



Oregon

Kate Brown, Governor

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February 5, 2019

House Committee on Energy and Environment

Representative Ken Helm, Chair

Testimony on House Bill 2250

Submitted by Richard Whitman, Director, Oregon Department of Environmental Quality

Thank you for the opportunity to provide testimony in support of House Bill 2250.

Background Information

We are fortunate that the quality of the air we breathe in Oregon is generally good, and (until recently) our air quality has been getting better over time. We have some of the cleanest air in the nation.

But there are warning signs on the horizon. In the past few years we have seen both ozone and particulate pollution levels increasing in the state. And, in the Portland metro area, we saw the region slip *over* the national standard for ozone for the first time in many years in 2017. If this trend continues, the Portland area (and other urban centers) could move into non-attainment status under federal law, requiring additional controls on existing industry, limits on new development, and other strategies to reduce pollution.

In Medford, residents tried to cope with 24 days of unhealthy air this past summer from wildfire smoke. In Oakridge, Klamath Falls, Lakeview and other communities around the state, pollution from wood stoves is exceeding national standards. And, finally, the amount we drive, whether in cars or trucks, has been increasing significantly in the past five years – leading to increased emissions of both particulates and other pollutants.

What HB 2250 Would Do, and Why It Is Needed

HB 2250 directs Oregon DEQ to monitor and assess proposed changes in federal standards protecting air quality and water quality. If DEQ determines that the changes would be significantly less protective of public health or the environment, DEQ would inform its oversight body – the Environmental Quality Commission – and propose actions to maintain protections for Oregonians and the environment.

Over the past two years, the federal government has acted, or proposed to act, to lower the levels of protection afforded by a number of federal air and water quality laws and rules. The following are several examples of the more significant federal proposals:

- Although the proposal has been withdrawn for the moment, EPA is considering weakening national standards for smog – specifically the National Ambient Air Quality Standard for ozone. As a first step, EPA has determined that it will give more weight to the economic costs of such standards relative to health considerations.

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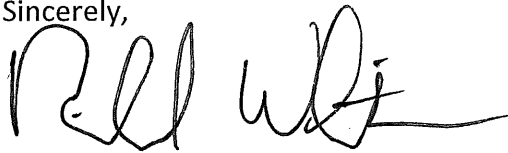
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- EPA has proposed, and is expected to act to roll back vehicle emissions standards for the period from 2020 to 2025, keeping them at levels set for 2020. Oregon DEQ's comment letter to EPA and the National Highway Transportation Safety Administration on this proposal, is attached to this testimony.
- EPA has proposed, and is expected to act to make changes to the requirements for existing electric utility generating units, replacing what is known as the Clean Power Plan with the Affordable Clean Energy (ACE) program. This proposal includes changes to the New Source Review (NSR) program as it applies to modifications of existing power plants. These changes could create incentives for maintaining older, dirtier, power plants beyond what would normally be their expected lifespan.

These are only a few of the pending actions at the federal level that could reduce the level of public health and environmental protections both nationally and in Oregon. As the agency in Oregon with responsibility for implementing clean air and clean water protections, the Oregon Department of Environmental Quality strongly supports Governor Brown's proposed legislation – HB 2250.

Thank you for the opportunity to testify in support of HB 2250.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard Whitman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Richard Whitman

Director

Oregon Department of Environmental Quality

cc. Kathleen George, Chair, Oregon Environmental Quality Commission
Jason Miner, Office of Oregon Governor Kate Brown