



FMC Withdraws Clean Trucks Lawsuit Move Ends Key Legal Challenge to Air Quality Program

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The Federal Maritime Commission announced Tuesday, June 16 that it is withdrawing its lawsuit that had sought to block clean trucks initiatives at the Port of Long Beach and Port of Los Angeles.

The move eliminates a challenge to the Port of Long Beach's landmark Clean Trucks Program that already has gone a long way to reduce pollution from area trucks.

"We are pleased that the Federal Maritime Commission has decided to drop its challenge against a key component of our important environmental efforts," said Port of Long Beach Executive Director Richard D. Steinke. "Today's decision by the commission helps ensure that the Clean Trucks Program will continue to improve air quality in the Long Beach community."

In a motion filed Tuesday with the U.S. District Court in Washington D.C., the FMC asked to withdraw the lawsuit. The FMC sued in October 2008, challenging certain aspects of the ports' clean trucks concession agreements. In April, the judge in the case denied the FMC's request for a preliminary injunction.

The Long Beach Clean Trucks Program progressively bans older trucks, replacing them with newer trucks that will reduce air pollution 80 percent by 2012. The program is already ahead of schedule with about a third of all port trucks (about 4,500) meeting required strict EPA 2007 standards. By 2010, the remaining 8,000 or so older trucks will be replaced or retrofitted.

In April, the Board of Harbor Commissioners revised the Clean Trucks Fee to encourage more private investment in cleaner trucks.

A separate lawsuit by the American Trucking Association is still pending, challenging the Long Beach and Los Angeles concession programs.

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