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**Contact:** Paul Karr, 917-208-5155 (East Coast)  
Valerie Lapin, 650-455-3300 (West Coast)

[www.cleanandsafeports.org](http://www.cleanandsafeports.org)

[www.oakland.cleanandsafeports.org](http://www.oakland.cleanandsafeports.org)

[www.healthyports.org](http://www.healthyports.org)

## **Top American Port Official Presses Washington to Amend Outdated Law; Congressional Action Would Help Protect Comprehensive Local Initiatives that Improve Air Quality and Spur Green Job Growth**

### **New York-New Jersey Port Authority Echoes Big-City Mayors, Environmental-Labor Groups' Federal Push for Local Officials to Have Real Power to Clean Up Diesel Truck Pollution**

NEWARK – A broad environmental-labor coalition fighting to protect the nation's most successful diesel truck emissions-reduction model – the LA Clean Truck Program – got a boost in their appeal to Congress from the head of America's second largest regional trade complex last week. Port Authority of New York & New Jersey's Executive Director Chris Ward called on federal lawmakers to remove any doubt that U.S. seaports possess the regulatory power to enforce strict operational standards on the trucking industry to improve air quality, public health, safety and security.

"We are also working on the FAAAA bill to find additional federal regulations that would allow us to use effective regulatory tools," Ward said at a press conference, referencing a push that major port-city mayors on both coasts have led to modernize outdated statutes of the 1980 federal motor carrier act. "We're committed to a national strategy along with the Port of LA," he added.

Acknowledging "this is a first step, but it is not the last," Ward made the announcement while unveiling a phased-in truck replacement plan to ban dirty trucks built before 1994 – 636 rigs of the 7,000 trucks operating at New York and New Jersey terminals – effective January 1, 2011.

An alliance of thousands of port drivers coast to coast and over 100 environmental, public health, community and labor organizations as diverse as the Sierra Club, the Teamsters, the Coalition for Clean Air, the Church Council of Greater Seattle, and the Haiti Solidarity Network of the Northeast said the Port Authority must do more to address driver inequity and public health concerns, but praised officials for taking this important first step to reduce deadly emissions and for publicly committing to seek legislation that would protect strong clean truck initiatives nationwide. The growing "blue-green" port effort was featured in the [New York Times](#) last month.

A Beltway-based trucking association is spending millions to temporarily block the Port of Los Angeles' comprehensive [EPA award-winning truck replacement program](#) in court, and has hamstrung other major American ports from enacting the diesel pollution clean-up model deemed far more fiscally responsible and environmentally sustainable by economists and elected leaders.

In the meantime, affected drivers at polluted ports nationwide – precariously hired and exploited under the guise of "independent contractor" – will be required to assume massive debt to purchase new trucks in order to keep their jobs. These individual loans, subject to qualification and good credit scores, will be subsidized by hundreds of millions in taxpayer-funded and port grants. Misclassified port drivers only earn \$10-11 an hour, according to a recent [Rutgers study](#).

“I earn less than \$2,000 a month, how can I take out a loan for a truck that costs \$100,000 and pay my rent?” asked Daniel Ortiz, a New Jersey driver who owns a 13-year-old diesel truck and longs to be employed by a company who maintains a clean fleet. “My son wants to be a truck driver like me, but if the companies don’t invest in the green trucks, will he have to buy himself into this industry?”

Air quality, public health and workers’ rights advocates in LA, Oakland, Seattle, Newark and Miami and elsewhere want Congress to ensure antiquated laws do not allow the deep-pocketed shipping and trucking industries to get a free ride while low-wage workers and taxpayers foot the bill to meet air quality regulations. Instead, the coalition supports new port standards that transfer responsibility for truck ownership and maintenance from drivers to capitalized companies. In return for complying with environmental standards, legitimate trucking firms can receive incentives or subsidies to jump start the transition to cleaner diesel and the cleanest low-carbon alternative-fuel technologies. The Port of Los Angeles implemented its Clean Truck Program in October 2008, which includes these important financial responsibility requirements.

However, the American Trucking Associations, a group opposed to climate-change legislation, challenged the landmark LA plan and stalled its full implementation. Southern California trucking companies accustomed to three decades of lax regulation have since pushed the cost of over 6,000 clean vehicles – and their maintenance – back onto their drivers, jeopardizing emissions controls.

That experience prompted the Port of Oakland to formally adopt a resolution calling on Congress to amend federal law to remove any doubt that officials have the legal authority to address the market failures that have spiked public health and poverty statistics to crisis proportions and have earned America’s seaports the notorious reputation as the place “where old trucks go to die.”

“Our nation’s ports need the tools to protect public health by holding industry accountable to a more responsible means of transporting goods,” said Port Commission President Victor Uno. “Unless Congress brings transportation law into the 21<sup>st</sup> Century, we will fail to permanently reduce the toxic diesel pollutants that are contributing to serious illnesses such as asthma and cancer amongst children, port drivers and residents.”

Coalition partners are embracing the outspokenness of elected leaders and port officials across the country on comprehensive initiatives that improve air quality and create good, green U.S. jobs.

“Diesel port trucks poison the air and make residents sick. Until the industry pays to clean up pollution it spews, vital job-creating expansion projects will remain frozen,” said Amy Goldsmith, director of the New Jersey Environmental Federation. “We applaud port officials who are joining Mayors Bloomberg, Booker, and their counterparts in Los Angeles, Oakland and Seattle [in the call for Congress](#) to help protect innovative solutions our cities need to protect public health.”

New Jersey residents face the nation’s second greatest cancer risk from diesel soot in the nation, with Newark’s school children experiencing a 25 percent asthma rate, double the state and national average, in large part due to port pollution. Nationwide, some 87 million Americans live in port communities that violate federal air quality standards.

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*The **Coalition for Clean & Safe Ports** is a partnership of environmental, public health, community, labor and faith organizations that promote sustainable economic development at West Coast ports. We are working to make the port trucking system a less polluting, more competitive generator of good quality jobs for harbor-area residents. The **Coalition for Healthy Ports** is the sister alliance working to create cleaner, greener ports in New York and New Jersey. We are over 100 organizations strong nationwide.*