

**OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY
TESTIMONY BEFORE THE HOUSE COMMITTEE ON HEALTH CARE**

**House Bill 2183
March 11, 2009**

Chair Greenlick and members of the Committee, my name is Andrew Ginsburg, and I am the Air Quality Administrator for the Department of Environmental Quality (DEQ). With me today is Gail Shibley, Administrator of the Office of Environmental Public Health at the Department of Human Services. We are here today to provide information for House Bill 2183 and to urge your support for this bill. As you know, HB 2183 was developed by DEQ at the direction of the Governor in response to concerns about the public health risks from exposure to field burning smoke.

Field burning is used after grass seed harvesting to dispose of leftover debris and to reduce crop diseases, weeds and pests. Field burning can also reduce the need for pesticides, reduce erosion from tilling and improve crop yield. Oregon's 1979 field burning statute allowed up to 250,000 acres to be burned each year in the Willamette Valley. In 1991, the legislature initiated a phase-down reducing the number of acres allowed to be open field burned in the Valley to 65,000. That number remains in effect today.

Smoke from field burning and other forms of burning contains fine particulate matter, carbon monoxide, and numerous toxic compounds, which can all contribute to or exacerbate a variety of pulmonary and respiratory conditions. The risk to a person's health depends largely on the level, duration and frequency of the exposure, as well as the age and medical condition of the

individual who is exposed. Before Gail describes these health risks, I would like to briefly comment on the exposure part of this equation.

We can group exposure to fine particulate matter into three broad categories. Long-term, or average annual exposure, is primarily from background air pollution levels. Medium-term, or average daily exposure, is primarily from routine emissions that can build up during air stagnation events, such as smoke from residential wood heating during a winter time inversion. We currently have two areas of the state that violate the daily federal air quality standard for fine particulate, and we have nearly a dozen other areas with elevated daily fine particulate levels. However, little if any of these problems are caused by field burning smoke because violations of the federal health standard typically occur in urban areas during winter inversions; in other words, outside of the field burning season and during weather conditions that trap local air pollution and stop the movement of outside air pollution.

Field burning is an example of the third type of exposure, which is short term and episodic. Other examples include wildfires, land clearing burning and general open burning. With this type of exposure, the average emissions over a day are normally not high enough to violate the daily federal air quality standard, but the maximum exposure can be many times higher than the standard for a few hours of the day. While a high concentration but infrequent exposure to fine particulate can cause some increase to health risks in otherwise healthy individuals, it can cause very serious health risks to those with preexisting health conditions, the elderly and children.

(With that background, I would now like to ask Gail to describe the health risks from exposure to field burning smoke. Gail Shibley's testimony.....)

Field burning in the Willamette Valley is currently regulated under the Smoke Management Program, operated by the Oregon Department of Agriculture through a Memorandum of Understanding with the Environmental Quality Commission. This program uses weather forecasting to control the time, amount and location of burning in order to minimize impacts on the public. However, despite outstanding work by the by the Smoke Management Program, smoke impacts do occur when the weather unexpectedly changes or when a burn is not properly managed. Less concentrated, but still concerning, smoke impacts also occur in rural areas when smoke is directed away from urban areas.

It is with these health concerns in mind that the Governor has proposed House Bill 2183. HB 2183 phases out field burning in the Willamette Valley counties by 2011, and authorizes the Environmental Quality Commission to regulate field burning in other counties as necessary to meet the requirements of the federal Clean Air Act. This bill applies to open burning, propane flaming, and stack or pile burning of grass seed fields. It does not apply to habitat restoration burning conducted by land managers.

The bill allows the Environmental Quality Commission to permit emergency burning to prevent erosion or to address a disease outbreak or insect infestation that can only be dealt with by fire. However, emergency burning may only be allowed if the benefits from the burning outweigh the risks to public health and safety. The bill increases the per acre fees to fund the program with

fewer acres burned. Finally, the bill authorizes DEQ to evaluate smoke management programs for other types of open burning to identify any gaps and recommend operational improvements.

Thank you for the opportunity to present to you the Governor's bill to phase out field burning in the Willamette Valley. The Governor has indicated that he sees this bill as the starting point for a thorough discussion about the best way to phase out of the practice of field burning.

Gail and I would be happy to answer any questions you may have.