



Drive for Cleaner Air

N.J. pushing for restrictions on diesel trucks at ports

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BY SCOTT FALLON - STAFF WRITER

The Port Authority could potentially ban the oldest and most toxic diesel trucks from its Newark and Elizabeth seaports, a move scientists say would cut down on 1,000 premature deaths and 68,000 asthma attacks in New Jersey every year.

Nearly 10,000 trucks drive through the ports each day, spewing 42 tons of diesel soot a year that can cause respiratory problems and even cancer. The traffic at the ports is a significant reason why New Jersey continually fails to meet federal air standards and ranks among the worst regions in the nation for smog.

Diesel emissions are “widely recognized as one of the most serious problems affecting our air,” said Bill O’Sullivan, director of air quality for the state Department of Environmental Protection, which has been in talks with the Port Authority about a clean diesel program. “The ports are a significant contributor.”

New Jersey officials are looking at the ports in Los Angeles and Long Beach, Calif., where rigs made before 1989 are banned from hauling cargo containers. All diesel trucks without particulate filters will be banned by 2012.

Authority officials said a ban may be inevitable here as the agency tries to reduce emissions at its New Jersey ports. Environmental advocates and labor unions are lobbying for such a plan.

“Obviously, we’re looking at that within an entire plan” to clean the ports, said Steve Sigmund, chief of public affairs for the agency. “I can see the Port Authority adopting a significant [clean air] strategy at the ports, but I wouldn’t make a specific commitment” on a ban.

The area around the ports is filled with soot-spewing trucks throughout the day. Backups often occur from 7 to 9 a.m. when most port vendors open for business and trucks are allowed to idle under state law.

More trucks than ever are coming into Newark and Elizabeth’s ports because the number of containers that are shipped to New Jersey has reached record highs, authority officials said. Truck trips jumped 23 percent — from 7,800 per day in 2005 to 9,600 in 2006, the latest year that statistics are available. The number of containers reached 2.6 million in 2007.

In addition to the trucks, diesel-powered cargo equipment and on-site vehicles alone are estimated to produce more than 100 tons of soot this year, according to DEP projections.

These fine particles can lodge deep into lungs causing respiratory problems especially in children and the elderly.

State officials estimate that 2,000 tons of diesel soot produced annually in New Jersey causes upwards of 1,000 premature deaths a year and 68,000 asthma attacks, especially in children and the elderly.

Diesel retrofits costly

Unlike gasoline vehicles, most diesel trucks built before 2007 do not have emission filters. The DEP is requiring school buses, garbage trucks, NJ Transit buses, privately owned buses and publicly owned construction equipment to be retrofitted with new ventilation systems or filters to capture soot.

State officials estimate that as many as 150 premature deaths would be avoided annually with these measures.

But 80 percent of diesel rigs in New Jersey — including those that go to the ports — are not required to have that retrofit. And they aren't likely to do that on their own: Putting on those filters costs \$3,000 to \$7,000, depending on the size of the truck. Many truckers are independent contractors and don't have that money, labor leaders say.

“We're one of the leader states in the country to address diesel, but there's still a lot to do,” said O'Sullivan, who hopes a \$500 million proposal to retrofit diesel engines stays in President Obama's \$800 billion stimulus package. “We still need thousands more to be retrofitted.”

Much of the emission problem surrounding the trucks occurs outside the port.

All vehicles in New Jersey are prohibited from idling for more than three minutes unless they are stuck in traffic. So trucks waiting to get into the port do not have to shut off their engines, authority officials said. Once inside, trucks have to shut down while waiting to pick up cargo. Authority officials said they don't keep track of how long trucks sit idling.

“If they had a more efficient system of dispatching the drivers when the load is really ready, they wouldn't be running their engines so long,” said Amy Goldsmith, director of the New Jersey Environmental Federation and chairwoman of the Coalition for Healthy Ports, a national organization pushing for the ban. “The system shouldn't be set up that their waiting for loads.”

Incentives are option

Some of Newark's residential and recreational areas near the ports have elevated levels of diesel soot, according to a 2006 study by the advocacy group New Jersey Environmental Federation.

“We have a large number of asthmatic children in this community and it comes from the diesel emissions,” said Ana Baptista, of the non-profit Ironbound Community Corp. “The trucks come right through our neighborhood.”

Authority officials say they have made significant upgrades at the ports, including \$600 million in recent years in expanded rail service to reduce the dependency on trucks. The authority estimates that its ExpressRail ships 400,000 cargo containers a year and will take one million by 2011, reducing the number of truck trips by 700,000 a year.

Despite the upgrades, state officials say the authority should do more. Last year, the New Jersey Clean Air Council made a number of recommendations including:

- * Limiting port access to “clean” trucks.
- * Giving an incentive through the authority for truck companies to retrofit their fleets with diesel particulate-matter traps.
- * Extending port hours to alleviate waiting lines at the gates.
- * Creating more locations for trucks to wait, with technology that allows rigs to plug into power and other services that would allow drivers to turn off their engines.

Authority officials said they are reviewing the recommendations.

Along with soot, diesel-fueled vehicles also emit more nitrogen oxides and hydrocarbons — the main components of ozone, which causes smog — than gasoline-powered cars and trucks.

North Jersey ranks among the nation’s worst in air quality. From 2006 to 2008, it averaged 90 parts per billion of ozone. The new national standard is 75 parts per billion.

“If the state wants to get in compliance with [federal air standards] something has to be done with the ports,” Goldsmith said.

Scientists agree that cleaner trucks will help prevent soot. But it may make only a small dent in the region’s overall air quality, much of which is generated from Midwest coal plants and traffic — including many of the 10,000 New Jersey port trucks — on the Route 95 corridor.

“If we had a switch that could turn off all the emissions in New Jersey, we would still violate the standards,” said Ray Werner, EPA branch chief for air programs.

“The contribution of the other states is so large that it can overwhelm a state like New Jersey,” Werner said. “That’s not to say New Jersey shouldn’t do anything to curb its pollution. It adds to the [poor] air quality.”

Labor has key role

Although the ports in Southern California have stopped older trucks from entering since Oct. 1, a key component of their plan has been stalled.

The Federal Maritime Commission has held up the collection of a \$35 container tax that was going to be used to fund the replacement of older trucks.

At issue is a provision adopted by the Port of Los Angeles that requires all trucking firms to hire drivers as employees rather than allow them to be independent contractors. Long Beach made no such requirement.

Environmentalists and the Teamsters union say the employment issue is essential to cleaner ports in New Jersey. They argue that independent drivers, many of whom own their own trucks, cannot afford to buy a new truck or retrofit an old one. Trucking companies have the means to do so, they said.

The Teamsters are a significant force behind the measure because independent truckers are not allowed to join the union. But as employees of a truck company, they are allowed to organize under federal labor law, said Christina Montorio, a Teamsters spokeswoman.

The American Trucking Association, which favors the clean truck requirements, disagrees and has gone to court to overturn the employment provision. The Federal Maritime Commission has done the same.

“The truck requirement is there whether drivers are employees of a company or are on their own,” said Clayton Boyce, an association spokesman. “We’re in favor of trading out the old trucks and getting the newer ones in. We’re in favor of the [replacement] schedule. But it’s ridiculous to force owners to become employees. It’s going to force them out of the trucking business.”

Environmental advocates want to see New Jersey’s ports adopt similar employment requirements.

“We’re not bringing up a labor issue just to have a labor issue,” Goldsmith said. “Drivers don’t have access to capital and resources to get low-interest or any kind of loans to get new, cleaner trucks. These are drivers making \$7 to \$10 an hour. Imagine if they had to pay an extra \$1,000 a month to upgrade. We would get nowhere.”

Authority officials said they wouldn’t comment on the labor issue, but Executive Director Christopher Ward said in October that the agency has to be “careful about” it because “we perhaps have a higher number of independent truckers” than the Southern California ports.