptors such as schools and schoolchildren. The effects of ultrafine particles (less than 0.1 micron) have become a more serious concern in recent years, but the guidelines do not specifically address them. Nor are noncancer health risks—such as aggravated asthma, decreased lung function, and heart and respiratory disease—specifically addressed, though all have been linked to PM emissions.

Risk estimate calculations can be very sensitive to changes in the underlying assumptions. Some of the assumptions on which the HRA process is based are explicit in the guidelines; others are implicit, reflected in how the guidelines are implemented. For instance, the guidelines direct that staging areas be evaluated, but define them in a way that excludes idling trucks on nearby roadways. Trucks use roads both to access rail yards and to wait for loading and unloading, which means idling time. Excluding these idling trucks on roadways discounts a significant source of emissions, which will necessarily understate the risk.

Concerns Regarding CMF Baseline Emissions Assessment Results

Sierra Research completed comprehensive emission inventory evaluations for nine individual rail yard facilities, eight of which were part of the CARB 17. The main conclusions of the Sierra Research study were (1) the data requirements for properly preparing the facility inventory, depending on the type of facility, are significant and (2) there is no uniformly “typical” facility, and extrapolation or generalization from one facility to another is to be highly discouraged.¹ As noted in the comments submitted by the Working Group, the HRA must inspire the trust and confidence of the local community. The community has attempted to understand the operational procedures of the CMF – number of trains, hours of operation, hours of HEP engine running. The community has documented numerous and ongoing exceptions to the verbally stated “operational procedures and schedules.

Attachment 2 of the Protocol provides the results of the Draft CMF Baseline Emissions Assessment, but fails to provide specificity as to CMF specific emission sources, age, length and frequency of daily equipment usage, CMF activities, crew changes, and hours of operation

¹ Characterization and Breadth of Rail Yard Specific Inventories, Brenda Douglass, Jeremy Heiken, Gary Rubenstein; <http://www.epa.gov/ttnchie1/conference/ei19/session8/douglass.pdf>.

and calculation methodology. It mentions only weekday trains, which raises the question of whether weekend train operations were included in the CMF Baseline Emissions Assessment Results.

The Sierra Research study listed 23 potential emission activities/sources at rail yards; noting that not all of these activities/sources would be found at every facility.

1. Line haul locomotives (i.e., those that transport passengers or cargo from one location to another)
2. Switch locomotives (i.e., those that perform yard-specific operations)
3. Locomotive service facilities (related to fuel, sand, and lubricating oil)
4. Locomotive maintenance facilities
5. Locomotive-based auxiliary power units (APUs)
6. Refrigerated railcars (a.k.a. reefers)
7. Evaporative emissions from tanks and refueling
8. Cargo handling non-road equipment
9. Rail maintenance non-road equipment
10. Other heavy-duty non-road equipment (e.g., cranes, forklifts)
11. Other portable non-road equipment (e.g., power washers, welders)
12. Fugitive PM from use of unpaved surfaces by on-road vehicles
13. Fugitive PM from aggregate handling and storage piles
14. Employee-owned on-road vehicles
15. Facility-owned on-site vehicles
16. Vendor delivery vehicles
17. Drayage or cargo hauling on-road trucks
18. Container-based transportation refrigeration units (TRUs)
19. Stationary IC engines (e.g., generators and air compressors)
20. Solvent usage (e.g., degreasers and paints)
21. Sand tower activity
22. Wastewater treatment plants
23. Space and water heaters.²

Category	Emissions Source	Yard Type			
		Classification	Maintenance	Intermodal	Specialty
Locomotives (Mobile Source)	Line Haul Locomotives	X	X	X	X
	Switch Locomotives	X	X	X	X
	Service Activities	S	X	S	S
	Maintenance Activities	S	X	S	S
Non-road Vehicles (Mobile Source)	Heavy Equipment	X	X	X	X
	Cargo Handling Equipment			X	
	TRUs (Container and Railcar)	S		X	S
	Specialty Equipment			X	
	Miscellaneous, Other Non-Road	X	X	X	X
On-Road Vehicles (Mobile Source)	Yard Trucks, Worker Vehicles	X	X	X	X
	Commercial Delivery Trucks	X	X	X	X
	Drayage Trucks		X	S	
Stationary Sources	Storage Tanks	S	X	S	S
	Space/Water Heating	X	X	X	X
	Solvents (Degreasers/Paints)	S	X	S	S
	IC Engines (Generators/Compressors)	S	S	S	S

X = Present at Facility, S = Situationally Present

² Id.

In the above table, the Sierra Research Study summarized the key emission-related activities at each type of rail yard.³ While it is a generalization across all yards studied and not specific to any of the individual yards, it provides us with far more specificity than the CMF Draft Protocol, particularly as to Maintenance Yard Facilities. The significant conclusion being that rail yard emission inventory efforts require significant detailed data collection and processing due to the wide range of site-specific emission sources at these facilities.

Conditions to be Analyzed

The Protocol selected two operational years, 2012 and 2017, for calculation of health risk results, and that 2012 being the most recent complete year of operation would therefore represent current conditions. However, it now being 2014, it is reasonable to have 2013 in place of 2012 as it is the actual recent complete year of operation, and this should include the operational data observed and documented by the community, which despite the frequency of the exceptions to the stated CMF operational procedures, do not appear to be included in Metrolink's records.

I further request that a third operational year, 2010, be included for calculation of health risk results as this would provide us with a comparison of actual conditions and an assessment of any actual reduction of health risks that can be attributed to the implementation of the 2012 improvements.

In that the Protocol indicates that its approach is to be patterned after that of the 2007 CARB 17 HRAs, then as noted in LAUSD's comments, the Protocol should be consistent and utilize the 1 mile radius as the appropriate zone of influence and include only the "significant off-site mobile and stationary sources for analysis of off-site emission sources. There does not appear to be any justifiable rationale for utilizing the larger 1.25 mile x 2.5 rectangular area around the CMF.

I concur with LAUSD's analysis and identification of the multiple available documented data sets that should be utilized in developing the significant off-site mobile and stationary emission inventory and source characterizations. [See page 3 of LAUSD's comments].

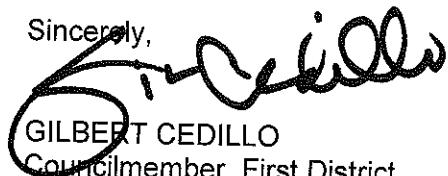
To ensure that the CMF HRA is accurate and that appropriate mitigation is prescribed and implemented, it is essential that the surrounding community and LAUSD be actively involved throughout the process, including but not limited to the following:

- Comments and modification of the Draft HRA Protocol
- Inclusion of community documented CMF operations data in the preparation of the revised baseline emission assessment for all CMF generated emissions from all of the CMF emission sources and facility-specific activities identified through the collection of supporting activity data and other key assumptions that are completed in consultation with yard personnel and community through a combination of surveys, email, interviews and onsite visits, of surveys, e-mail, interviews, and onsite visits.
- Continued evaluation of the HRA process and results.
- Provision of community-specific data and oversight.
- Participation in the development and implementation of the mitigation measures and monitoring program.

³ id.

I look forward to your continued discussion with the community and the inclusion of the requested modifications to the Draft HRA Protocol. Please contact Sharon Lowe of my staff at (213) 473-7001 if you have questions or need more information.

Sincerely,



GILBERT CEDILLO
Councilmember, First District

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