

## **Environment and Energy**

Seaports strive to be good neighbors by helping to protect habitat, reduce air emissions, and guard water quality to ensure the health of coastal communities and ecosystems. Many of these improvements relate to alternative energy use, and ensuring sustainability of new energy technologies and fuels is an important goal.

### **Diesel Emissions Reduction Grants**

While trade yields tremendous economic benefits for the port community, as well as for local, state and federal governments, it can impact the air quality in and around port communities. Reducing air emissions continues to be a high priority for ports, especially in areas where a port plans to expand, is located in a National Ambient Air Quality Standards non-attainment area, or is close to residential communities.

Diesel engines are often in use in port operations in vessels, trucks, yard equipment, cranes and train locomotives that transport our nation's imports and exports. The Diesel Emissions Reduction Act (DERA) grants, authorized by Congress in 2005 as part of the Energy Policy Act, are part of the Environmental Protection Agency's (EPA) Clean Diesel Campaign. Since 2008, EPA has funded nearly 60,000 pieces of clean diesel technology through the National Clean Diesel Campaign. These technologies include emissions and idle control devices, aerodynamic equipment, engine and vehicle replacements, and alternative fuel options. As stipulated in the Act, 70 percent of DERA funds are to be used for national competitive grants, with the remaining 30 percent allocated to the states.

Ports use these grants through a variety of programs including the Clean Truck programs, retrofitting or replacing yard equipment, installing shore power for vessels at docks, and retrofitting dredges and tugs. Port projects are truly multimodal; making improvements in highway, dock, water and rail emissions. In

December 2013, EPA recognized the value of this program to ports by making available an additional \$4 million solely for projects to improve air quality at marine and inland water ports. In 2014, EPA provided similar funding for ports.

Funding for this program, however, has not met the goals established in the 2010 Congressional reauthorization, which calls for the DERA program to be funded through 2015 at \$100 million per year. The current funding level is \$30 million, 70 percent less than the authorized level. AAPA strongly supports a funding level of \$100 million for this program. This program is not only important for air quality, but it creates numerous U.S. jobs, as many of the diesel equipment manufacturers assemble this equipment in the U.S. AAPA also calls for EPA to increase the number of verified technologies available for non-road marine and locomotive engines. This program will also be helpful to ports once the new ozone standards go into effect.

### **Stormwater Runoff**

Ports are subject to federal, state and local stormwater requirements to manage the water runoff from their facilities. Under federal law, transportation facilities must either obtain National Pollutant Discharge Elimination System (NPDES) permit coverage (often managed at the state level) or submit a no-exposure certification form for stormwater associated with their operations. If new construction is planned, a separate stormwater permit is needed.

AAPA would like to ensure that all EPA regions are consistent in carrying out federal laws, including

interpretation of the law in relation to enforcement actions. AAPA would also like to see more research into the types of contaminants at ports that are of concern and ways to mitigate or treat this pollution. Special emphasis should be on research related to copper and zinc and use of models to determine maximum daily loads allowable for waterways adjacent to seaports.

## **Sustainability and Energy Use**

Ports have made and will continue to look for ways to improve the sustainability of port operations. In the environmental arena this has often included use of alternative energy. Ports are encouraging use of and developing programs to employ alternative fuels, such as electricity, fuel cells, solar power, wind energy, and more recently, liquid natural gas (LNG). While this can result in significant improvement in air quality and less reliance on traditional energy, there is concern regarding the infrastructure needed to sustain these alternatives once the technology is employed.

Issues of concern include electric grid sustainability and ability to access energy in times of an emergency (terrorist, man-made or natural disasters). AAPA encourages greater federal focus on the ability of ports to play a role in the nation's energy efficiency program.

Ports find value in federal incentives for replacing and improving outdoor lighting, installing energy efficient roofing and HVAC equipment, installing solar and wind energy systems, and installing alternative energy systems (e.g., electric and LNG) for trucks, vessels and trains. In regard to sustainability in times

of crisis, AAPA encourages federal programs to allow grants to be used for energy sustainability at ports.

## **Ocean Health and Planning**

Ports rely on the oceans as water transportation routes for vessels transporting goods to and from this nation. Ports share this resource with other stakeholders — fish and ocean creatures, fishermen, wind energy companies, sportsmen and tourists. AAPA will continue to monitor and participate in activities related to the National Ocean Policy, including ensuring the protection of navigation and working waterfronts. We also encourage public ports to participate in regional planning bodies to ensure port interests are well represented in regional plans.

## **Ballast Water**

AAPA supports a strong ballast water management program to reduce the risk of invasive species in our navigable waterways. Currently, both EPA and the U.S. Coast Guard have regulations in place through two different statutes, and they are not fully consistent regarding compliance. This may become a problem if the technology is not available when the new requirements go into place in the next few years. AAPA calls for a uniform federal program, including pre-emption of varying state laws. Widely varying state requirements for the operation of vessels involved in international or interstate trade can adversely affect the competitiveness of the U.S. port industry and create compliance challenges for the commercial shipping industry.

*March 2015*