



May 16, 2017

Chair Burdick, Senate Committee on Rules

RE: Senate Bill 1008

Dear Chair Burdick and Members of the Committee:

Thank you for providing the opportunity to submit written testimony regarding SB 1008.

OPAL Environmental Justice Oregon is a membership-driven organization working to build power and building leadership of those most impacted. Environmental Justice (EJ) addresses how people experience their environment: the places where we live, work, learn, play and pray. The question of who gets to live where and what is the air we breathe- is rooted in economic, social and racial justice.

As it is, SB 1008 is a skeleton of its original form and does not protect the health or the environment of our communities. The -A3 amendment is a step in the right direction to honoring the original intent of the SB 1008, which is to create **a healthy, safe, and economically viable environment for Oregonians**. However, the -A3 amendment still falls short and our lawmakers must go further to protect our communities from the deadly effects of dirty diesel engines.

The Environmental Protection Agency (EPA) states that diesel pollution causes up to 460 excess cancer deaths in Oregon each year and damages the heart, lungs, and brain. Concentrations of diesel pollution are highest in areas where communities of color live, work, play, and pray. One of the reasons for this is that these areas are often transportation corridors, such as the transportation corridor that OPAL's office is located in at 82<sup>nd</sup> and Powell. This transportation corridor has a diesel particulate matter (PM) non-cancer respirator risk of .22, almost 3x the average risk in Oregon (.08). Furthermore, the .22 hazard quotient is based off 2011 NATA data. The population and use of transportation in Portland has skyrocketed in the proceeding six (6) years, making the risk likely much greater than this. Residents in this area are in one of Portland's only majority-minority census tracts, and 59% of residents are low-income. Residents who have to live with this toxic air pollution suffer low birth rates, an excess cancer risk of 49.4 per million (the average in Oregon is 37.9), and disproportionately high rates of asthma and respiratory illness.

Environmental justice communities, who have least financial resources, disproportionately pay for dirty diesel with not only their health but also their pocketbooks. An asthma visit to the hospital can cost between \$400 to \$28,000, and the *average* cost of a hospitalization is \$5,911.00. The economic impact of asthma in the United States as a whole has been estimated to be \$5.8 billion dollars. The health crisis resulting from dirty diesel pollution is not limited to Portland. Statewide, the prevalence of asthma is twice as high for economically disadvantaged

adults according to the Oregon Health Authority. Dirty diesel pollution is simultaneously both poisoning neighborhoods of color and low-income *and* devastating their ability to achieve economic stability.

As it stands, SB 1008 is disfigured as a result of its first adopted amendment and shows a complete abandonment of any regard for the communities suffering the greatest burdens of health, environmental, and economic crisis as a result of dirty diesel in Oregon. Paid industry lobbyists have succeeded in swaying lawmakers to completely eliminate or water down protective clean air regulation, monitoring, and community right-to-know bills this legislative session. This is an unacceptable continuum of Oregon's legacy of ignoring the disproportionate impacts of pollution felt by environmental justice communities.

-A3 brings back the essential preamble to SB 1008 and allows school buses become equipped with retrofitted engines past the current 2017 deadline (pursuant to ORS §468A.796). If this deadline is not extended old dirty diesel school buses will have to be wholly replaced, resulting in a significant and unnecessary cost burden. -A3 also creates "no idling" zones around hospitals, daycares, and schools, which are all areas of sensitive receptors who suffer disproportionate health impacts as a result of diesel exposure.

-A3 incorporates these indispensable elements that must be included into SB 1008. Our lawmakers must incorporate this amendment and move beyond it to make SB 1008 effective in reaching Oregon's goals of reducing diesel pollution. California and Washington both have protective regulatory diesel standards, and if Oregon continues to fall behind we will continue to be the dumping ground for our neighbors' old dirty diesel vehicles. This will increase our intrastate pollution and the detrimental health, environmental, and economic effects that come with toxic air. SB 1008 will not be an efficacious bill without the incorporation of California's regulatory standards. Specifically, a prohibition on the addition of pre-2007 diesel engines into Oregon's fleets is critical. **SB 1008 must be revived to reflect the needs and historic impacts suffered by environmental justice communities.** SB 1008 must also be amended to include California's regulatory mechanisms to ensure that these injustices do not continue to wreak havoc on the health of Oregonians across the state. Diesel pollution is estimated to come with a health care price tag of 3 billion dollars in Oregon, but the mental and emotional cost of watching a loved one suffer from cancer or respiratory illness can never be quantified with a price tag. **Our lawmakers have an opportunity to protect the lives of the most impacted of their constituents today, and we demand that you do not pass this opportunity up.**

Sincerely,



Huy Ong  
Executive Director

**Building Power for Environmental Justice  
and Civil Rights in Our Communities**

References:

"2011 NATA: Assessment Results." *EPA*. Environmental Protection Agency, 26 Dec. 2016. Web. 17 May 2017.

Hyer, Richard. "Inpatient Treatment of Asthma Is Costly." *American Health & Drug Benefits*. N.p., 21 Apr. 2011. Web. 17 May 2017.

U.S. EPA Third Report to Congress: Highlights from the Diesel Emission Reduction Program; February, 2016 [www.epa.gov/sites/production/files/2016-03/documents/420r16004.pdf](http://www.epa.gov/sites/production/files/2016-03/documents/420r16004.pdf)