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Environmental-Labor-Community Alliance Calls on Oakland Port to Adopt Clean Air Plan Now: further delays put Oakland children at continued health risk
Coalition to Rally at Next Port Commission Meeting

A Statement on the Oakland Port's lack of action to clean up Port generated air pollution by Coalition for Clean & Safe Ports partner, Diane Bailey, Senior Scientist Natural Resources Defense Council

October 1, 2008 -- *Today, marks an historic milestone as the oldest, dirtiest, diesel rigs are banned from Southern California Ports. The Port of Los Angeles has commenced implementation of the nation's first comprehensive Clean Trucks Program. Diesel truck emissions that contribute to cancer and asthma will be dramatically reduced overnight. But in Oakland, the absence of a similar program means residents and workers will not be protected from diesel pollution related illnesses. The following statement is from Diane Bailey, Senior Scientist, Natural Resources Defense Council, on behalf of the Coalition for Clean & Safe Ports, an alliance of more than 80 environmental, public health, faith-based, community and labor organizations:*

For nearly two years, the Port of Oakland has been studying the broken Port trucking system that causes truck drivers to toil in unsafe working conditions and the surrounding community to suffer a staggering health toll from the pollution. But to date, the Port has done nothing but miss deadlines and break promises in the face of asthma rates of one in five among West Oakland children and thousand-fold elevated cancer risks among truck drivers. With the new State clean air standards on the horizon, the Port's inaction is creating a financial crisis for low-paid Port truck drivers who cannot afford clean up costs. This inaction will likely result in a combination of loss of jobs for drivers who cannot afford to meet the standards and failure to meet the clean-up goals, robbing the community and drivers of health improvements and livelihoods. Given the [veto by the Governor of the State container fee bill](#) yesterday, local solutions to port infrastructure and pollution problems are that much more important.

Today, the Port of Los Angeles is taking bold action that will cut negative public health impacts from trucks by fifty percent. The Port of Oakland should stop wasting time and quickly follow suit to get these deadly diesel-spewing trucks off Oakland's roads for good. We will do everything we can to bring clean air and good jobs to the Port of Oakland.

What: Protest Against the Oakland Port's Inaction on a Clean Air Plan

When: Tuesday, October 7, 2008 at 3:30pm
Prior to the next Oakland Port Commission Meeting

Where: Oakland Port Commission Building
530 Water Street (between Clay & Washington), Oakland

Visuals: Demonstrating environmentalists, community leaders, public health advocates, union members, clergy and port truck drivers.

Next Steps for the Port of Oakland

The Port hired a consultant to conduct an Economic Impact Analysis with a deadline to present the findings in December. With two years of study and the L.A. model as an example, there is no excuse for further delay. CC&SP believes that ***the Port should bring a policy forward for a vote by the Commission in January.***

The CC&SP proposal would rightfully require multi-billion dollar corporations that benefit from goods movement like Wal-Mart, Target, and Home Depot, to pay the cost for cleaning up the pollution they create. *Replacing the broken independent contractor system with an employee-based business model for port trucking will take the burden of paying for clean trucks off the backs of the truck drivers and taxpayers and put it squarely where it belongs: with companies who can afford to buy new equipment.* The industry has squeezed out profits from impoverished port drivers and has stuck the public with the bill for too long. Their effort to preserve the status quo and foot dragging by the Port is putting children and vulnerable residents in West Oakland and the I-880 corridor at risk.

Background

In July, 2008, Mayor Ron Dellums participated in a rally in downtown Oakland and pledged to cheering port drivers and their clean-air advocates that Oakland would be next in line to adopt a comprehensive Clean Trucks Program. Mayor Dellums was joined at the rally by L.A. Mayor Antonio Villaraigosa, California Attorney General Jerry Brown, State Treasurer Bill Lockyer, Assemblymembers Loni Hancock and Sandré Swanson and Port of Oakland Commissioners Margaret Gordon and Victor Uno among others.

New State clean truck standards issued by the California Air Resources Board (CARB) will go into effect next year. In a well-intentioned effort to assist truck owners in meeting the standards, the Bay Area Air Quality Management District (BAAQMD) and (CARB) are working to provide incentive funding through a voluntary Port Truck Retrofit and Replacement Program, with additional funding from the Port. The program will provide port truck owners of diesel-spewing 1994-2003 rigs with one-time subsidies for new trucks or retrofit devices that filter out exhaust.

Because of its failure to enact a comprehensive Clean Trucks Program, the Port is placing responsibility for purchasing retrofits and replacement trucks on low-income drivers who make on average \$30,000 a year -- making it extremely difficult to attain the clean air goals. The cost of a retrofit filter and installation is estimated to be \$15,000 - \$28,000. With a maximum grant available of only \$15,000, most port drivers will have to pay thousands of dollars out of pocket for this option. If a driver decides to apply for a new replacement truck grant, that grant will only cover up to \$50,000. Since new trucks cost over \$100,000, a driver would have to pay at least \$50,000 out of pocket.

During this downturn in the economy, with skyrocketing diesel fuel prices, drivers currently participating in this program are now borrowing money in order to keep their trucks on the road and to meet the grant program requirements. *The Port's failure to act is forcing truck drivers to choose between onerous debts or leaving the Port all together.* How will the Port operate without experienced truck drivers to haul goods?

Missed Deadlines and Broken Promises

In February, 2007, with the help of a stakeholders committee, the Port of Oakland began to develop a Comprehensive Truck Management Program (CTMP). In October 2007, after months of stakeholder outreach and meetings, the Port put forward a draft proposal for a CTMP that addressed the structural problems in the port trucking industry and, if implemented, would have created a ~~green~~ green, sustainable, and equitable port trucking system.

Unfortunately, after raising community and stakeholder expectations, the Port failed to act on the plan presented, and with little explanation the entire CTMP process was put on hold. No items or reports were brought forward to the Port Commissioners.

In April 2008, after six months of inaction, the Port re-convened the CTMP stakeholder committee and proposed to replicate the same planning process that had taken place throughout 2007. Amid poor explanations of why the work undertaken over the last year was insufficient, several stakeholders heavily criticized staff for ~~re~~inventing the wheel.+

The Port has failed to meet critical deadlines during the entire process. In a report to Port Commissioners dated June 7, 2007, staff put forward a timeframe for the Truck Plan; they have missed every deadline.

Action Items	Timeframe	Result
Develop Clean Truck Program	30 . 45 days	MISSED
Develop Trucker Data Base	120 . 180 days	MISSED
Develop Draft Truck Management Program	1 year	MISSED

Five months later, on October 16, 2007, staff presented another timeline:

Action Items	Timeframe	Result
Develop Clean Truck Program	Jul - Nov 2007	MISSED
Implementation Design for Clean Truck Program	Nov 2007 . Mar 2008	MISSED
Develop Truck Logistics Program	Feb . May 2008	MISSED
Implementation Design for Clean Truck Program	May . Jul 2008	MISSED

After reconvening the CTMP in 2008, staff introduced a new timeline in May:

Action Items	Timeframe	Result
Send CTMP Design and Components to Board of Port Commissioners	Jul 15, 2008	MISSED
Truck Industry Forum	Sep 2008	MISSED
Truck Industry Forum	Oct 2008	MISSED

The Port is hiring a consultant to perform an Economic Impact Analysis. Unfortunately, the Port has also failed to meet the proposed timeline in the Request for Proposals:

Action Items	Timeframe	Result
Selection of Consultant and Port Approvals	May 20, 2008	MISSED
Signing of contract and commencement of work	May 22, 2008	MISSED
Completion of work	June 30, 2008	MISSED

Currently, the Port of Oakland has no timeline to complete the CTMP.

The Port of Oakland claims to be seeking a long-term, sustainable solution to cleaning up the port truck pollution that plagues our communities. But the missed deadlines, aborted processes, and lack of action call those claims into question.