

Warehouses/Indirect Source Rule: Earthjustice Report Addressing E-Commerce



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

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Earthjustice published what it describes as a “Fact Sheet” (“Report”) titled:

Minimizing the Negative Impact of E-Commerce: Why We Need an Indirect Source Rule

The document states:

- Logistics warehouses (“LWs”) are proliferating to address e-commerce requirements
- Because of timing issues LWs are sited closer to population centers
- LWs can exceed several hundred thousand feet in size
- LWs can generate a large number of vehicle trips

The Report expresses concern that such facilities can pose public health, safety, and quality of life impacts which include:

- Each new facility can generate hundreds, even over a thousand, vehicle trips per day, including delivery vans and highly polluting, diesel-emitting trucks.
- These leads to increases in diesel emissions, noise pollution, and impacts on local roadways.
- Increases in asthma, chronic obstructive pulmonary disease, cancer, and premature death related to bad air quality for surrounding communities, schoolchildren, and workers.
- Greater congestion and safety risk for pedestrians and bicyclists.
- Increase in non-union, potentially hazardous jobs, and displacement of high-quality industrial jobs
- Disproportionate impact on low income/minority populations

Earthjustice argues that the use of a Clean Air type “Indirect Source Rule” (“ISR”) may be used in states with poor air quality. In regards to ISR, the Report notes:

When it comes to air pollution, states routinely regulate facilities like power plants and factories that emit air pollution directly. By contrast, the air pollution associated with warehouses is not from the facility itself, but from the trucks and other traffic indirectly associated with their operations. For this reason, a warehouse is an “indirect source” of air pollution. These facilities are generally unregulated—an ISR is a critical tool for states to be able to address these emissions.

The discussion includes a review of New York legislation that has been introduced in regard to ISR and warehouse operators.

A copy of the Report can be downloaded [here](#).