



April 9, 2017

To: Senate Committee on Environment and Natural Resources

From: Kelly Campbell, Executive Director, Oregon PSR

senr.exhibits@oregonlegislature.gov

Testimony in Support of SB 871

Dear Chair Dembrow and committee members,

I write on behalf of Oregon Physicians for Social Responsibility (PSR) and as an individual in support of SB 871, which would allow cities to regulate home demolitions to protect against the serious health hazards of exposure to lead dust. Lead is a potent neurotoxin that can cause irreversible damage to the brain. According to the Centers for Disease Control, there is no safe level of lead in children's blood. Despite the widespread knowledge of the serious health harms caused by lead exposure, a huge regulatory loophole exists when it comes to lead exposure due to building demolition. While contractors and homeowners are required to follow strict guidelines in home remodeling to prevent lead exposure, surprisingly, home demolitions are exempt from any regulations that would protect the neighbors from hazardous lead exposure.

I learned about this loophole first hand, when a developer purchased a home on my block in the Richmond neighborhood of SE Portland in 2016 with the intent to demolish and build a new home. Neighbors on my block became concerned when the developer told the mother of a six-month-old baby who lived next door to the home to be demolished that "maybe she would get lucky and the wind would blow the other way" on the day they demolished the home. Neighbors along with my husband and I began researching the issue and discovered studies that show lead dust can travel as far as 400 feet from a demolition site, which would not only threaten neighborhood children and yards, but put the children at Richmond elementary school across the street at risk as well¹. We approached the developer to discuss safer demolition practices including deconstruction and proper wetting of the structure to minimize dust but were told in no uncertain terms that we had no say in how they demolished the home. As the mother of a seven-year-old and someone who had just replaced the soil in my raised garden beds due to lead contamination, it was shocking to find out that we in the neighborhood had no recourse to protect our families and our gardens from a

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developer's unsafe practices. Along with my neighbors, I called DEQ, OHA, Multnomah County Lead Line, the city's Bureau of Development Services, the Contractors Construction Board, OSHA and the Mayor's office. While many of these agencies are listed on the demolition door hanger, none of them had the authority to regulate the way a home is demolished to prevent hazardous lead exposure, and none were able to withhold a demolition permit based on inadequate lead containment. Many of the staff I spoke with were aware of the loophole in regulation and were sympathetic to my concerns but explained that their hands were tied.

Fortunately for our neighborhood, the pressure brought to bear on the developer by dozens of phone calls and letters from neighbors, parents at the school, elected officials and media attention including stories by OPB, *The Portland Tribune*, *The Portland Mercury*, KATU and *The Oregonian* persuaded the developer into deconstructing most of the house and tenting with plastic to protect the neighbors, something they were under no legal obligation to do. However, it should not take this level of attention to protect a neighborhood from lead contamination in a demolition. With the high number of home demolitions in our state recently, there are countless other neighborhoods that have likely been exposed to lead released into the air during the demolition process. No one should be poisoned by lead during unsafe demolition practices.

All of us born in the United States before 1978 have likely lost some IQ points due to lead poisoning through leaded gasoline, lead paint and other avenues of lead exposure.² I trust that all of you on the committee are still smart enough to make the right choice and protect our children's brains by supporting SB 871.

SB 871 would allow cities to establish specifications for lead containment and withhold permits until lead containment plans are met. Having this in place will go a long way toward protecting neighborhoods from lead contamination. On behalf of Oregon PSR and myself, I urge you to support SB 871 and protect Oregon communities from toxic lead contamination.

Sincerely,



Kelly Campbell, Executive Director

¹ <http://www.sightline.org/2014/11/03/toxic-leads-home-demolition-loophole/>

² <https://today.duke.edu/2017/03/lead-exposure-childhood-linked-lower-iq-lower-status>



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