



March 3, 2021

TO: Chair Marsh, Vice Chairs Brock-Davis & Helm, and Members of the House Energy & Environment Committee

RE: YES on HB 2814

FR: Mary Peveto, Founder and Executive Director, Neighbors for Clean Air

My name is Mary Peveto, and I am the Executive Director and Founder of Neighbors for Clean Air. Neighbors for Clean Air is a grassroots advocacy organization with over 3000 members that seeks to protect public health through the reduction of harmful air contaminants.

Thank you for the opportunity to provide comment today in support of HB 2814.

Despite our reputation, Oregon has a legacy of under-protective regulations to control toxic air pollutants, from industry to old dirty diesel engine emissions. In fact, when I sat on the Portland Air Toxics Solutions Advisory Committee from 2009 to 2011, I was confronted with a sobering picture of dangerous air contaminants that my children were exposed to everyday, every breath. I learned that according to EPA data, the most dangerous air contaminant was diesel particulate matter emitted from older engines. The Portland metro area is in the 95th percentile nationally for diesel pollution exposure. And yet, the problem was virtually invisible to the general public and decision makers, but not necessarily to the communities hardest hit by this legacy, whose concerns were often ignored and disputed. This despite Oregon Department of Environmental Quality having strong and detailed data through the Portland Air Toxics Assessment emissions inventory that showed 17 toxics in Portland's air were at levels which increased the cancer risk for people living and breathing in Portland. Additionally, diesel pm levels across the state were estimated to put 90% of Oregonians at risk for cancer, with 23 of 36 counties exceeding the state health benchmark for diesel pollution.

During my ten years of advocacy, I often hear industry lament of the aging data used by the state and advocates to characterize the risk posed by older diesel engines in Oregon. Thankfully policy makers have two very useful, Oregon specific, studies to look to: One the non-road equipment survey published in April 2020 that confirmed that Oregon's equipment fleet is significantly older, with higher emissions rates, than those assumed by federal models. And most recently, EPA funded research in the Portland Metro area has confirmed that 10 years since PATS, diesel PM remains at what the lead researchers, Dr. Linda George, PSU, and Dr. Julianne Fry, Reed College, say are **"very elevated in Portland compared to health benchmarks."** And **"our unequivocal result is that our measurements generally agree with Oregon DEQ modeling [in regard to] diesel particulate matter."**

Unfortunately, to address this significant public health risk, the history of programming in our state is woefully inadequate, lacking prioritized funding and relying solely on



voluntary programs to control diesel emission sources. Even a 2007 school bus law was virtually ignored and children remained in dangerous outdated buses for over another decade, until VW settlement money was allocated to finally clean up the fleet in Oregon. VW money is also to thank for a significant breakthrough in the 2019 session when the legislature passed HB 2007, that would clean up medium and heavy duty trucks registered in the Portland Metro region. While that is a significant milestone in this effort, these trucks only account for 15% of total Diesel PM in the region.

Which is why late in 2019, NCA joined 20 organizations to petition the state to develop an Indirect Source Rule Program. The explicit intention was to address the 74% of diesel pm emissions in the Portland Metro Area that are attributed to non-road equipment and engines. While we were deeply disappointed by the state's decision to not utilize its existing authority and deny the petition, we understood the reasons and addressed them with state lawmakers, specifically the sponsors of this bill, to remedy concerns that were raised in the petition process.

HB 2814 is a targeted tool to get at the most significant sources of dangerous air pollution in our communities. I compel you to act with the same urgency demonstrated when the concern was industrial air emissions. To act to reduce this long-standing public health risk and environmental injustice created by the continued dependency on older diesel engine technology in our state.

Thank you.