

18 February 2015

To: Mayor Hales and the members of Portland City Council
Re: Air Toxics in Portland

When I first discovered the problems with air quality around my neighborhood school, my children were 12, 9 and 3 years old. The youngest is here in the chambers with me this morning, now a 4th grader at Chapman Elementary School and my oldest will graduate from Lincoln HS this Spring. And as their mother, I am still working to find real solutions to improve the air that they breathe.

To make the most of my time today, I want to be very clear: We are asking the city for two things:

1. Take immediate action to reduce the most dangerous air toxics by supporting legislation this session that would phase out the operation of old diesel engines in Oregon.
2. Join us in crafting a clean air future, by establishing an Air Toxics Task Force to address the air quality challenges Portland will face as result of growth and climate adaptations¹.

While action this year is critical to stem the dumping of older equipment from CA in the wake of adoption of strict rules in that state², the city also needs to recognize that the negative effects of air toxics unique to city environments will be exacerbated by urban effects of climate change like heat islands and deteriorating neighborhood scale air quality for years to come. And so I am asking the city today, to make a commitment to meaningful action to reduce toxic air pollution by establishing an Air Toxics Task force. This Task Force should be populated by the tremendous resources we have in Portland, like research teams at Portland State University, who can explore evidence based actions and concrete steps the city can take to reduce air toxics, influence state or regional policies, and ensure the livability of all Portland neighborhoods³ against the known and real hazards that currently exist and will be worsened by climate impacts.

When I started this work as a private citizen advocate, the biggest challenge about addressing any air pollution problem - whether from individual industrial sources, or that caused by the tangled web of our transportation infrastructure was that, unlike water, our current air pollution problems are nearly 100% legal. This despite the fact that

¹ [City of Portland and Multnomah County Climate Change Vulnerability Assessment]

²http://www.oregonlive.com/environment/index.ssf/2015/01/oregon_becomes_dumping_ground.html

³ See 2014 Multnomah County Health Department Report on Racial and Ethnic Health Disparities, pages 32-35, which address current exposure to diesel particulate matter, showing levels of diesel pollution in areas with higher proportions of Black/African American communities were 3 times higher than predominantly (90% or greater) white areas.

Multnomah County Health deems diesel alone to be the #1 environmental contributor to the three leading causes of death in the County. Diesel particulate emissions account for 460 deaths a year in Oregon⁴, and those deaths and other non-fatal health costs, such as hospitalization and lost work days cost our state \$3.5B annually⁵.

I recognize the City's limitations in regulating air emissions. Indeed, I share them. But as a citizen, who has pursued evidence based advocacy, I have been heartened by the progress we can make against something that is often considered too complex to solve. Since we began we have helped individual companies find opportunities for meaningful reductions in emissions, and we have pushed our state to do a better job at protecting communities through more robust implementation of its rules. I implore the city to join our ranks. First, by supporting statewide rules that bring us in line with our neighbors to reduce diesel emissions, and then, by bringing together a task force to explore what can be done in the coming years to protect our citizens from toxic air pollution, even as we continue to encourage the growth of our city in a changing climate.

Thank you for allowing me the time to address the council today.



Mary Peveto

President, Neighbors for Clean Air

⁴ DEQ's 2015 report "The Concerns about Diesel Engine Exhaust"
<http://www.deq.state.or.us/aq/diesel/docs/DieselEffectsReport.pdf>

⁵ Based on [2005 EPA NATA](#)

The Forest Park
Conservancy

Protect. | Restore. | Inspire.



Renee Myers
Forest Park Conservancy
210 NW 17th Ave Suite 201
Portland, OR 97209

Dear City Council,

The Forest Park Conservancy supports Oregonians concerns for the environment and the need for clean air. Air pollutants, including diesel emissions, are substances that adversely affect the environment by interfering with climate, the physiology of plants, animal species, entire ecosystems, as well as human health. Research has shown that diesel emissions can aggravate or lead to heart and lung disease, cancer, asthma and other health problems.

Globally, diesel engines account for 25 percent of all black carbon emissions. In the U.S, the transportation sector accounts for roughly 53 percent of black carbon emissions and diesel engines account for over 90 percent of the transportation sector's share. Black carbon is known to play a role in global warming and climate change and the reduction of black carbon may help reduce the impact of a warming planet.

Reducing diesel emissions will reduce health hazards and impacts to overall ecosystem health. The Forest Park Conservancy supports stronger legislation on diesel engines in Oregon. We hope the City will too!

Sincerely,

Renee Myers

Executive Director

Oregon becomes dumping ground for California's old, polluting diesel big rigs

Rob Davis | The Oregonian/OregonLive By Rob Davis | The Oregonian/OregonLive

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on January 23, 2015 at 5:00 AM, updated January 23, 2015 at 7:30 PM

Oregon has become a dumping ground for California's old, polluting big diesel rigs, an investigation by The Oregonian/OregonLive has found.

About 350,000 trucks in California are being phased out because they fail to meet that state's stricter standards. Trucking companies have found willing buyers in Oregon, where environmental standards are looser.

The Oregon Department of Transportation doesn't easily track specific outmoded vehicles that transfer ownership from California companies to trucking firms here. But seven California companies that sold dozens of old trucks to Oregon buyers told The Oregonian/OregonLive they'd gotten rid of them to comply with California's emissions rules.

"Last year was a big jump in selling the units," said Mike Covey Jr., manager of Covey Auto Express in Stockton, Calif., which has sold nine car transports that came to Oregon. "The finances made it a struggle, but we're finally there."

Trucking companies in California began selling off their obsolete trucks to meet a Jan. 1 deadline, the first target for the oldest trucks to comply. California plans to aggressively phase out diesel trucks built before 2010, when federal emissions standards tightened.

That requirement prompted the flood of truck owners selling their old rigs to buyers in Oregon.

California's tighter rules, the country's toughest, are cleaning that state's air at the expense of air quality in Oregon and elsewhere. Newer trucks emit 90 percent less diesel soot, a known carcinogen. The U.S. Environmental Protection Agency estimates diesel pollution prematurely kills 460 Oregonians annually.

Health problems such as lung cancer, heart attacks, pre-term and low-weight births, and asthma can be traced to exposure to the soot spewing from old diesel engines.

The shift undercuts Oregon regulators' limited work to reduce the number of older, higher-polluting diesel engines, which pollute the air that Oregonians breathe daily.

Oregon, like other states, hasn't done anything to prevent California's unwanted big rigs from coming in, despite plenty of warning. California adopted its rules in 2008.

Covey, the California trucking company manager, said he moved some of his old trucks to operate in other states. Like many other truck owners, Covey wasn't happy about being forced to sell his old trucks but said the new ones

run far cleaner.

"You can look inside the tailpipe and not see a bunch of black soot caked on," he said. "You can see a noticeable difference."

Trucks are coming to Oregon through dealership trade-ins, consignment sales and classified ads. Demand is higher in Oregon than in California. Two trucking companies said they traded in their old big rigs in Oregon because dealerships pay more than in California, where buyers then have to endure the expense of taking the trucks elsewhere.

"We do use one dealer in Redding, and his trade values were a whole lot lower," said Bill Branch, vice president of finance at Stidham Trucking in Yreka. Instead, he traded in his trucks in Medford.

California trucks aren't only leaving for Oregon. One company told The Oregonian/OregonLive it sold its old fleet to buyers in Mexico and Washington. Another truck owner said his old rig wound up in Wisconsin.

All of California's pre-2010 trucks have to be off California's roads by 2023.

With California's rolling deadlines starting to affect more rigs, advocates and public officials worry even more trucks will move to Oregon.

"A lot of the older model diesel trucks are now coming in to Oregon. This hugely impacts public health, particularly asthma rates for children," said Chris Pair, spokesman for Gov. John Kitzhaber. "We need to look for a comprehensive solution."

It's difficult to pinpoint exactly how many of California's old big rigs have come to Oregon. The Oregon Department of Transportation doesn't track it.

But Gregg Dal Ponte, head of ODOT's motor carrier division, said he's aware that companies are diverting their old trucks to Oregon and Washington and putting new ones in California.

"It obviously conflicts with the public policy behind the rule," Dal Ponte said. "But it's a legal alternative that's going on to some extent, no doubt."

Oregon isn't just becoming a dumping ground for old trucks. California is also requiring old off-road equipment – bulldozers, backhoes, steamrollers – to stop operating in the state, too. Those are also winding up in Oregon.

"A lot of our contractors down there have sent their old equipment up here to send their new equipment down there," said Ed Kanable, a Volvo equipment dealer in Portland.

Help our investigations team

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E-mail your tips for investigative stories to **tips@oregonian.com**.

You can send documents by mail to 1500 SW 1st Ave. #400, Portland OR, 97201.

Mike Brenner, regional sales manager at Ritchie Bros. Auctioneers, a major heavy equipment broker, said in its California auctions, nearly half of what's sold is moving to states like Oregon with lighter regulation. About 2 percent is selling to Oregon buyers, he said.

The arrival of California trucks undermines Oregon's voluntary effort to get old rigs off the road. In the last 13 years, the Oregon Department of Environmental Quality has overseen the spending of \$7 million, most of it federal grants, to retrofit, replace or retire 724 old diesel engines.

The state's effort has reached less than a half-percent of the 145,000 older diesel trucks operating in Oregon.

Kevin Downing, DEQ's clean diesel coordinator, says the air would be even dirtier without the improvements he's overseen. But it hasn't gotten cleaner.

"From our work here, we're making a difference," he said, "but we're not moving the needle."

State Sen. Michael Dembrow, a Portland Democrat, is drafting legislation to prevent Oregon from continuing to be a dumping ground. He said he expects to introduce a bill soon to adopt California-like standards. He hasn't decided on a time frame for implementation yet.

"We have to take action as quickly as possible," Dembrow said. "We do need to address it."

— Rob Davis

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**PORTLAND CITY COUNCIL
COMMUNICATION REQUEST
Wednesday Council Meeting 9:30 AM**

Council Meeting Date: February 18th, 2015

Today's Date December 11th, 2014

Name Mary Peveto

Address 2882 NW Thurman St. PDX 97210

Telephone 503-705-0481 Email _____

Reason for the request:

To speak to the Council regarding air toxics policy in Portland.

Mary Peveto
(signed)

- Give your request in writing to the Council Clerk's office to schedule a date for your Communication. Use this form or email the information to the Council Clerk at the email address below.
- You will be placed on the Wednesday official Council Agenda as a "Communication." Communications are the first item on the Agenda and are taken at 9:30 a.m. A total of five Communications may be scheduled. Individuals must schedule their own Communication.
- You will have 3 minutes to speak and may also submit written testimony before or at the meeting. Communications allow the Council to hear issues that interest our citizens, but do not allow an opportunity for dialogue.

Thank you for being an active participant in your City government.

Contact Information:

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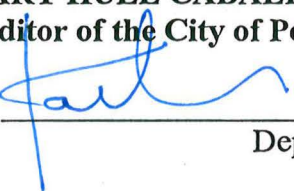
Request of Mary Peveto to address Council regarding air toxics policy in Portland
(Communication)

FEB 18 2015

PLACED ON FILE

Filed FEB 13 2015

MARY HULL CABALLERO
Auditor of the City of Portland

By  Deputy

| COMMISSIONERS VOTED AS FOLLOWS: | | |
|---------------------------------|------|------|
| | YEAS | NAYS |
| 1. Fritz | | |
| 2. Fish | | |
| 3. Saltzman | | |
| 4. Novick | | |
| Hales | | |