

| ~~29~~ October ~~April~~ 2015

SUBMISSION INTO THE INDEPENDENT INQUIRY INTO THE EPA: EXAMINING THE FUTURE TASK OF VICTORIA'S ENVIRONMENT PROTECTION AGENCY.

The following submission is made on behalf of the Maribyrnong Truck Action Group (MTAG). MTAG is a resident-based community group campaigning to reduce truck numbers on residential streets in the inner western suburbs of Melbourne. We work closely with other community groups, including Less Trucks for Moore, an associated Footscray-based group that shares the same concerns.

The submission focuses on the impacts of diesel pollution in Melbourne's inner west due to particulate emissions from trucks on residential streets. The City of Maribyrnong has some of the country's highest levels of diesel pollution due to 22,000 trucks a day, driving within meters of homes, schools and child care centres. These trucks service the Port of Melbourne, Australia's busiest container port, generating over 5 million truck movements each year on our narrow residential streets. Due to expansion of the Port of Melbourne, forward projections show that container trade will treble in the next 20 years.

MTAG believe that one of the key environmental challenges facing the EPA for the next 20 years is dealing with rising levels of diesel emissions. The use of diesel as a fuel has been categorically proven to be an environmental and public health disaster and must be addressed.¹

| In 2012, the World Health Organisation (WHO) upgraded the cancer risk from diesel exhaust from 'probably carcinogenic to humans' to 'carcinogenic to humans'.² There is a vast amount of medical evidence documenting other acute and chronic health effects from exposure to diesel exhaust. These include, but are not limited to, cardiovascular disease, stroke, cardiopulmonary disease, asthma, chronic obstructive pulmonary disease, hypertension, low birth weight babies as well as decreased lung development and function in children.³

¹ The rise of diesel in Europe: the impact on health and pollution, 2015, John Vidal, <http://www.theguardian.com/environment/2015/sep/22/the-rise-diesel-in-europe-impact-on-health-pollution>

² World Health Organisation, 2012, Press Release No 213 12 June, IARC Diesel Engine Exhaust Carcinogenic, http://www.iarc.fr/en/media-centre/pr/2012/pdfs/pr213_E.pdf

³ Irina N. Krivoshto, BA, John R. Richards, MD, Timothy E. Albertson, MD MPH, PhD and Robert W. Derlet, MD, Journal of the American Board of Family Medicine, January – February 2008, 'The Toxicity of Diesel Exhaust: Implications for Primary Care', <http://www.jabfm.org/content/21/1/55.full>

Residents of the City of Maribyrnong are already experiencing the health effects of diesel pollution. In the year 2009-2010, VicHealth found that Maribyrnong had Victoria's highest rate of hospital admissions for respiratory illness in children aged 0-16 years. In 2010, the Department of Education and Early Childhood Development released an Adolescent Community Profile for the City of Maribyrnong and found that the adolescent asthma rate was 50% higher than both the Western Metropolitan average and the Victorian average.⁴ If diesel emissions are allowed to rise exponentially with the projected increase in truck numbers, the health issues we are now facing will become a crisis.

One only needs to look at the recent air pollution problems in cities like London and Paris to predict Australia's future if diesel emissions are allowed to rise unabated. In France and the United Kingdom, where eighty per cent of motorists drive diesel-powered cars, days of severe smog, where the elderly, children and asthmatics are advised to stay indoors have become more frequent and air pollution related health problems have increased dramatically. As a result, France has now started phasing out diesel vehicles, stemming from a realisation that the fuel efficiency they provide is not worth the air pollution and subsequent health problems they have caused. The French Prime Minister Manuel Valls has been quoted as saying "In France, we have long favoured the diesel engine. This was a mistake, and we will progressively undo that, intelligently and pragmatically."⁵ In the U.K. the Government is in the process of planning clean air zones within six cities, restricting access to diesel vehicles.⁶ The EPA must ensure that we don't get to that point of severity before addressing the issue.

MTAG's Recommendations to the EPA

Implement tougher enforceable standards for particulate matter

Our current pollution standards and laws are failing to protect the health of Australians, like residents of the City of Maribyrnong. Our air pollution standards urgently need to be strengthened and they need to ensure compliance.

Recent air quality monitoring conducted by the EPA in Francis Street, Yarraville, showed air pollution levels are already higher than at any monitoring station in metropolitan Melbourne. Of most concern were the recorded levels of PM_{2.5}, which exceeded the annual advisory standard.⁷ These ultra-fine particles are particularly dangerous to human health; they penetrate the walls of our lungs, make their way into the bloodstream and travel around our bodies, even getting into the brain.

⁴ Department of Education and Early Childhood Development, Adolescent Community Profile, City of Maribyrnong 2010, <http://www.education.vic.gov.au/Documents/about/research/acpmaribyrnong.pdf>

⁵ Drive.com.au, 'French diesel ban could be first nail in the coffin for pollution oil-burning engines', December 2, 2014, <http://www.drive.com.au/motor-news/france-wants-to-phase-out-diesel-cars-20141202-1lyekb.html>

⁶ French diesel ban Diesel car drivers face new restrictions in cities, 2015, Emily Gosden, <http://www.telegraph.co.uk/news/earth/environment/11862419/Diesel-car-drivers-face-new-restrictions-in-cities.html>

⁷ EPA Victoria, Francis Street monitoring program – Final report, December 2013 <http://www.epa.vic.gov.au/~media/Publications/1546%201.pdf>

The 2013 Senate Inquiry 'Impacts on Health of Air Pollution' heard evidence that PM_{2.5} emissions are "the most health-hazardous air pollutant, responsible for 10 to 20 times as much premature deaths as the next worst pollutant, ozone."⁸

In 2014, Associate Professor Adrien Barnett of Queensland University of Technology quantified the number of deaths that would occur in Sydney, Melbourne and Brisbane if PM levels rose to the Air NEPM standards. He found that this would cause the deaths of an extra 6000 people each year and hospitalise a further 20,700 people per year.⁹ The current PM standards do not protect our health. They must be lowered and they must be compliant.

MTAG recommended that the EPA:

- Adopts world's best practice particulate standards based on independent established research and World Health Organisation guidelines.
- Adopts a compliant standard for PM_{2.5}
- Takes into account those more vulnerable to the effects of air pollution, such as children, pregnant women and the elderly, when developing standards. For example, the EPA must take into account the cumulative effect on a child being exposed to high levels of truck traffic every day of their primary school life.
- Implement specific reduction targets for communities, such as the City of Maribyrnong, that live in an air pollution hot spot.
- Adopts an exposure reduction framework to continuously reduce pollution levels over time. For many pollutants such as diesel exhaust health impacts occur at very low levels. Significant health benefits would occur if air pollution is improved over time below the NEPM standards, not kept at the standards.
- Adopts stricter, world's best practice, standards for Nitrogen Dioxide (NO₂), which is another dangerous component of diesel exhaust. Air testing on Francis Street Yarraville measured the highest levels of NO₂ in Melbourne.
- Adopts engine emission standards in line with world's best practice, e.g. Euro6 or current US standards.

Improve air monitoring and reporting procedures

Current monitoring under the Air NEPM is designed to measure the average air pollution that a community is exposed to. This does not show the true levels of air pollution where people are most heavily exposed, where pollution hot spots are or where vulnerable people work and live. For example, the recent year long air monitoring on Francis Street, Yarraville was undertaken on a section of road where traffic is free flowing. It did not show the pollution exposure to residents and children spending time where trucks are regularly stopping, starting and idling.

Monitoring reports are currently averaged out over 24 hours, hiding spikes in emissions. This ignores the short-term exposure to pollution that can be extremely damaging to health. For example, the results of the year long air monitoring on Francis Street, Yarraville were averaged out over 24 hours. There is a truck curfew from 8pm – 6am which would have the

⁸ Commonwealth of Australia, 2013, Senate Inquiry 'Impacts on health of air quality in Australia' http://www.aph.gov.au/Parliamentary_Business/Committees/Senate/Community_Affairs/Completed_inquiries/2010-13/airquality/report/index

⁹ Adrian G. Barnett, Australian and New Zealand Journal of Public Health, 30 September 2014, 'It's safe to say there is no safe level of air pollution', <http://onlinelibrary.wiley.com/doi/10.1111/1753-6405.12264/abstract>

effect of lowering the 24-hour average result. This means that the true pollution levels that the community is exposed to on a daily basis is higher and unknown.

MTAG also believe that a permanent air monitoring station should be installed in Yarraville. With the nearest monitors in Footscray and Altona, residents who live near the most impacted street in the City of Maribyrnong, Francis Street, cannot see what they are exposed to. The EPA needs to expand the state's permanent air pollution monitoring network, adding locations that are identified by community groups and other stakeholders as pollution hotspots.

Phase out the older trucking fleet:

The Truck Industry Council, in 2014, reported that 50% of trucks operating in Australian cities are pre-1995, and are therefore non-compliant with current engine exhaust emission standards. A single pre-1995 truck engine emits the same particulate matter as sixty post-2007 trucks.¹⁰ By these estimates, over 10,000 dirty old trucks are driving meters from schools, homes and child care centres every day in the City of Maribyrnong.

In countries such as the United States, these old and highly polluting trucks would have been upgraded or replaced. The US EPA has declared: "reducing emissions from diesel engines is one of the most important public health challenges facing the country". They have implemented a National Clean Diesel Campaign¹¹ to reduce the pollution emitted from diesel engines. This is via a range of measures including switching engines already in use to cleaner fuels, retrofitting them with emission-reduction technologies such as particulate filters, and programs to reduce idling time. For new engines, stringent new standards have been implemented with a goal of phasing out pre-2007 trucks by 2030.

Health benefits that come from upgrading the trucking fleet have been proven in Los Angeles for the community living near the Port of Long Beach. The Port of Long Beach implemented a Clean Trucks program which involved banning dirtier pre-2007 trucks from its port terminals.

¹² This has led to a diesel particulate reduction of 82% since 2005.¹³

The EPA must catch up to the rest of the developed world in phasing out older highly polluting trucks and replacing them with post-2007 trucks with stricter emissions standards.

¹⁰ Truck Industry Council submission to the Proposed variation to the National Environment Protection (Ambient Air quality) Measure in relation to the standards for particles, October 2014.
http://www.environment.gov.au/submissions/nepc/aagnepm/55_truck_industry_council.pdf

¹¹ United States Environmental Protection Agency, National Clean Diesel Campaign Fact Sheet,
<http://westcoastcollaborative.org/files/outreach/NationalCleanDieselCampaign.pdf>

¹² Port of Long Beach, The Green Port, <http://www.polb.com/environment/cleantrucks/default.asp>

¹³ Port of Long Beach Surpasses Air Pollution Reduction Milestones Set for 2014, 2015, Stephanie Rivera,
http://lbpost.com/business/trade-transportation/2000007289-port-of-long-beach-surpasses-air-pollution-reduction-milestones-set-for-2014?utm_content=buffer0e35a&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer

Implement programs to protect communities living near the Port of Melbourne

MTAG welcomes the State Labor Government's announcement to build either the West Gate Distributor or The Western Distributor, two projects that will provide a direct truck route from the Port of Melbourne to the West Gate Freeway. If the resulting road is accompanied by truck bans on local residential streets, air quality in the inner west will be improved. However, the City of Maribyrnong will still be adjacent to the Port of Melbourne, the West Gate Distributor and the West Gate Freeway. Studies have shown that communities living near ports have elevated rates of oropharyngeal cancer and certain lung cancers. People who breathe high levels of traffic related air pollution have a higher rate of cardiovascular disease, asthma and death as well as reduced lung function.¹⁴ The City of Maribyrnong will still suffer these health effects from the vast amount of diesel pollution emanating from the Port of Melbourne.

The US EPA has implemented a range of Clean Ports Initiatives to cut diesel emissions at American ports and protect those who work there and live nearby.¹⁵ This combined with California's strong air pollution laws and some concerted efforts at specific ports such as the Port of Long Beach in Los Angeles, have resulted in some highly significant and beneficial public health effects. Studies have proven that children in those impacted areas have improved lung function and lung capacity, indicating that the clean air measures have been effective.¹⁶ As the Long Beach City Health Officer Dr. Mitchell Kushner says "These lower emission levels translate into major public health benefits and lead to a more vibrant and healthy community".¹⁷

The EPA must work to improve the pollution coming out of the Port of Melbourne, impacting on the health of nearby communities. This includes upgrading the trucking fleet as well as encouraging ships in port to connect to local electricity to stop idling and ban the use of low-grade diesel (a class one carcinogen).

¹⁴ Hricko, A., 2006, Guest Editorial: Ships, Trucks, and Trains: Effects of Goods Movement on Environmental Health, U.S. National Library of Medicine, Environmental Health Perspectives, <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC1440794/>

¹⁵ United States Environmental Protection Agency, National Clean Diesel Campaign, Ports & Marine, <http://www.epa.gov/cleandiesel/sector-programs/ports-overview.htm>

¹⁶ W. James Gauderman, PhD. Robert Urman, M.S, Edward Avol, M.S, Kiros Berhane, PhD. Rob McConnell, MD, Edward Rappaport, MS, Roger Chang, PhD, Fred Lurmann, MS, and Frank Gilliland, MD, PhD, The New England Journal of Medicine, March 2015, 'Association of Improved Air Quality with Lung Development in Children, <http://www.nejm.org/doi/full/10.1056/NEJMoa1414123#t=articleTop>

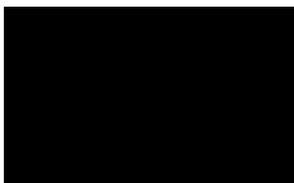
¹⁷ Port of Long Beach Surpasses Air Pollution Reduction Milestones Set for 2014, 2015, Stephanie Rivera, http://lbpost.com/business/trade-transportation/2000007289-port-of-long-beach-surpasses-air-pollution-reduction-milestones-set-for-2014?utm_content=buffer0e35a&utm_medium=social&utm_source=twitter.com&utm_campaign=buffer

MTAG'S Other Recommendations:

- ***A right to citizen enforcement of the laws so that communities affected by pollution laws can take polluters to court to enforce the law if regulators refuse to.***
- ***A requirement that existing pollution sources that contribute to breaching the standard be brought within standard within three years.***
- ***That Victoria recognises any national standards as a baseline requirement and adopts higher Victorian standards for permitted concentrations of major pollutants, based on independent established research.***
- ***Improved access to air pollution monitoring data that supports real-time web-access to consistent monitoring data, of all known pollutant categories including PM_{2.5} and PM₁₀.***
- ***Compliance and enforcement mechanisms that include incentives and sufficiently deterring penalties.***
- ***The EPA must be strong, independent and well-funded. The current governance arrangements need to be modernised to ensure the EPA's independence.***
- ***A clearer role for the EPA on issues that affect our health and wellbeing. Individual citizens have very little capacity to manage their exposure to pollution. The EPA needs a much stronger role when it comes to protecting human health. Communities need greater clarity around who is responsible for protecting us from noise, air pollution and other things that affect our health and wellbeing.***

Australia is lagging behind the rest of the developed world on reducing the impact of diesel emissions. The independent review of the EPA is an ideal opportunity to end the delays and commit to real actions that will make a difference to communities like Melbourne's inner west.

MTAG welcomes the opportunity to provide input into this inquiry.



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