

TESTIMONY OF ANGELO LOGAN
MOVING FORWARD NETWORK

BEFORE THE UNITED STATES House
Subcommittee on Environment and Climate Change of the
Committee on Energy and Commerce

Legislative Hearing on
“Environmental Justice Legislative Proposals, including the
Environmental Justice title of the “CLEAN Future Act”.”

APRIL 15TH 2021

Good morning Chairman Tonko, Ranking Member McKinley, and members of the Committee:

Thank you for inviting me to testify today. My name is Angelo Logan, and I am with the Moving Forward Network. The Moving Forward Network (MFN) is a national coalition of over 50-member organizations including community-based groups, national environmental organizations, and academic institutions, in over 20 major U.S. cities, representing over 2 million members, committed to achieving environmental justice and climate justice. Since inception, MFN has focused on resolving the local public health impacts and the climate crisis created by our country’s freight transportation system. At the heart of MFN is the membership, which is predominantly people who live and work directly in frontline communities.

Ultimately, you cannot address environmental justice without addressing ports and freight transportation and you can not address ports and freight transportation without a focus on self-determination, cumulative impacts, toxic exposers, EJ investment and just transition.

As a major environmental justice issue, ports and more broadly freight transportation, is a complex system that weaves seaports, freight corridors, rail yards, intermodal facilities, inland ports and logistic centers. The transportation system that brings materials and good from place of origin to place of consumption. From manufacturing to the marketplace and doorstep. It is the trucks, trains, ships and cargo-handling equipment that transport the things we buy that are produced across the globe. But the communities where these facilities are located not only contend with freight impacts but are also inundated by a wide variety of other impacts, such as refineries, trash incineration, superfund sites and many more. So, without a doubt, freight communities are clear examples for the need for cumulative impact policies.

Environmental justice communities are hit first and worst by the climate crisis. When considering climate pollutants, diesel emissions have a major role in resolving climate change. The freight system relies on diesel-powered vehicles and equipment, which produces diesel exhaust made up of toxins and climate pollutants. Diesel exhaust creates CO₂, a major greenhouse gas. Freight transport worldwide contributes approximately 3 billion tons of CO₂. Black carbon is also a result of diesel exhaust. Black carbon is a fine particulate matter and short-lived climate pollutant that has very high global warming potential. Some estimate over 600 times higher than CO₂. The freight transportation sector accounts for roughly 9% of US greenhouse gas emissions and in the next couple of decades, it is expected that ocean going vessels alone will account for about 17% of all man-made carbon dioxide emissions worldwide.

The 13 million people that live near major marine ports and rail yards are disproportionately low-income communities of color and have an increased health risks from climate change impacts and the toxic air pollution freight transportation and the surrounding industries. Epidemiologic studies have consistently demonstrated that children and adults living near freight transportation sources have poorer health outcomes, including but not limited to: Asthma, poor lung development, and other respiratory diseases; Cardiovascular disease; Lung cancer; Pre-term births and infants with low birth weight; and Premature death. Freight transportation alone puts African Americans as a high-risk population that is 3 times their proportion of the U.S. population and Latinos made up two times their proportion.

Freight transport poses a huge climate crisis for the planet and for the local environmental justice communities that have been dealing with the impacts of the air pollution that is causing the climate crisis.

To that end I would like you to consider taking the following actions:

Advance Proposals that Center Communities Voices, Self-Determination, Local Solutions and have Incorporated a Comprehensive Community Process.

To truly address environmental justice, we must reduce and eliminate air pollution and green house gas emissions at their source, locally in communities that have been disproportionately burdened with toxic exposure for decades and are now the most vulnerable to climate impacts. Frontline communities have the real expertise and true solutions that will solve the climate crisis. Therefore, the process for developing any solution or strategy is paramount. A corner stone of environmental justice is self-determination. If we are to truly advance environmental justice, communities must be able to speak for themselves and identify local solutions to the issues in their communities.

One of the proposals before you today, (“Environmental Justice for All Act.” H.R. 2021) has incorporated a comprehensive community lead approach starting with a committee facilitated Environmental Justice Working Group. As a result of the Work Group the committee established a statement of policy principles for environmental justice legislation.

Do Not Advance Part, Pieces, or Sections of Proposals that Harm Environmental Justice Communities.

Proposals that incorporate market mechanisms, trading schemes, bio-mass or other strategies that continue to burden EJ communities are nonstarters and have been strongly opposed by environmental justice communities for many years.

Tackle Environmental Racism, address Cumulative Impacts Head On

Cumulative impacts are a common threat and burden to environmental justice communities across the country and freight impacted communities are no exception. Cumulative impacts are the concertation of multiple sources of pollution in a geographic area, usually at the neighborhood level. Cumulative impacts pose serious threats to local residents and the environment. Individually these sources have the potential of harm, combined these sources present impacts that accumulate and result in the environmental health disasters. There is no doubt that environmental justice communities have been targeted and considered to be collateral

damage in the development of numerous projects. Continuous permitting of polluting facilities in already overburdened communities, perpetuates environmental racism. Any serious attempt at tackling environmental racism must include a cumulative impacts policy that includes permit denials within the strategy.

Invest in Clean Air Plans, Zero Emission Freight Vehicles and Equipment at Ports and Beyond.

On one hand, environmental justice for port communities include co-creating local solutions that will result in clean air plans for ports that identify the polluting source, develop a strategy and draft actionable plans that will dramatically reduce local toxic exposure and climate pollutants. The need to eliminate local toxic pollution and climate pollutants is critical and must start with a community lead planning process.

On the other hand, the approach to reducing local toxic emissions and climate pollutants must involve investing in the deployment of zero emission freight vehicles, equipment, and infrastructure. Local community's health depends on the elimination of internal combustion engines that drive ships, cargo handling equipment, drayage trucks and harbor craft. Specifically, making significant strides in eliminating diesel pollutions is critical to addressing community level health impacts on community of color and addressing the climate crisis.

Prioritizing investments in environmental justice communities is a must when considering ports, freight impacted cities, environmental justice, and equity.

Part of the environmental justice approach for port and communities must include the freight industry workforce. It is critical that both H.R. 501 and H.R. 862 include provisions that involve organized labor engagement and have established investment restrictions for projects that replace workers with automated equipment. It is equally important that investments require labor protections, prevailing wages, and project labor agreements. The local community residents should have the right to both a clean, safe and healthy community as well as a good quality career in the industry predominate in their neighborhood.

Environmental Justice includes a Just Transition

Transitioning away from polluting operations, equipment and vehicles provides the opportunity to build a thriving economy while protecting the general public's health, the workforce and address the climate crisis. But there are also challenges of creating quality jobs as potential job loss occurs in the transition. As polluting industries are phased out, pathways for workers in those industries must be developed to support a transition to new quality careers in new regenerative economies.

Do Not Enable Freight Automation

The movement towards automatization in the freight sector is a real concern for workers and the community. Job loss trends are associated with the constant push for greater output and productivity, which has been leading to the adoption of automation. Freight sector industries, and companies often promote a false framing of the importance of automation to assure growth while also reaching zero emissions. Zero emissions technology at ports and for freight transportation

does not mean automation, nor should technologies that would negatively impact frontline worker be supported.

Require EPA to Meet its Mission and Legal Requirements under the Clean Air Act. EPA Must Adopt Regulations to Reduce and Eliminate Emissions from the Freight Sector and Beyond.

Require EPA take action to address freight pollution. The committee should require timelines, progress reporting and hold regular hearings on the progress of all EPA's legal requirement for meeting the Clean Air Act. It is critical that Congress do everything in their power to hold EPA accountable. Specifically, Congress should require EPA to adopt regulations to reduce and eliminate emissions from the freight sector.

The devastating impacts of freight operations require elevation within EPA. In 2009, EPA's National Environmental Justice Advisory Council (NEJAC) provided 41 recommendations for EPA action. To date, however, EPA has failed to adopt targeted strategy for reducing emissions from the freight sector to the degree necessary to protect public health and climate change. As a result, the health crises in these communities persist and threaten to get worse with increasing freight activity.

EPA must identify reducing freight-related air pollution as a top priority for the Agency. Tackling such pollution will further the Agency's air quality, climate, and environmental justice goals. EPA must adopt new national standards for freight-related sources and provide more guidance to states with freight-related activities in areas that violate national air quality standards and/or produce localized health risks.

EPA must prioritize promulgation of the next generation of national emission standards for freight-related sources. The following national rules should be prioritized within EPA:

- National Standards for Heavy-Duty Trucks. EPA's should advance the proposed greenhouse gas emissions standards for heavy-duty trucks encouraging the adoption of incentives for advanced zero-emissions technologies and addressing particulate emissions from auxiliary power units.
- New Standards for Ocean Going Vessels. EPA should pursue a next generation of NOx and particulate matter standards. Foreseeable technologies and more general engine efficiency improvements hold the potential to reduce NOx emissions by another 90 percent below current standards.
- National Standards for Locomotive Engines. EPA should also adopt Tier 5 standards for new locomotive engines. Technologies can achieve significantly lower NOx and PM limits. Moreover, technologies now exist to enable zero-emission track miles. The next generation of standards should reflect the feasibility of these technologies and incentivize development and deployment of advanced zero-emission technologies.

This list of proposed actions is not absolute or complete. As mentioned above the community engagement process of developing solutions and strategies is paramount. To that end, we encourage the committee's continued engagement with the Moving Forward Network.

Sincerely,

Angelo Logan
Moving Forward Network

Moving Forward Network Members

1. Air Alliance Houston
2. Alternatives for Community and Environment (ACE)
3. Bay Area Healthy 880 Communities-SL
4. California Cleaner Freight Coalition
5. Charleston Community Research to Action Board (CCRAB)
6. Center for Community Action and Environmental Justice
7. Central California Environmental Justice Network
8. Central Valley Air Quality Coalition
9. Citizens for a Sustainable Future, Inc.
10. Clean Air Council
11. Clean Water Action, Clean Water Fund
12. Coalition for Healthy Ports (NYNJ)
13. Coalition for a Safe Environment
14. Coalition for Clean Air
15. Comite Civico Del Valle, Inc.
16. Diesel Health Project, Inc.
17. Duwamish River CleanUp Coalition
18. Earthjustice
19. East Yard Communities for Environmental Justice
20. End Oil, Inc.
21. Environmental Health Coalition
22. Environmental Integrity Project
23. Global Community Monitor
24. Georgia Research Environmental Economic Network (GREEN) Inc.
25. Harambee House, Inc.
26. Hudson Hill EJ Working Group
27. Ironbound Community Corporation
28. Long Beach Alliance for Children with Asthma
29. Maryland Institute for Applied Environmental Health, School of Public Health
30. National Nurses United
31. Natural Resources Defense Council (NRDC)
32. New Jersey Environmental Justice Alliance
33. Peoples Collective for Environmental Justice
34. Puget Sound Sage
35. Regional Asthma Management and Prevention (RAMP)
36. Respiratory Health Association
37. Rutgers Robert Wood Johnson Medical School

38. Rutgers University School of Management & Labor
39. Southwest Detroit Community Benefits Coalition/Southwest Detroit Environmental Vision
40. Steps Coalition
41. Sunflower Alliance
42. Texas Environmental Justice Advocacy Services (TEJAS)
43. The Center for the Urban Environment, Thomas Edison College
44. THE NEW SCHOOL
45. Union of Concerned Scientists
46. University of Southern California
47. University of Texas Medical Branch / Sealy Center for Environmental Health and Medicine
48. West Oakland Environmental Indicators Project