

## Clean Truck Program

### Lease Amendment

New section

#### 1. Environmental compliance

Lessee will comply with Northwest Seaport Alliance (“NWSA”) Tariff item no. \_\_\_\_\_. In the event the Northwest Seaport Alliance dissolves, Lessee will continue to comply with this tariff item until Lessor notifies Lessee that the applicable [POS or POT] tariff item will apply in place of NWSA tariff item no. \_\_\_\_\_.

### Tariff

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In accordance with the NWSA’s desire to achieve the air quality goals described in the Northwest Ports Clean Air Strategy, the NWSA seeks to reduce diesel emissions from drayage truck operations at its cargo terminals.

The NWSA needs to maintain an accurate count of Drayage Trucks calling at its international marine cargo terminals to monitor air quality in the community and help optimize operations that boost terminal efficiency and further reduce fuel consumption. The NWSA will therefore require all Drayage Trucks entering into a NWSA international marine cargo terminal to register with the NWSA in accordance with the terms of this Tariff.

International marine cargo terminal operators that have incorporated this tariff item into their leases or use agreements (“MTOs”) will comply with the following provisions:

#### 1. Definitions

Drayage Truck: Any truck used to dray (transport) cargo, bare chassis, empty containers, and flatbeds.

#### 2. Clean truck program

A. All Drayage Trucks entering an NWSA international marine cargo terminal must register with the NWSA on or before April 1, 2018, or sooner pursuant to tariff revision, subject to the following conditions:

(1) Drayage Trucks with pre-2007 model year engines may not register after April 1, 2018;

(2) Drayage Trucks with a 2007 model year engine or newer, or have emission controls that achieve the equivalent level of air quality, that are calling at NWSA international marine cargo terminals after April 1, 2018 for the first time, may register after April 1, 2018.

B. After April 1, 2018, or sooner at the sole option of the NWSA, NWSA international MTOs and users will not allow unregistered Drayage Trucks or Drayage Trucks with pre-2007 model year engines onto their cargo terminals. International MTOs and

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users will turn away Drayage Trucks that do not comply with these provisions. Such MTOs and users may request the NWSA to assist turning away non-compliant Drayage Trucks. If the NWSA agrees to provide the requested assistance, the NWSA will follow commercially reasonable instructions, issued by the MTOs or user, which are needed to carry out the purpose of this Clean Truck Program.

- C. Drayage Trucks with emission control technology equivalent to a 2007 model year engine must submit verification of efficacy to the NWSA.
- D. Drayage Trucks with a 2007 model year engine or newer, or have emission controls that achieve the equivalent level of air quality, may continue to enter NWSA international marine cargo terminals.
- E. The NWSA will provide the equipment and mechanisms, which may include personnel, to enable the MTOs and users to identify Drayage Trucks that comply with the standards of this Tariff Item. International MTOs will integrate the NWSA-provided equipment, mechanisms, and software into their terminal operating systems and/or gate operating systems. Upon installation, the MTO is responsible for ongoing repair and maintenance of the NWSA installed equipment and mechanisms. The international MTOs or users will grant access to the NWSA to install gate access equipment and mechanisms upon thirty (30) day's prior notice
- F. International MTOs and users will grant electronic access to NWSA, in a format and to include such information acceptable to the NWSA, to review all gate access decisions.
- G. MTOs will procure and install or will cause to be procured and installed the necessary equipment and software to communicate gate access decisions to Drayage Truck drivers seeking access to the terminal.
- H. MTOs will procure, configure and maintain or will cause to be procured, configured, and maintain two (2) switches and two (2) dedicated servers per specifications of mechanisms vendor, and will be housed and supported by tenant IT services.
- I. MTOs in the south harbor will employ a visual method for achieving compliance with the Clean Truck Program standards under this tariff by April 1, 2018, and may apply to the NWSA for reimbursement of the actual costs incurred for this temporary action.