



April 4, 2013

To: Joint Committee on Ways and Means Subcommittee on Natural Resources
Fr: Mary Peveto, Neighbors for Clean Air

Regarding: SB 5520 - The Department of Environmental Quality Budget

Thank you Co-Chairs Unger and Edwards, and all the members of the committee for this opportunity to speak in regards to the Department of Environmental Quality proposed budget. Specifically, I would like to voice my support for the agency request to increase the fees collected for the Air Contaminant Discharge Permit (ACDP) program.

I live in the Northwest Neighborhood in Portland. The Portland Metro air-shed has often been described to me by regulators as “complex.” And as a member of DEQ’s Portland Air Toxics Solutions Advisory Committee for over two and half years, I appreciate the complexity of finding solutions to protect Oregonians from the dangers of air pollution, even while I became more aware of the real and serious public health threat it poses.¹ It has been estimated that for asthma alone, the cost of treatment exceeds \$28 million annually.

I wish I could sit before you today and realistically ask you to increase general funding to the Department by the amounts that would be sufficient to allow the agency to meet its mandate to protect the environment. But I understand the economic pressures that legislatures face and the difficult budget decisions you must make.

However, this fee increase is necessary to prohibit further deterioration of the agency's most basic functions. While the agency will still lose staff at the level requested, it will be able to - just barely - maintain current capacity. Anything short of this 20% increase will further decimate a program that falls far short of protecting the public from permitted air polluters.

Unlike the Title V permit, there is no automatic increase for fees collected indexed to inflation. So this will be the first increase in over seven years for fees collected for the thousands of permits issued by the state for the wide variety of facilities that fall in this category.

For any that have faced the frustration of trying to address concerns about regulated facilities in Oregon, you are witness to the result of the routine defunding of the agency.

¹ See attached.

This has left DEQ criminally understaffed, and incapable of executing its most basic mandate to protect the quality of Oregon's environment from regulated air polluters.

What this has meant is, due to lack of funding, the agency does not have the necessary resources:

1. The agency routinely neglects to address nuisance odors from permitted facilities and can't do the basic analysis to determine which source is the likely the culprit of odors.
2. Since permit writers must double as investigators, the agency is incapable of acting in a timely fashion on neighborhood complaints of odors and other concerns.
3. Permits are routinely renewed that allow outdated pollution controls to persist.
4. In the Portland Metro area, the agency is not implementing a requirement for best & highest practicable treatment to control odorous emissions, despite the fact that a rule requiring it has existed for 15 years.

We appreciate the challenges the state legislature faces to address all the needs of Oregonians. In this climate, there is all the more reason we can't afford further giveaways. Businesses that operate in Oregon should pay the reasonable cost of implementation of the ACDP program. This bill doesn't fix the problems we have with air pollution in Oregon, but it ensures that, until we have the resources and the political will, we don't make the problem even bigger.

I urge you to approve the ACDP fee increase at the level requested.

Sincerely,

Mary Peveto



The Health Risks of Breathing Oregon's Air

FEDERAL NATIONAL AIR TOXICS ASSESSMENT DATA (NATA)

- Oregon has the third largest population in the country at extreme risk from toxic pollution. This level of toxic pollution corresponds with more than 100 in a million excess cancers, while the standard for “unreasonable risk” is 1 in a million.¹ The results of the most recent 2005 NATA show a similarly stark picture.
- No county in Oregon was below the unreasonable risk value.
- Approximately 3.2 million Oregonians live in counties with risk values twice the standard.
- This problem is even worse in urban areas: Lane, Marion, Jackson, Clackamas, Multnomah, and Washington counties: **approximately 2.2 million Oregonians, have an average cancer risk value four times the standard.**

OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY DATA

- Oregon Department of Environmental Quality (DEQ) as part of the Portland Air Toxics Solution (PATs) program estimates the toxic pollution throughout the metro area.
- DEQ found that for the metro area, 19 pollutants are above DEQ's benchmark values, which correspond with levels of unreasonable risk.
- In some instances, levels of single pollutants are 100 times these benchmark levels.
- In some neighborhoods, total toxic pollution corresponds with nearly 800 in a million excess cancers.

2008 SCHOOL AND INDUSTRIAL POLLUTION STUDY

- Scientists and researchers from the University of Massachusetts – Amherst, Johns Hopkins, and the University of Maryland School of Public Health.
- Toxic Release Inventory (TRI) data and modeling program to estimate toxic exposure. The study used schools to compare different areas of the country.
- No school in Portland ranked better than the bottom 30% in the country
- Throughout Oregon, 116 schools ranked in the bottom 10%.
- Title V sources were significant contributors to toxic pollution at 96, or 83%, of these schools.
- Title V sources were the most significant contributor at 37, or 32%, of these schools