

February 15, 2023

Chair Marsh, Vice-Chair Levy, Vice-Chair Levy, and Members of the Committee:

My name is Akash Singh and I am writing on behalf of the Union of Concerned Scientists (UCS), a national organization that puts science into action with the goal of contributing to an equitable, sustainable, and healthy future. UCS is proud to be supported by more than 10,000 Oregonians, including over 500 professionals who are a part of our Science Network.

I write to you today in support of HB 2396, a crucial piece of legislation that would help significantly reduce the air pollution burden faced by Oregonians.

Most of my professional career has revolved around tackling air pollution and its numerous, devastating consequences on disproportionately impacted Oregonians. When I lived in Portland, I lived in an apartment complex between the 68th and 82nd Avenue exits. I would breathe in toxic vehicular pollution every morning when I caught the bus to go to work and school and every evening when I came back home.

But toxic contaminants do not come from vehicular pollution on highways alone. They come from mobile source emissions at distribution centers, railyards, construction sites, places that are otherwise unregulated as they cause aggregate harm in real time to the people who breathe them in. For the Portland Metro region alone, 65% of emissions came from non-road vehicles such as construction and marine equipment.

I worked with community members in a neighborhood that was undergoing rapid gentrification. It is a small neighborhood and you could not walk from one direction towards another without encountering some sort of construction project and all the toxic emissions those projects released. The injustice of the harm was not lost on me. Community members in a neighborhood with a large Latinx and low-income population breathing in these toxins and then being priced out of that very neighborhood once the gentrification is complete.

As noted in the 2019 report “Deconstructing Diesel” (Green Energy Institute, Lewis and Clark Law School), indirect source rules are designed to “regulate the aggregate emissions produced by mobile sources within an indirect source’s

boundaries.”¹ The same report provides an example of the indirect source regulations as they are adopted in San Joaquin Valley (central California):

In the case of a construction project, the indirect source is first required to use computer models to assess the source’s likely emissions, including construction and operations. Second, the source identifies and implements a combination of on- and/or off-site policies to reduce its emissions. An indirect source can reduce its emissions successfully through measures such as retrofitting construction equipment with pollution control devices). If the indirect source is unable to pay a fee for each ton of excess pollution.²

The cost of PM 2.5 emissions that result from indirect sources are numerous and significant. On health alone, PM 2.5 emissions can induce premature death in people with existing cardiovascular or pulmonary disease, nonfatal heart attacks, irregular heartbeats, aggravated asthma, decreased pulmonary functions, and aggravated respiratory symptoms like airway irritation, coughing, or breathing difficulties.³ These health effects can impact children and the elderly disproportionately.

Pollution disproportionately impacts low-income Oregonians and Oregonians of color. In a 2022 study from the Harvard T.H. Chan School of Public Health, data showed that while overall levels of exposure to PM 2.5 fell between 2000 and 2016, income and racial disparities have persisted.⁴ In 2016, the average PM 2.5 concentration for Black Americans was 13.7% higher compared to white Americans.⁵ The racial disparity between Latinx Americans and white Americans was similarly striking. As Black and Latinx populations increased in a particular zip code, so did the PM 2.5 pollutant concentration.⁶ The same report found that low-income Americans have been exposed to greater amounts of PM 2.5 pollution.⁷

¹ <https://law.lclark.edu/live/files/28596-deconstructing-diesel-roadmap>

² <https://law.lclark.edu/live/files/28596-deconstructing-diesel-roadmap>

³ [https://www.epa.gov/pm-pollution/health-and-environmental-effects-particulate-matter-pm\)](https://www.epa.gov/pm-pollution/health-and-environmental-effects-particulate-matter-pm)

⁴ <https://www.hsph.harvard.edu/news/press-releases/racial-ethnic-minorities-low-income-groups-u-s-air-pollution/>

⁵ <https://www.hsph.harvard.edu/news/press-releases/racial-ethnic-minorities-low-income-groups-u-s-air-pollution/>

⁶ <https://www.hsph.harvard.edu/news/press-releases/racial-ethnic-minorities-low-income-groups-u-s-air-pollution/>

⁷ <https://www.hsph.harvard.edu/news/press-releases/racial-ethnic-minorities-low-income-groups-u-s-air-pollution/>

HB 2396 is a critical opportunity for the legislature to protect Oregonians from the hazardous effects of air pollution and in particular, the sources of pollution that have not been properly regulated for far too long.

Thank you so much for this opportunity to testify.

Sincerely,

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