



TO: Members of House Committee on Rules

RE: HB 4073 - OPPOSE

My name is Mary Peveto, I am the co-executive director of Neighbors for Clean Air (NCA), a statewide organization that for over 15 years has worked to ensure that every Oregonian has clean and healthy air to breathe. During my time at NCA, I have sat on countless Rulemaking Advisory Committees (RACs), advocating for the often-overlooked communities most impacted by toxic air pollution. This bill would undermine the voices of those who advocate for everyday Oregonians, and for that reason, **we strongly oppose HB 4073.**

From a public health and environmental justice perspective, HB 4073 would structurally disadvantage the very communities that are the most affected by air quality decisions. Air quality rules do not just affect regulated entities, they affect everyone in Oregon. That includes children with asthma, seniors with heart and lung disease, frontline communities living near industrial facilities, and neighborhoods along highways and freight corridors. In many cases, these communities are low-income, communities of color, immigrant communities, and rural residents who already bear disproportionate pollution burdens.

By contrast, the number of regulated entities subject to a particular rule, air quality or otherwise, is often relatively small - specific facilities, operators, or sectors. Yet HB 4073 would require that at least half of a RAC be composed of those regulated industries whenever a rule imposes new requirements or costs. That means the smaller group, the entities contributing to pollution, would be guaranteed equal or greater representation than the far larger population experiencing its impacts. That imbalance has serious environmental justice implications.

Communities most harmed by air pollution already face barriers to participation - limited time off work, lack of technical resources, language access needs, and fewer institutional connections. Regulated industries, on the other hand, often have dedicated compliance staff, legal counsel, and consultants whose full-time job is to engage in rulemaking. HB 4073 does not level the playing field for industry, it codifies in law industry advantage.

In rulemakings, RACs often shape critical details including monitoring requirements, emission standards, reporting thresholds, timelines for compliance, and enforcement



mechanisms. These details determine whether a rule meaningfully reduces pollution or functions largely as a symbolic measure. If RAC membership is dominated by regulated entities, the resulting rules may be diluted, postponed, or constrained in scope, reinforcing rather than remedying longstanding environmental and public health inequities.

Clean air regulations are fundamentally about protecting public health. The people affected by these rules and regulations vastly outnumber the entities regulated by them. Any process that guarantees industry equal or greater representation than impacted communities in rule development shifts the focus away from public protection and toward cost minimization for industry.

Agencies like the Department of Environmental Quality are charged with protecting air quality for all Oregonians. HB 4073 would insert an unbalanced, industry-weighted structure into that process. For these reasons, we respectfully urge the Committee to oppose HB 4073.

Thank you for your time and consideration.