February 8, 2025

Nikki Harris
Department of Ecology
Air Quality Program
P.O. Box 47600
Olympia, WA 98504-7600

VIA EMAIL TO: nikki.harris@ecy.wa.gov

Re: Chapter 173-423 WAC – Clean Vehicles Program Rulemaking

Dear Nikki Harrs & Ecology Program Staff:

The Duwamish River Community Coalition (DRCC) and Earthjustice submit these comments in support of Ecology's proposed rules amending the Advanced Clean Trucks rule, consistent with amendments adopted by the State of California. The proposed rules would encourage timely compliance with the requirements of the Advanced Clean Truck rule, which will substantially reduce diesel pollution from trucks in Washington state. The benefit of reduced pollution would directly benefit communities in the Duwamish Valley that have suffered systematic disinvestment for years. We urge you to take important steps towards a just transition in Washington State by adopting the proposed rules.

I. ABOUT US

DRCC is a 501(c)(3) nonprofit organization that seeks to amplify the will and lift the voices of the Duwamish Valley community members, specifically those most harmed by the combined impacts of climate change, health disparities, and environmental and economic inequities. DRCC's mission is to elevate the voices of those impacted by the Duwamish River pollution and other environmental injustices to advocate for a clean, healthy, and equitable environment for people and wildlife.

Earthjustice is a 501(c)(3) nonprofit environmental law organization that uses the power of law and the strength of partnership to protect people's health, to preserve magnificent places and wildlife, to advance clean energy, and to combat climate change. Earthjustice partners with thousands of groups, supporters, and citizens to take on the critical environmental issues of our time and bring about positive change.

II. THE ADVANCED CLEAN TRUCK RULE IS VITAL TO REACHING WASHINGTON'S CLIMATE GOALS.

Reducing greenhouse gas emissions is critical to human survival on Earth. There is an overwhelming, global scientific consensus that greenhouse gas ("GHG") emissions must be radically reduced over the next few decades to avoid a climate catastrophe.[1] Washington State—much like the rest of the world—faces serious disruption from a changing climate including an increase in air pollution-related illness and death; declining water supply; an increase in tree die-off and forest mortality because of increasing wildfires, insect outbreaks, and tree diseases; the loss of coastal lands due to sea level rise; an increase in ocean temperature and acidity; increased death and disease in fish like salmon, steelhead, and trout because of warmer water temperatures and altered flow regimes; and damaged and failed field crops and fruit harvests because of higher temperatures and less water available for irrigation.[2]

While no one is safe from the devastating effects of climate change, environmental justice communities are often most likely to be harmed earlier and worse than wealthier and healthier areas. In Washington, the Duwamish Valley is particularly vulnerable to harm from sea level rise.[3]

To ensure Washington State does its part to address the climate crisis and protect its most vulnerable residents, the legislature committed the state to significantly reducing its GHG emissions, setting a target of reducing Washington's overall emissions of greenhouses gases in the state to 1990 levels by 2020, to 45% below 1990 levels by 2030, to 70% below 1990 levels by 2040, and to 95% below 1990 levels by 2050.[4]

Curbing on-road gasoline and diesel emissions is necessary to achieve Washington's climate goals. **The transportation sector is the largest contributor of greenhouse gas emissions in Washington, and accounts for close to half of the state's greenhouse gas**

---

[1] *See* Intergovernmental Panel on Climate Change (IPCC), *Climate Change 2022: Mitigation of Climate Change—Summary for Policymakers*, https://www.ipcc.ch/report/ar6/wg2/downloads/report/IPCC_AR6_WGII_SummaryForPolicymakers.pdf.

[2] Wash. Dep't of Ecology, *Concise Explanatory Statement, Clean Air Rule* (Sept. 2016) at 3, https://fortress.wa.gov/ecy/publications/documents/1602014.pdf (listing "Reasons for Adopting the Rule").

[3] *See, e.g.*, City of Seattle, Request For Proposals: Sea Level Rise Adaptation Strategy for the Duwamish Valley (May 13, 2022), https://consultants.seattle.gov/2022/05/13/sea-level-rise-adaptation-strategy-for-the-duwamish-valley-rfp-ose-dvrd-4-slr%EF%BF%BC/ (RFP seeking a consultant to develop a strategy for sea level rise adaptation infrastructure for the Duwamish Valley).

[4] RCW 70A.45.020(1)(a).

emissions.[5] Transportation-sector emissions are the principal factor causing an increase in total statewide GHG emissions.[6] On-road emissions from gasoline and diesel account for 30.8% of Washington's total GHG emissions, with diesel vehicles contributing 8.7% of the total state-wide GHG emissions.[7]

Ensuring compliance with the Advanced Clean Trucks rule will allow Washington to reduce its greenhouse gas emissions aggressively, giving the communities most vulnerable to the effects of climate change their best shot at avoiding devastation.

III. ADOPTING THE PROPOSED RULES WILL ADVANCE ENVIRONMENTAL JUSTICE BY IMPROVING AIR QUALITY IN OVERBURDENED COMMUNITIES.

The Advanced Clean Trucks rule will also significantly improve air quality and public health in Washington, especially in communities near transportation corridors and ports that are disproportionately burdened by environmental harms. The proposed rules would lead directly to cumulative benefits for historically marginalized, near-port communities in the Duwamish Valley in Washington.

A. Air pollution from vehicle emissions is a major threat to public health.

It is well documented that the trucks that would be regulated by the proposed rules are a major source of both greenhouse gases and harmful air pollution. When diesel fuel is burned, it emits several pollutants known to have significant detrimental effects on human health and the environment, including carbon monoxide (CO), particulate matter (PM) including $PM_{2.5}$, nitrogen oxides (NOx), hydrocarbons (HC), and various hazardous air pollutants.[8] Air pollution emitted from diesel exhaust contributes to major health issues such as lung and heart disease, increased risk of cancer, asthma, more frequent hospital admissions, and even premature mortality.[9] Chronic exposure to diesel exhaust is even more deadly than short-term acute

---

[5] Washington State Greenhouse Gas Emissions Inventory: 1990–2018, Wash. Dep't Ecology (2021), https://apps.ecology.wa.gov/publications/documents/2002020.pdf.

[6] Washington State Greenhouse Gas Emissions Inventory: 1990–2018, Wash. Dep't Ecology (2021), https://apps.ecology.wa.gov/publications/documents/2002020.pdf.

[7] Washington State Greenhouse Gas Emissions Inventory: 1990–2018, Wash. Dep't Ecology (2021), https://apps.ecology.wa.gov/publications/documents/2002020.pdf.

[8] About Diesel Fuels, U.S. Envtl. Prot. Agency (March 1, 2021), https://www.epa.gov/dieselfuel-standards/about-diesel-fuels.

[9] *See* U.S. Envt'l Prot. Agency, *Research on Near Roadway and Other Near Source Air Pollution*, www.epa.gov/air-research/research-near-roadway-and-other-near-source-air-pollution; J. E. Johnson et al., *Impact of Excess NOx Emissions from Diesel Cars on Air Quality,*

exposure.[10] The health conditions caused by diesel exhaust also increase vulnerability to respiratory illnesses like COVID-19.[11]

B. Near-port communities of color are disproportionately impacted by air pollution from vehicle emissions.

The communities that bear the brunt of this air pollution from vehicle emissions and the associated harms are the communities with the greatest proximity to truck exhaust: those near freight hubs, highways, warehouses, rail and intermodal yards, and ports.

Nationwide, near-port communities are often predominantly BIPOC and often have below-median household incomes.[12] Many near-port communities have been burdened with disproportionate, cumulative exposure to many environmental harms and have been subjected to systematic disinvestment and redlining.[13]

In Washington, too, air pollution from vehicle emissions disproportionately burden near-port communities like the Duwamish Valley. The Duwamish Valley is a predominantly non-white "near port" and environmental justice community along the Duwamish River in Seattle.[14] The Duwamish Valley is disproportionately impacted by diesel pollution because it is a high traffic transportation corridor. Three freeways border the Duwamish Valley: Interstate 5, Highway 99, and the West Seattle Bridge. During the two years that the West Seattle Bridge was closed for repairs, an average of 100,000 vehicles per day were rerouted through the Duwamish

---

PublicHealth and Eutrophication in Europe, 12 Envtl. Res. Letters 1, 9 (2017), https://doi.org/10.1088/1748-9326/aa8850.

[10] Simon Wilson et al., *Effects of Diesel Exhaust on Cardiovascular Function and Oxidative Stress*, 28 Antioxidants & Redox Signaling 821 (2018), https://pubmed.ncbi.nlm.nih.gov/28540736/.

[11] People with Certain Medical Conditions, Ctrs. Disease Control & Prevention (May 13, 2021) https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html.

[12] *See* U.S. Envt'l Prot. Agency, *Environmental Justice Primer for Ports: Impacts of Port Operations and Goods Movement*, https://www.epa.gov/community-port-collaboration/environmental-justice-primer-ports-impacts-port-operations-and-goods#distribution.

[13] *See* U.S. Envt'l Prot. Agency, *Environmental Justice Primer for Ports: Impacts of Port Operations and Goods Movement*, https://www.epa.gov/community-port-collaboration/environmental-justice-primer-ports-impacts-port-operations-and-goods#distribution.

[14] U.S. Envt'l Prot. Agency, EJScreen 2.0, https://ejscreen.epa.gov/mapper/ ("People of Color" Socioeconomic Indicator).

Valley.[15] Numerous major trucking routes pass through Georgetown and South Park, carrying freight from the Port of Seattle, and nearby industry.

The goods movement and distribution sector has grown dramatically during the COVID-19 pandemic, compounding these inequities. With more people doing more of their shopping online, e-commerce soared, creating record-breaking demand for warehouses to be used for fulfillment and distribution centers for goods movement.[16] As the goods movement industry expands, so does diesel truck traffic near ports and warehouses, exacerbating air pollution in nearby communities. In addition to disproportionately suffering the burdens of diesel pollution, near-port communities typically do not reap the benefits of the ports and goods movement industries, such as jobs and economic growth.[17] For all of these reasons, EPA made goods movement one of its national environmental justice priorities in 2020.[18]

Accordingly, remediating pollution from goods movement is of paramount importance to communities living in the Duwamish Valley. As Washington transitions to a zero-carbon emitting economy, it must not leave behind communities such as the Duwamish Valley, which have borne the brunt of industrial pollution for so long.

IV. CONCLUSION

For all of these reasons, we urge you to adopt the proposed rules. We thank you for the opportunity to engage in this rulemaking, and look forward to continuing to work together to secure a just transition to clean energy for Washington.

Sincerely,

Mia Ayala-Marshall, *Clean Air Program Manager | Climate Policy Analyst*
Duwamish River Community Coalition

Jaimini Parekh, *Senior Attorney*
Earthjustice

---

[15] City of Seattle, *West Seattle Bridge Program*, https://www.seattle.gov/transportation/projects-and-programs/programs/bridges-stairs-and-other-structures/bridges/west-seattle-bridge-program.

[16] *E.g.*, Ana Monteiro, *Covid E-Commerce Boom Sees U.S. Retailers Hunt for Warehouses*, Bloomberg, Jan. 11, 2022, https://www.bloomberg.com/news/newsletters/2022-01-11/supply-chain-latest-covid-e-commerce-boom-sees-warehouse-demand-soar.

[17] U.S. Envt'l Prot. Agency, *Environmental Justice Primer for Ports: Impacts of Port Operations and Goods Movement*, https://www.epa.gov/community-port-collaboration/environmental-justice-primer-ports-impacts-port-operations-and-goods#distribution.

[18] *See* U.S. Envt'l Prot. Agency, EJ 2020: National EJ Challenges, https://www.epa.gov/environmentaljustice/ej-2020-national-ej-challenges.