

From: [Swaine, Abby](#)
To: [Webster, Elizabeth](#)
Cc: [Grubb, Christopher](#); [Fenzl, Brianna](#); [Chatfield, Ethan](#); [Houston, Robert](#); [Gosselin, Danielle](#)
Subject: RE: CPKCS Quarterly Reports
Date: Tuesday, November 7, 2023 10:46:43 AM
Attachments: [image001.png](#)

Elizabeth (and Danielle), thanks very much!

I read the reports, and have some concern that CPKC seems to be partly misconstruing the scope of VM-Air-04 and VM-Air-05. I offer these quick comments, and would be glad to explain or discuss further.

VM-Air-04 : The Applicants will comply with U.S. Environmental Protection Agency (EPA) emissions standards for diesel-electric railroad locomotives when purchasing and rebuilding locomotives.

Both quarterly reports: "CPKC did not take possession of any new or rebuilt locomotives during the quarter."

Comment: This VM is intended to cover rebuilds performed by CPKCS on locomotives they already own, not just rebuilt locomotives that they acquire.

VM-Air-05. The Applicants will develop an anti-idling policy for use in potentially affected communities on the combined network. The policy will capture both idling of construction equipment used on the Capital Improvement Projects as well as ongoing operations.

Both quarterly reports: "...CPKC is in the process of developing a company-wide Anti-Idling Policy which will apply to all non-locomotive combustion engines (locomotive idling is subject the respective operating rules and regulations of Canada, the United States, and Mexico)."

Comment: The US has no "operating rules" for locomotive idling-- rather, our Locomotive Engine Rule requires that all new and almost all rebuilt engines include an effective anti-idling device. In practice, many RRs omit, override or neglect these devices, resulting in excessive idling. CPKCS seems to be sidestepping this intent of this VM, which is to ensure that it actively monitors and minimizes locomotive idling.

Also, thanks for clarifying that we can find these reports on your website under Environmental Comments. (For my EPA colleagues who may not be used to your site, I'm pasting below a screenshot of how to take a look yourselves.) Some interesting correspondence has been exchanged! --Abby

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From: Webster, Elizabeth <Elizabeth.Webster@stb.gov>
Sent: Tuesday, November 7, 2023 8:58 AM
To: Swaine, Abby <swaine.abby@epa.gov>
Cc: Grubb, Christopher <Grubb.Christopher@epa.gov>; Fenzl, Brianna <Fenzl.Brianna@epa.gov>; Chatfield, Ethan <chatfield.ethan@epa.gov>; Houston, Robert <Houston.Robert@epa.gov>; Gosselin, Danielle <Danielle.Gosselin@stb.gov>
Subject: CPKCS Quarterly Reports

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Hi Abby,

Danielle sent your message to me regarding CPKC's quarterly reports. Currently, it does not seem that the reports are distributed directly to you, although we will ask CPKC to add you (as well as everyone cc'd here) to their distribution.

There have been two reports submitted so far dated July 14, 2023 and October 13, 2023. They are both posted on our website to "Environmental Comments" - <https://www.stb.gov/proceedings-actions/environmental-comments/> I've also attached the reports to this email. Please let me know if you have any questions.

Thanks!
Elizabeth