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Subject: Inclusion of the Railpower Green Goat Hybrid Locomotive 40 CFR 92  
Averaging, Trading, and Banking

Gentlemen:

Thank you for getting back to me earlier this week. After my conversations with Anthony, Chuck, and Alan, I went carefully through the CFR text to see what changes would need to be made to allow Railpower Green Goats to participate in the ABT program under Part 92. To my surprise, it appears that the only change needed would be to add a provision allowing locomotives propelled by engines less than 750 kW to "opt in" to Part 92 instead of Part 89. I suggest adding the following sentence to the end of the definition of "Locomotive" in Section 92.2:

"The manufacturer or remanufacturer of a vehicle propelled by an engine rated less than 750 kW, but that otherwise meets all the requirements of this definition may elect to have it treated under this part rather than under Part 89 by giving written notice of such election to the Administrator. All of the provisions of this Part shall apply to vehicles for which such an election is made."

I understand that Alan is already developing a package of technical amendments to the Part 92 text. I anticipate that this change would be noncontroversial, and could thus appropriately be included in that package.

Of course, some changes will also be needed in the emission test procedure to reflect the differences between a conventional locomotive and a diesel/battery hybrid like the Green Goat. However, this possibility is already provided for in Section 92.207(a) "*Establishment of Special Test Procedures by EPA*". Therefore, no further changes are needed in the regulation itself. I am developing the outline of a special test procedure to address the unique features of the Green Goat, and expect to have that ready to discuss with you soon.

My colleagues and I would like to arrange a meeting with you and other interested EPA staff in order to present more information on the Green Goat, to answer your questions, and to discuss the issues involved in the emissions test procedure and the development of a protocol for quantifying Green Goat emission reductions in the NOx SIP Call trading program. Please let me know when you could be available for such a meeting, and whether it would be more convenient to hold it in Washington or in Ann Arbor.

I look forward to talking to you soon.

Best regards

Christopher Weaver, P.E.  
Vice President, Emissions