

HB21-1189 Regulate Air Toxics

Typed Text of Testimony Submitted

Name, Position, Representing	Typed Text of Testimony
<p>Corrina Farho For Self</p>	<p>When we talk about environmental racism and exposures to air toxics, I often think about what this tells us about how we value communities and lives over others. I see impacted families living near industrial facilities and to account for the social and environmental disruption, these facilities provide services and resources that are intended to offset the degradation of the community's quality of life - but these "offsets" only present themselves as attractive investments for decision-makers. These facilities might provide fathers, mothers, sons, and daughters with jobs to provide for their families... further entrenching them in industry dependency to be able to live a decent quality of life. But is this an excuse to sacrifice the livelihoods of people because the economic benefits are perceived to outweigh the quality of health and the lives of others? How do we determine which tradeoff is worth making?</p> <p>It is quite the feat to think about the ways in which we can restructure our economy that will put an end to environmental racism, and while we cannot resolve this deep-rooted, institutional issue in one night, we can take responsibility for the decisions we make now. By passing Air Toxics Legislation, we can make steps to protect local communities by keeping a close eye on emissions and collecting data to reflect our living environments, recognizing changes in emissions limitations based on transparent data in our communities, and the movement towards measures that intend to protect workers and hold these facilities accountable for the presence they hold in our neighborhoods.</p> <p>We shall remember that this is only one working step that will create movements and momentum in addressing the institutions that harbor environmental racism. We must not stop here in addressing the health, safety, structural inequities, and lack of quality livelihoods that plague our communities across Colorado.</p>

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	<p>Colorado should be considering the impact that these industrial facilities have on all living organisms and air, water, and land quality of the entire state and nearby communities that have been subject to environmental racism.</p>
<p>Rebecca Hanes For Colorado Peoples Alliance</p>	<p>Members of the Committee,</p> <p>My name is Rebecca Hanes and I am a member of Colorado People’s Alliance. I currently live in south Denver, in zip code 80237, and have lived in the Denver area since July 2015. I’ve been in Colorado less than six years and have seen the air quality grow noticeably worse even in that short time. When I first moved here I could see the mountains almost every day, and the buildings in downtown Denver were visible even from Golden. Today, from my home, I can see the mountains maybe three days out of the week, in a good week. The rest of the time, there is so much smog in the air that all I see is gray. I regularly get poor air quality alerts through the weather app on my phone, and did even before the wildfires of last summer made it unsafe to go outside for days at a time.</p> <p>I was so excited to move to Colorado from Ohio, a state where we poison our drinking water with fertilizer runoff and where a river near my childhood home, the Cuyahoga River, has caught fire five separate times to date. I had heard about how nature was treasured in Colorado and looked forward to living somewhere where the people truly cared for the place where they lived. The people in Colorado are passionate about their environment, but there are corporations in this state that do not care about how much they pollute or what the human health impacts are, if they can only turn a profit. There are many heavy industrial facilities in the Denver area that are contaminating our air in ways that we are not told about. It is unacceptable for a corporation to release toxins into the air that make the environment unsafe for us to go outside or even open our windows. It is unacceptable for us not to know what we are breathing in when we go outside, and what the risks of doing so might be.</p> <p>I support HB21-1189 and I call on all Colorado state legislators to do the same. Fenceline monitoring is essential if we are to know what is being released into the air, when, and by which corporations. Community monitoring will tell us what toxics are making their way into our homes, schools, and places of business. Both types of monitoring will get us the information we need to finally start controlling corporate pollution and prevent ourselves and our communities from being poisoned in the name of profit.</p>
<p>Paul Shallcross Amend Colorado Peoples Alliance</p>	<p>Members of the Committee,</p> <p>My name is Paul Shallcross. I live in Senate District 31, House District 8. And I support bill #HB 21-1189.</p>

	<p>I've lived my entire life in two major cities (Chicago/Denver). I love the fast-paced environment and energy cities create. The traffic and noise and abundance of people is never something that bothered me; rather, I embraced it and all the activities these metro areas provide.</p> <p>I also love camping. I love the outdoors, the crisp, freshness of the air, the ability to look up into the sky and actually see stars. It's things like this that brought me to Denver.</p> <p>If you think there is a dichotomy between these two things....well you are probably correct. In my mind I justified it as the cost of business in an urban area; the pureness I experienced in more desolate areas simply wasn't sustainable in a metropolis.</p> <p>Then COVID hit. COVID is awful and I obviously don't need to detail why. But I have tried in the last year to find silver linings from the pandemic, and one of the most startling was the improvement in the quality of air, not only in Denver but in cities around the world. Looking at social media and seeing pictures of places usually covered in smog simply weren't anymore. In a way it was beautiful (ignoring the awful reasons why this occurred). And it made me realize cities didn't always have to be the way they are. It may be easier and more economically beneficial for companies to operate as they were pre-COVID, but that doesn't mean it's the manner in which it should happen. The easy way and right way are often different, and this is a prime example.</p> <p>Air toxins are dangerous, they are deadly, and they occur perpetually in cities throughout the world without most people batting an eye. It is not acceptable to continue this type of behavior. Changes must be made, even if they are incremental. That's why I support the monitoring measure in HB 21-1189. The pandemic has given pause to many industries and entities on how to proceed going forward. This should be no exception. In fact, it's the perfect time to implement change.</p>
<p>Luis Ramos For Colorado Peoples Alliance</p>	<p>Members of the Committee,</p> <p>My name is Luis and I'm a Coloradan that's been living in Commerce City for the last year. I want to talk about why we need HB21-1189. In my community I notice a nearby sewer that smells like propane. I'm not sure why it smells that way but it doesn't seem safe with how close it is to my neighborhood. On 69th street and Quebec there is always a smell in the air but there are times when it's stronger. This is why I think we need to add more regulation and monitoring to air pollution. It's not a nice feeling to have these things be a part of your everyday life. I urge you to pass HB21-1189 so we can start to address some of these issues in my community.</p>

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<p>Luis Metzger</p> <p>For</p> <p>Colorado Peoples Alliance</p>	<p>Members of the Committee,</p> <p>My name is Luis and I'm a Coloradan that's been living in Commerce City for the last year. I want to talk about why we need HB21-1189. In my community I notice a nearby sewer that smells like propane. I'm not sure why it smells that way but it doesn't seem safe with how close it is to my neighborhood. On 69th street and Quebec there is always a smell in the air but there are times when it's stronger. This is why I think we need to add more regulation and monitoring to air pollution. It's not a nice feeling to have these things be a part of your everyday life. I urge you to pass HB21-1189 so we can start to address some of these issues in my community.</p>
<p>Kimberly Delgado</p> <p>For</p> <p>Colorado Peoples Alliance</p>	<p>Members of the Committee,</p> <p>My name is Kimberly and I am a resident of Commerce City and I support HB21-1189. I am concerned with the quality of the air around my community and I believe that it is too polluted for sensitive people to live here. That's why we really need to be sure what's in our air and track it. I think we really need to do better around this problem and I support HB21-1189 air toxins legislation for more community monitoring.</p>
<p>Kevin Wysocki</p> <p>For</p> <p>Colorado Peoples Alliance</p>	<p>Members of the Committee,</p> <p>My name is Kevin Wysocki I support HB21-1189 because clean air is vital to our longevity and existence. We take in new air almost 20,000 times per day, and if that air has even a small amount of toxins in it, the repetitive nature can cause serious long term health implications. If you work or live near a facility that is polluting poisonous chemicals such as hydrogen cyanide, hydrogen sulfide, or benzene, which are often lower income and minorities, the risk of negative health effects is much greater. They deserve the same protection and access to clean air as everyone else.</p> <p>When we look at any form of pollution including greenhouse gas, trash, water, and other forms, corporations and the products they produce account for a majority, often higher than 70%. The only way corporations will make changes to how they pollute is legislation, which you have the power to pass.</p>

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	<p>Just as we have strict laws for water pollution which helps to deter business from contaminating our waterways, we need to continue to update our air pollution laws to ensure everyone in our community has access to clean air where they live and work. I strongly support bill HB21-1189 and hope you will support it as well.</p>
<p>Jesus X For Colorado Peoples Alliance</p>	<p>Members of the Committee,</p> <p>My name is Jesus, I'm a member of Colorado People's Alliance. I am a solar energy worker and a resident of Colorado. I wanted to say a few words in support of House Bill 21-1189 on monitoring air pollution. As a person involved in renewable energy I think it's important for us to take the steps needed to have healthy environments. I'm not an expert on the subject but I am willing to make the lifestyle changes needed to have a healthy life. I want to ask the same of my representatives in voting in support of this bill. Every morning we wake up, get ready and try our best. I was conscious enough to change my diet to a vegan organic diet, and all of our actions have an impact. I made this choice because of seeing the terrible effects of the meat industry. But this isn't the only industry that is hurting our communities. We have to understand what we are facing and to make decisions on how we can make changes in our lives. The same is with our state, we have to make the right choices because these choices are in our every day. Our communities need access to healthy food and healthy environments. This includes our air. Enough is enough. This is why I support the passing of HB21-1189, please vote yes in support of its passing. Thank you.</p>
<p>Francisco Declaw For Colorado Peoples Alliance</p>	<p>Members of the Committee,</p> <p>Hello, my name is Francisco and I have a few words to say in support of HB21-1189. My biggest concern in the state is the pollution in the air that is being put there by corporations. It's too much and the worst part is, our city council doesn't really listen to the concerns of citizens or do what is best for us. I think that these polluters have always been up to no good. It's not fair that our communities have a history of contamination like the soil in Swansea. It's a disgrace that this is one of the most polluted zip codes in the nation. This is why I support the passing of HB21-1189. We need a strong bill that will bring monitoring to our communities and our state. This is the first step to get us in the right direction . Thank you and I hope you consider my testimony in making your vote.</p>

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<p>Fernando Sanchez</p> <p>For</p> <p>Colorado Peoples Alliance</p>	<p>Miembros del Comité,</p> <p>My name is Fernando and I am a resident of Colorado, I have a few words to say in support of HB21-1189, the bill that's working to regulate and monitor the pollution in the air. I work as a truck driver and I'm always driving around. I notice the emissions corporations are putting in the air and I think that's part of the reason for the bad air quality. I think that we all need to do our part to make sure we have the most basic things like clean air to breathe and water to drink. I'm doing the best I can to do my part and I ask our state legislators to do their part too by supporting HB21-1189.</p> <p>Members of the Committee,</p> <p>My name is Fernando and I'm a resident of Colorado. I have a few words to say in support of HB21-1189, the bill that's working to regulate and monitor the pollution in the air. I work as a truck driver and I'm always driving around. I notice the emissions corporations are putting in the air and I think that's part of the reason for the bad air quality. I think that we all need to do our part to make sure we have the most basic things like clean air to breathe and water to drink. I'm doing the best I can to do my part and I ask our state legislators to do their part too by supporting HB21-1189.</p>
<p>Cindy Rivera</p> <p>For</p> <p>Colorado Peoples Alliance</p>	<p>Members of the Committee,</p> <p>My name is Cindy and I live in Commerce City. I'm sharing my support for HB21-1189. I notice that in the summer especially, the air smells like trash. They don't care about us. It feels like our elected officials need to do more to regulate the horrible emissions being put in the air by corporations. The corporations don't care either considering all the toxic chemicals they are pumping into the air. I remember when it was so bad there was ash falling from the sky and they had to shut down the schools. Now with COVID19 respiratory health is an even bigger concern to my community. This is why we need to pass HB21-1189, more than ever our communities need relief.</p>

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<p>Canary Rossum</p> <p>For</p> <p>Colorado Peoples Alliance</p>	<p>Members of the Committee,</p> <p>My name is Canary and I'm a resident of Commerce City; I wanted to share some words in support of HB21-1189. I have huge concerns with both the air quality in my community. In regards to the air, I'm constantly checking the air quality monitors online but they often don't reflect real time conditions. For example, sometimes even after checking the weather, the air quality reports and going outside for a walk around my neighborhood; I still run into burning smells and smells of chemicals in the air. This leaves me wondering what I'm breathing in and how I can keep myself safe if I can't even get fresh air from a walk around the block. Colorado is too pretty for our environment to be this badly contaminated. This is why I want to encourage our legislators to pass this bill HB21-1189.. Thank you for your time and I hope you will do all you can to better the air quality in our communities.</p>
<p>Alan Castillo</p> <p>For</p> <p>Colorado Peoples Alliance</p>	<p>Hola mi nombre es Alan y soy un orgulloso miembro de Colorado People 's Alliance. Necesitamos apoyar la ley HB21-1189, tenemos que monitorear la calidad del aire que respiramos en nuestra comunidad, nuestra ciudad y nuestro estado. Lo Necesitamos y merecemos tener aire limpio para tener una adecuada calidad de vida, las empresas deben hacerse responsables por los desperdicios que generan, no podemos seguir poniendo intereses corporativos y económicos sobre la salud y el bienestar de nuestra gente.</p> <p>Ustedes pueden hacer una diferencia el día de hoy para demostrar que están aquí para servir a la gente y no al dinero, a la comunidad no a las compañías. ¡ Apoyar la ley HB21-1189!</p> <p>Hello my name is Alan and I am a proud member of the Colorado People's Alliance. We need to support HB21-1189, we need to monitor the quality of the air we breathe in our community, our city and our state. We need it and we deserve to have clean air to have an adequate quality of life, companies must be responsible for the waste they generate, we cannot continue to put corporate and economic interests on the health and well-being of our people.</p>

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	<p>You can make a difference today to show that you are here to serve the people and not the money, the community, not the companies. Support HB21-1189!</p>
<p>Adrian Olson For Colorado Peoples Alliance</p>	<p>Members of the Committee,</p> <p>My name is Adrian, I am a resident of Denver and am writing today to talk about my support for HB21-1189. I think we need this bill to pass in our state. One of the main things that I notice is the smog that is clearly visible from lookout mountain over the city and the concentration of air pollution near all of the factories north of Denver that spread air pollution to other areas. We deserve to know what's in our air and where to find that information. I am in full support of better air and water for everyone! Please make the right decision support for HB21-1189</p>
<p>Jan Douglas For Colorado Sierra Club</p>	<p>Colorado Chapter of the Sierra Club</p> <p>Testimony on HB21-1189, Regulate Air Toxins House Finance Committee, April 19, 2021</p> <p>Chair Bird and members of the Committee,</p> <p>I am Dr. Jan Douglas and I represent the Colorado Sierra Club and its 100,000 members and active supporters.</p> <p>The Sierra Club strongly supports HB-1189. In order to regulate air toxins, public health departments must have accurate information about emissions. This bill will begin that process by requiring fence line and community monitoring of 3 harmful air toxins. The costs of installing, operating, maintaining the fence line monitoring will be covered by the polluting industries. In addition, the covered facilities will each need to establish and maintain a website that the public can view realtime to see the quantity of a covered air toxic that is being emitted by the facility. An amendment passed by the House Energy and Environment Committee clarified that the costs for community monitoring will be paid for by fees the facilities pay into the Air Quality Enterprise cash fund.</p>

	<p>As a family doctor who spent the majority of her career working in community health centers serving low income, minority and immigrant patients, I saw the high burden of chronic disease in these communities and the pain and financial hardship it caused to families. We know that poor air quality contributes to this burden as we have seen in the higher rates of Covid 19 infection and mortality in communities living near polluting industries. These industries are overwhelmingly surrounded by low income communities of color who disproportionately face debilitating, expensive and too often fatal diseases such as heart failure, diabetes, COPD, asthma, multiple types of cancer and now also Covid 19.</p> <p>The Sierra Club hopes that HB 1189 will only be a beginning in the process of creating increased transparency of emission data and accountability by polluting industries. Communities surrounding these industries have a right to know in real time the chemical cocktail they are breathing in their homes and neighborhoods. Public health departments have not had adequate data to properly regulate toxic air emissions. Too often we have had to rely on self reported emission data from industries. With the passage of 1189, that will at least no longer be true for the worst emitters of hydrogen sulfide, hydrogen cyanide and benzene.</p> <p>Thank you. Please vote yes on HB 1189.</p>
<p>Sara Diaz For Self</p>	<p>Hi, good evening, my name is Sara Diaz, I live in the city of Westminster and I am a mother of 5 and I have eight grandkids. I am here today representing my family and my community since I am a community leader where I have lived for the past 17 years. Our community has been working for 5 years in a community garden named Faith & Hope, where we plant different vegetables, we don't utilize fertilizers and we do that work as naturally as possible so we can have organic and healthy food on our tables for our families. Last year and part of this year it has been very difficult emotionally for people because of the situation that we are living in with COVID and this garden has been an escape for me and my community.</p> <p>My family and I got COVID last year and that's why it's so important for me that you support HB21-1189 to increase public protection against toxic air emissions. Industrial facilities emit toxic chemicals that harm communities. Studies have found that air pollution increases the mortality rate among patients with COVID and being exposed to air toxics increases vulnerability to severe illness from COVID. One of my sons suffers from four types of Eczema. He uses medication, shampoo and two types of lotion. When he goes to Mexico his eczema disappears. If we speak about mental health,</p>

	<p>there are studies that prove stress, anxiety, depression to mention a few can be caused by toxic pollution.</p> <p>What I am requesting is that the community has the right to learn what air toxic chemicals we are exposed to, the quantity and that there is transparency in the emission report and of course that it's accessible for the community.</p> <p>Thank you very much for your time.</p>
<p>Paty Grado For Self</p>	<p>Hola buenas tardes mi nombre es Paty Grado y soy residente de la ciudad de Thornton en el condado Adams y estoy hablando en mi nombre y de mi comunidad. Yo como trabajadora comunitaria estoy realmente preocupada por la crisis actual que estamos viviendo en este momento con el corona virus y los efectos que esto trae a nuestras comunidades especialmente a los latinos y personas de color que son los mas vulnerables creo que ahora mas que nunca tenemos que proteger e invertir en la salud publica y el medio ambiente. Les voy hablar un poco de mi, yo tengo aproximadamente 21 años trabajando con las comunidades más vulnerables y tendría muchas historias que compartir con ustedes pero hoy me voy a enfocar en una en particular que me afectó directamente, esta historia es de mi amiga que vivió por unos 15 años en la ciudad de Commerce City y ella comenzó a tener deficiencia en su salud debido a que vivía muy cerca de una refinería y constantemente tenía que respirar esos tóxicos, debido a que era una persona de bajos recursos no tenía la opción de mudarse, con el tiempo su salud se fue empeorando y fue diagnosticada con cáncer de pulmón que desencadenó en su muerte dejando a su hija y nieta que tanto amaba, meses después de su muerte le diagnosticaron a su nieta asma, historias muy lamentables y que me llegan al corazón, con esto quiero decir que cuando una trabaja con y para la comunidad es inevitable que sus problemas no sean parte de uno.</p> <p>Tiempo después yo fui diagnosticada con cáncer de seno y aunque no puedo decir que fue directamente por los gases que yo inhalaba, si se que en gran parte contribuye el hecho de que mis defensas estuvieran bajas al yo inhalar día tras día esos gases tóxicos me enfermaba cada vez más. Afortunadamente yo pude cambiar de trabajo y no estar tan cerca de industrias y refinería pero sigo viviendo día tras día las historias de la comunidad que no tienen esa oportunidad no podemos olvidar que la contaminación del aire aumenta el riesgo de mortalidad por COVID tambien y que la exposicion a toxicos del aire incrementa la vulnerabilidad. Es muy importante que obtengan este inventario de emisiones de gases de efecto invernadero de referencia, lo que pedimos es que las comunidades tengan derecho a conocer su exposición a sustancias químicas tóxicas y así se benefician cuando las reglas son claras, transparentes y fáciles de</p>

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	<p>entender. Necesitamos estas bases sólidas para cumplir con nuestros objetivos.</p> <p>Muchas gracias por su tiempo.</p>
<p>Hazel Gordon For Self</p>	<p>Madam Chair Bird, members of the House Finance Committee, thank you for the opportunity to testify on House Bill 21-1189</p> <p>I urge you to approve this bill, which I believe will more closely monitor the health of our citizens and our wildland ecosystems. Regulation and documenting the emissions of toxic air pollutants by various industries is a needed step to continue to pursue in Colorado. We were formerly known as a state in which asthma and other chronic respiratory sufferers would come for its clean air. Let's make an attempt to clean up our air, our waters and our lands by industrial effluents while using technological advances to de-contaminate, monitor and regulate them.</p> <p>Please vote Yes on HB 21-1189!</p> <p>Thank you for considering my testimony.</p>
<p>Allison Conwell For CoPIRG (Colorado Public Interest Research Group)</p>	<p>On behalf of CoPIRG (Colorado Public Interest Research Group), I am asking you to vote yes on HB21-1189, Regulate Air Toxics.</p> <p>We all have the right to clean air. No one deserves to breathe in chemicals that will harm their health.</p> <p>The bill regulates entities that emit large amounts of chemicals, like hydrogen cyanide, hydrogen sulfide, and benzene, which are known to harm human health, and at least one is described as a chemical warfare agent by the Centers for Disease Control.</p> <p>Exposure to hydrogen cyanide can rapidly attack someone's central nervous system, cardiovascular system, and lungs and can kill people in minutes if people breathe it in. Exposure to high concentrations of hydrogen sulfide can cause people to have seizures, slip into a coma, or die, and a high concentration can be ingested with even a few breaths,</p>

	<p>according to the Occupational Safety and Health Administration. Benzene can cause cancer, blood disorders, and a host of other health problems when people breathe it in.</p> <p>This bill would help Coloradans breathe cleaner air by</p> <p>Directing the air quality control commission to consider adding new types of covered air toxics and adjusting the applicable emission thresholds to continually protect Coloradans from harmful toxins.</p> <p>Requiring that a covered facility's outreach to communities near the covered facility be conducted in the two most prevalent languages spoken in the communities so that as many Coloradans as possible know about violations in their area.</p> <p>Requiring covered facilities to conduct fence line monitoring of covered air toxics and to publicly report the results of the monitoring so that the public can see what is happening in their communities.</p> <p>Requiring covered facilities to take corrective action within 15 days after a violation occurs so that they reduce as much as possible the amount of toxins that people near their facilities breathe.</p> <p>Coloradans should not breathe in dangerous chemical toxins, and entities that use them in their operations need to be heavily monitored and held responsible for any emissions that can harm people's health.</p> <p>Please vote yes on HB21-1189.</p>
<p>Paul Culnan For Self</p>	<p>I support HB21-1189, titled 'CONCERNING ADDITIONAL PUBLIC HEALTH PROTECTIONS IN RELATION TO THE EMISSION OF AIR TOXICS,' sponsored by Rep. Benavidez and Rep. Valdez, Senator Gonzales and Senator Moreno. This law would improve Colorado's regulatory framework for addressing air quality by requiring fence line monitoring of air pollution and real-time access to the monitoring data.</p> <p>I support HB21-1189 for the following reason:</p> <p>Polluters have all too often poisoned our air and gotten away with no more than a slap on the wrist in part because the air monitoring is not done or the data from monitoring is hidden or the release of monitoring data is delayed by months and often years. This bill give the residents of the communities in the surrounding areas the ability to see for themselves if the air they are breathing is clean and to take real-time remedial action if the air is polluted.</p> <p>We are in a climate emergency worldwide and here along the front range we are also in an air quality emergency. Fossil fuels are the major</p>

	<p>contributor to both emergencies. We must stop burning fossil fuels as quickly as possible.</p> <p>Fortunately, developing and using renewable energy adds jobs, cleans the air, improves health in our frontline communities, and slows the onslaught of climate change.</p> <p>Thank you all for your support of our environment, health, and economy.</p>
<p>Jenny Gaeng For Conservation Colorado</p>	<p>My name is Jenny Gaeng and I am the Transportation Advocate for Conservation Colorado. Today I write to you on behalf of our over 40,000 members statewide in support of HB-1189, Regulate Air Toxics. This is one of the most important bills I have had the honor of working on in my years as an environmental organizer and advocate.</p> <p>HB21-1189 is a common-sense measure to address environmental injustice in our most vulnerable communities. Right now, industrial polluters are not being held accountable for the toxic chemicals they emit into our neighborhoods -- they are not even monitored by the state. This bill will require four covered facilities to create and maintain two types of monitoring systems: fenceline monitoring to track fugitive emissions, and community-based monitoring to study long-term health effects. And it requires that information to be communicated to the public.</p> <p>The cost of doing business in Colorado should include protecting the fundamental rights of the citizens of our state to know what is in the air we breathe. Importantly, HB-1189 assigns financial responsibility to the polluters themselves. The four covered facilities will be responsible for setting up and maintaining fenceline monitoring, and for reimbursing CDPHE for the cost of community-based monitoring equipment. We support an amendment clarifying that the initial costs for community-based monitoring will come from the Air Quality Enterprise Fund, ensuring that the bill has no TABOR impact.</p> <p>When it comes to health and safety, I know we all agree that no Coloradan should be ignored. But that's what's happening. Neighborhoods like Elyria-Swansea, often ranked as the most heavily polluted zip code in the United States, have long been subject to high instances of asthma and cancer, low birth weights, and now, a higher risk of death from COVID-19. This injustice has been sustained for one reason above all else: environmental racism.</p>

	<p>The communities surrounding our four covered facilities are predominately people of color with low incomes.</p> <p>In Colorado, we believe in justice for all. Now it's time to act on that belief. The right to know about poisonous chemicals in the air we breathe does not stop at neighborhood borders. That's why this bill has such widespread support. I urge you to take the right step today and vote yes on HB-1189.</p>
<p>joyce lisbin For Self</p>	<p>It is time to hold companies accountable for the damage that they are causing to the health of our communities and environment. I strongly believe that government and members of this committee have the responsibility to understand and address the climate crisis in Colorado with the urgency it deserves.</p> <p>Those of us in Colorado are struggling with mounting health problems because of the impact of pollution. Refineries, factories, coal plants and other industrial activities release health harming toxic chemicals into the air. These chemicals include but are not limited to benzene, hydrogen cyanide, and hydrogen sulfide. They are associated with increases in health complications for community members, exacerbate existing health conditions and even death. These hazardous chemicals can cause cancer, respiratory arrest, severe burns and pain, seizures, pulmonary edema, asthmatic complications and chronic lung disease.</p> <p>Our communities and neighbors are suffering now and that is why it is so important that HB21-1189 be passed. This bill only covers 4 companies: Suncor (Commerce City), Phillips 66 Terminal (Commerce City), Sinclair Terminal (Henderson), and Goodrich Carbon (Pueblo). A most important item in HB21-1189 is the new requirement that these facilities must not only monitor their emissions but they must directly report their findings to the community in two languages and in real time. For the first time transparency is mandated and residents will be informed. This information can be the basis for immediate community reaction and action.</p> <p>Thank you, Joyce Lisbin</p>



House Bill 21-1189 Regulate Air Toxics

Sponsors: Reps. Benavidez and Valdez A.; Senators Gonzales and Moreno

CFI position: SUPPORT

Madam Chair and members of the Finance Committee,

My name is Pegah Jalali, and I am an Environmental Policy Analyst at the Colorado Fiscal Institute. CFI is a nonprofit, nonpartisan organization that works to make Colorado a state where tax and budget policy promotes equity and widespread economic prosperity.

I am writing to testify in support of HB21-1189, Regulate Air Toxics.

Access to clean air is a human right and communities have the right to know about the toxic pollutions in the air they are breathing. Toxic air emissions cause serious health impacts, especially for people living and working at or near polluting facilities. Hydrogen cyanide, hydrogen sulfide, and benzene are among these toxins and have severe health impacts including cancer and brain damage and can cause death. The economic costs associated with these health issues is placed on community members and our society through increased health care costs, lost days of work, lost days of school, and reduced productivity.

Historically, communities of color, and low-income communities have been disproportionately affected by environmental pollutions from pollution hot spots, due to lack of access to financial resources and political power.

Moreover, a study from the Harvard School of Public Health found that exposure to air pollution is associated with increased risk of death from COVID-19. Data from the Colorado [Department](#) of Public Health and Environment shows that Adams and Pueblo Counties have the fifth and sixth highest number of deaths in COVID cases among all counties in Colorado. These counties also have significantly higher rates of [asthma](#) hospitalization compared to the state average. Adams County is home to the Suncor petroleum refinery (Commerce City), a Phillips 66 Terminal (Commerce City), and a Sinclair Terminal (Henderson); and Pueblo County is home to Goodrich Carbon (a maker of aerospace technology). All are emitters of toxic pollutants.

A 2020 [analysis](#) conducted by our organization showed that eliminating pollutants from the oil refinery alone will result in health and economic benefits totaling between \$5.6 million and \$12.7 million in Adams county. Adams County already has higher rates of uninsured residents than Colorado as a whole, increasing its residents' risk to COVID-19 and other health expenses.

In Colorado, polluting facilities often self-report their toxic emissions only monthly, and sometimes they even fail to do that. This results in underreporting of emissions, especially leaks, upsets, or emergency situations that can have very harmful health impacts for people living and working near the facilities. House Bill 1189 is a rational step towards holding polluters accountable.



This bill has no TABOR implications as the costs of fence-line monitoring (installing, operating, and maintaining the equipment) will be paid entirely by the facilities. Covered facilities will also pay the cost of creating and maintaining a website that the public and community can access to view the air toxic monitoring information in real time. This money will be deposited to the Air Quality Enterprise Cash Fund in CDPHE.

This data needs to be provided in real-time in a way that is accessible to and understandable by non-experts. It is the social responsibility of these facilities to inform the public about the toxic pollutants they are emitting in the air and to mitigate them.

For these reasons, CFI urges your yes vote on HB 1189.



Monday, April 19, 2021

Colorado General Assembly
House Finance Committee
Rep. Shannon Bird, Chair
Rep. Marc Snyder, Vice Chair

Re: Support for HB21-1189 – Regulate Air Toxics

Chairwoman Bird, Vice Chairman Snyder, and members of the committee:

My name is Maria Nájera and I am the government affairs director at Western Resource Advocates (WRA), a regional conservation non-profit working to protect the West's land, air, and water. On behalf of WRA, I am writing in support of [HB21-1189 – Regulate Air Toxics](#).

Clean air is vital to our health, economic prosperity, and the environment. Unfortunately, numerous communities across Colorado are exposed to air that contains toxic pollutants. Factories and large industrial facilities located near people's homes and workplaces emit chemicals that we know threaten public health. Those most impacted by harmful air toxics include workers, communities of color, and low-income communities. Due to historic environmental racism and lack of oversight, communities of color and low-income communities have disproportionately faced the cumulative impacts of living in pollution hot spots.

HB21-1189 is an important first step to improve air quality for Coloradans. It establishes common-sense monitoring and tracking oversight of industrial facilities that emit toxic pollutants. Specifically, the bill would:

- Require real-time fence-line monitoring of air toxics, which is a critical tool to quickly identify leaks and enable facilities to promptly address fugitive emissions;
- Improve transparency by requiring that monitoring data be available to the public;
- Require community-based air toxics monitoring in areas where people gather to better understand the cumulative health impacts of exposure to the "chemical cocktails" coming from multiple emissions sources that individuals face in their schools, workplaces, home, and public spaces;
- Ensure community engagement as monitoring plans are developed, ensuring accessible meetings, translation services, and ample opportunity for public comment;
- Require that facilities fund fence-line and community-based monitoring. Since facilities bear responsibility for toxic air emissions, they should also bear responsibility for the costs of monitoring.

Long-term exposure to harmful air pollutants has serious health consequences (causing strokes, heart

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attacks, cancer, chronic lung disease, respiratory arrest, severe burns and pain, seizures, pulmonary edema, and asthma complications and adversely impacting brain development and cognition) and has been found to increase the risk of COVID-19 mortality. It is more important than ever to ensure all Coloradans have access to information on the air pollution that impacts their health and safety and that arms them with data to hold polluters and their government accountable.

WRA urges you to vote yes on HB21-1189.

Sincerely,



Maria Nájera
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To: House Finance Committee members
From: Michael Ruddock, Policy Manager
Re: Healthier Air & Water Colorado Letter of Support for HB21-1189
Date: 4/16/2021

Thank you Madame Chair and members of the Finance committee for your consideration of House Bill 21-1189 today. My name is Michael Ruddock and I'm the policy manager with Healthy Air & Water Colorado (HAWC), and we urge your support for this bill.

This bill will require certain facilities across Colorado to monitor and publicly report levels of Benzene, Hydrogen Cyanide, and Hydrogen Sulfide. It's long past due that citizens in Colorado know exactly how much air pollution exists in their communities at a given time. This bill will increase trust between the facilities and communities, promote better public health and air quality, and provide for more accountability when polluters exceed allowable emissions levels.

4 total facilities in Pueblo, North Denver, and Commerce City would be regulated under this bill. The toxins mentioned above have a laundry list of side effects that range from irritating to deadly: drowsiness, dizziness, tremors, apnea, convulsions, irregular heartbeat, anemia, leukemia, harm to the brain, heart, lungs. And of course death. Existing health conditions are exacerbated by exposure to these chemicals.

But the effects of these chemical emissions aren't felt equally. Communities that are closest to these facilities, and these toxic chemicals, are low-income and communities of color. These disproportionately impacted neighborhoods have borne the brunt of unknown amounts of dirty air for way too long. The first step in enacting policy, rules, or regulation to reduce health disparities is to set a baseline. The fence-line monitoring and community monitoring provisions in this bill will allow us to get an independent read on emissions and the effect on air quality. With more and better data we'll be able to come to common sense policies that reduce health-threatening toxic emissions and reduce inequalities in BIPOC communities.

There is currently no system to independently monitor the amount of toxins that these facilities are spewing into our air. Facilities report emissions limits to a Federal Toxic Release Inventory (TRI) database, but those are ballpark figures that can be amended at almost anytime for almost any reason, as laid out in a [Colorado Sun article](#) from March 2021. In addition to requiring monitoring provisions, the bill would ensure that data from the fence-line monitoring would be publicly accessible to affected communities, fostering empowerment.

Our membership, consisting of doctors, nurses, researchers, and other medical professionals, tell us that monitoring gases emitted from refineries and facilities are critically important. Without ample data and research around these toxins we cannot set health based values which could protect our health, particularly for fence-line communities.

You can help break the cycle. Please join us in supporting House Bill 21-1189.