

Please approve House Bill 3492.

The following is my testimony from the Public the Hearing on Daimler's Draft Title V Permit 3/7/12

Good Evening

My name is Penny Meiners, I live at 4723 N Willamette Blvd., which is located at the NW corner of Menlo and Willamette Blvd., on the bluff above the west end of Daimler's facility.

I respectfully request you not renew Daimler's Title V Permit without enforcing the Nuisance Clause in the permit.

During the summer Daimler's paint fumes do not typically blow across my property. When they do, I have the option to scurry indoors, close all the windows, and wait for the air to clear. Yes, sitting indoors on a beautiful sunny day is a Nuisance but it is better than the alternative.

There are times when the paint fumes drift in and I find myself in the middle of an outdoor project with tools and materials spread all around the yard. I then make the "not so smart" decision to stay outside and just tough it out. Knowing that when I am done, I will spend the rest of the day in bed with a pillow over my head waiting for my migraine to go away. Sitting inside waiting for the paint fumes to go away or suffering through a migraine is in deed a Nuisance.

It is during the winter that Daimler's paint fumes are the worst. The wind blows from the SSE and the fumes drift directly across my property on an almost daily basis. Sitting indoors on a sunny winter day waiting for the paint fumes to go away is a very maddening Nuisance.

Fortunately, it is usually cold and rainy outside, so my windows are shut and all I have to do is hold my breath and scurry from the house to the car and back again. Yes, this is a Nuisance but it is better than the alternative.

Even in the winter, however, there are some chores that need to be done outdoors and on a dry day. Last week Tuesday was one of those dry days after a lengthy stretch of wet ones. So when Daimler's paint fumes drifted in, I once again made the "not so smart" decision to stay outside and just tough it out. By the late afternoon the paint fumes had subsided and I decided to take my dogs for a walk on the UP campus, which is when "The Perfect Storm" hit. That is to say, the wind switched direction and brought Vigor's acrid fumes onto the campus. Those acrid fumes affect me far worse than the paint fumes and I had to breathe them on my walk home back across campus.

The double hit of Daimler's paint fumes and Vigor's acrid fumes left me with a full body migraine the next day. This type of migraine differs from a migraine headache in that it impairs my fine motor skills. That morning I had breakfast with my niece and her new baby. I was unable to fully engage in the conversation because I had to speak so very slowly. I had to let others hold the new baby because I could not hold her securely due to my diminished motor skills. Little Phoebe will never be two months old again and not being able to hold her because of the noxious fumes from Swan Island is indeed a grievous Nuisance.

I realize my reaction to the Daimler's paint fumes is atypical, but I like to think of myself as the "canary in the coal mine." If the fumes affect my brain this way, what are they doing to the growing brains of my neighbors' small children and to the still malleable brains of the students on the UP campus?

I understand the Department's hesitation to enforce your Nuisance Authority, until you have developed a methodology that can be applied in a standardized way to all of Oregon's industries. However, I am afraid that this is a near impossible task because it is like trying to compare Apples to Oranges. Yes, they are both fruits that grow on trees but there the similarity ends. One grows on a deciduous tree and the other on a broad leaf evergreen tree and trying to use the same propagation techniques on both trees will not work. Likewise, Daimler and Intel are both industries which make transportation products but there the similarity ends. One product transports thousands of pounds of material and the other transports gazillions of bytes of information. Trying to apply a standardized methodology to all of Oregon's industries will not work.

Please, stop waiting and include a Nuisance Clause in the Daimler permit.

Thank you.

**Sincerely,
Penny Meiners**