

April 29, 2020

Mr. Bob Toy
Vice President Safety and CSO
Union Pacific Railroad
1400 Douglas Street, STOP 1180
Omaha, Nebraska 68179

Dear Mr. Toy:

The California Air Resources Board (CARB) received Union Pacific Railroad's 2019 Fleet Annual Compliance Report pursuant to Section IV.B. of the 1998 Memorandum of Mutual Understanding and Agreements, South Coast Locomotive Fleet Average Emissions Program¹ (Agreement) on March 30, 2020. As required by Part IV(C)(3)(a)(ii) of the Agreement, this letter is to notify you that CARB staff have questions and it appears that Union Pacific's report of CY 2019 locomotive activity is incomplete. Our staff would like to start meeting with you as soon as possible to work together to complete the data set.

Union Pacific's 2019 report shows a substantial drop in total Megawatt-hours compared to all previous reporting years. However, Union Pacific's Class I Railroad Annual Report to the Surface Transportation Board describes fuel consumption that does not align with the reported 60 percent decrease in Megawatt-hours.

Union Pacific provided information in an April 17, 2020 email, regarding the drop in 2019 Megawatt-hours as a follow up to CARB staff inquires. Unfortunately, the potential explanations do not provide sufficient information to verify the accuracy of the reported data. Part (III)(B)(1) of the Agreement specifies that the calculation must include the total Megawatt-hours of each individual locomotive, and Part (III)(E)(2) requires the calculation of fleet average to be based on all data in the railroad's possession.

We would like to continue to work with Union Pacific staff to resolve this issue. According to our Agreement, Union Pacific "shall provide any information needed to correct any incompleteness within 30 days after its receipt of the notice of incompleteness." If you require more than 30 days to provide the information, you

¹ Memorandum of Mutual Understanding and Agreements South Coast Locomotive Fleet Average Emissions Program July 2, 1998 <https://ww2.arb.ca.gov/sites/default/files/2018-06/loco_ft.pdf> Accessed April 28, 2020.

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may request an extension. Our team will reach out to Erica Montefusco to set up a meeting next week if possible. Thank you in advance for your assistance.

Sincerely,



Cari Anderson, Chief
Freight Transport Branch
Transportation and Toxics Division

cc: Ms. Erica Montefusco
Senior Manager Environmental Programs
Union Pacific Railroad
1400 Douglas Street, STOP 1030
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