



City of Emeryville

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OFFICE OF THE MAYOR

1333 Park Avenue, Emeryville, CA 94608-3517
t (510) 596-4300 | f (510) 596-4389

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Philip Fine, Ph.D.
Bay Area Air District
375 Beale Street #600
San Francisco, CA 94105

Dear BAAD Directors and Staff,

We urge the Air District to fully exercise its permitting, regulatory, and enforcement authority to prevent increased fine particulate matter (PM 2.5) emissions from coal transport through the planned Oakland Bulk and Oversized Terminal (OBOT). Coal shipment to and through a facility adjacent to the Bay Bridge Toll Plaza would significantly harm the health of Bay Area residents, both in the immediate vicinity of the facility and all along the rail route from Martinez, through Emeryville, to Oakland.

Developer Phil Tagami and Hedge fund operator Jon Brooks intend to build the OBOT terminal in West Oakland. The proponents have indicated that the terminal will receive shipments of coal on rail lines, store the coal, and then transfer the coal onto ships for export. This coal would be transported to the terminal along a Class 1 rail line serving the port and the most direct and most likely route is the Union Pacific rail line running through Emeryville.

In a peer-reviewed study published in *Air Quality, Atmosphere & Health* (March 2023)¹, Dr. Bart Ostro concluded that “shipment of coal by train [...] represents a significant public health hazard.” Coal handling has been shown to significantly increase ambient fine particulate matter (PM_{2.5}) and coarse particulate matter (PM₁₀). These emissions can arise from operations such as the loading and unloading of cars, and the transfer of material between unloading, storage, and loading. Another source of emissions is the storage of materials in piles or silos, particularly in high wind conditions.

The health effects of PM_{2.5} are well-documented. According to the U.S. Environmental Protection Agency, small particle pollution can affect human health and especially the heart. Numerous studies have linked particle pollution to premature deaths, nonfatal heart attacks, irregular heartbeats, aggravated asthma, decreased lung function, and increased respiratory symptoms, such as irritation of the airways, coughing or difficulty breathing.² Inhaling fine coal dust has been directly linked to increased asthma rates, chronic bronchitis, emphysema, and reduced lung capacity. Adverse health effects can range

¹ <https://www.sciencedirect.com/science/article/pii/S0013935124006911>

² <https://www.epa.gov/pm-pollution/health-and-environmental-effects-particulate-matter-pm>.

from minor respiratory symptoms or work loss to severe consequences including asthma and heart attacks, adverse birth outcomes, emergency room visits and hospitalizations, and neurological and cognitive impacts.³

The City of Emeryville's Land Use Section of the General Plan shows the rail line running through High-Density Residential areas, Mixed-Use/Residential areas, Park/Open Space Areas, Office/Technology areas, and Regional/Neighborhood Retail areas. Figure 2-2 and 2-6 maps show that the entire City of Emeryville is within one mile of the rail line, except the Marina Park area at the end of Powell St. The highest density areas are within 2400 feet of the rail line. As a result, the population of Emeryville would be highly exposed to toxic dust if it were to escape from trains passing through the city.

For this reason, on April 14, 2016, the Mayor of Emeryville co-signed a letter along with the mayors of ten neighboring cities⁴ stating that coal should not be allowed to be shipped from the former Oakland Army Base. Subsequently, on March 15, 2016 the Emeryville City Council passed a resolution opposing the shipment of coal through the OBOT under development at the former Oakland Army Base and stating that "coal burning stands in direct conflict with the City of Emeryville's Climate Action Plan"⁵.

The Air District is a Responsible Agency under CEQA that will rely on existing environmental impact reviews in making a permitting decision with respect to OBOT. However, no agency has yet undertaken a review that examined the environmental impacts associated with the handling and storage of coal and petcoke at the proposed OBOT terminal, and the most recent environmental review was undertaken in 2012, before the OBOT developers acknowledged that coal would be transported through the site. The City urges the Air District, in evaluating any application for an air permit for the OBOT terminal, first perform a comprehensive review of all potentially significant environmental impacts of the projected coal handling, as part of a full, up-to-date Environmental Impact Report under the California Environmental Quality Act (CEQA).

The City urges the Air District to ensure that any air permit it issues to the OBOT facility fully protects Oakland and other Bay Area workers and residents from exposure to dangerous coal and petcoke emissions. Furthermore, the City urges the Air District to adopt measures that would strengthen regulation of coal and petcoke as components of fugitive dust.

These measures should include, but not be limited to:

- Set stringent emissions limits aligned with the West Oakland and Richmond Community Emissions Reduction Plans;

³ See, e.g., Hendryx, M., Zullig, K. J., & Luo, J. (2020). Impacts of coal use on health. *Annual Review of Public Health*, 41(1), 397–415. <https://doi.org/10.1146/annurev-publhealth-040119-094104> (linking coal dust exposure to a wide spectrum of health issues, including cardiovascular diseases, respiratory illnesses, and birth defects)

⁴ <https://evilleeye.com/news-commentary/politics/emeryville-among-eleven-east-bay-cities-opposing-transport-coal-oakland-terminal/>

⁵ <https://emeryville.legistar.com/View.ashx?M=F&ID=4297083&GUID=18450B6E-B896-4C5C-9AF3-8FEDC7716E86>

- Cap the total volume of coal handled, especially if any Powder River Basin coal is involved;
- Hold the developers to their own proposed mitigation measures that were persuasive to Judge Chhabria, including requiring enclosure of the entire facility, covered rail cars, surfactants, “*bottom-release rail cars to unload the coal into underground dust collection systems, and [...] enclosed conveyance systems with dust control technology*” (Chhabria, 21);
- Deploy comprehensive baseline air monitoring well before construction, ideally in partnership with residents, schools, and community institutions;
- Require all terminal machinery to be zero-emission;
- Require zero-emission locomotives for all local rail movements; and,
- Implement strong enforcement measures ranging up to immediate shut-down for excessive emissions and strict remediation deadlines.

We urge the Air District to evaluate each OBOT permit application with the utmost care and to include regulatory conditions that reflect (1) the best available emission reduction technology; (2) developer plans and commitments that were instrumental in convincing a federal district court judge to allow OBOT to handle coal; (3) the large population that will be exposed; and, (4) existing cumulative pollutant burdens and community vulnerabilities. Bay Area residents are counting on the District to protect our health and safety.

Sincerely,



Sukhdeep Kaur
Mayor
City of Emeryville