

**To:** Chair Vega Pederson, Members of the House Committee on Energy and Environment  
**From:** Senator Diane Rosenbaum  
**Date:** February 23, 2016  
**RE:** Written testimony on Portland air quality

Chair Vega Pederson and Members of the Committee:

The ongoing public health crisis in Portland-area neighborhoods requires immediate action. Over the past month, I have heard from hundreds of constituents in District 21 about the dangerously high concentrations of cadmium and arsenic that were recently linked to emissions from stained glass manufacturing facilities in Southeast and North Portland. Long-term exposure to these pollutants increases the risk of kidney disease and liver, lung, skin, and bladder cancer. This is particularly concerning due to the close proximity of these hotspots to schools and other areas where children are present.

It is clear that the current approach to regulation and monitoring of air pollutants in the Portland metropolitan area is dangerously inadequate. Recognizing the urgent need for action, this letter details my support for specific actions to address the problem.

First, the risk to public health needs to be the primary consideration in permitting facilities that emit potential toxins. Simply examining the techniques or technologies employed by a facility to mitigate pollution is not enough. We need to ensure that the actual impacts on the ground do not exceed acceptable public health standards. Risk-based standards need to be developed that apply to a broad range of hazardous air pollutants. DEQ should establish, follow, and disseminate a clear timeline for implementing a comprehensive program to address hazardous air pollutants.

Second, the risk-based emissions standards should cover the entire Portland metropolitan area. In addition to addressing the acute hotspot sources identified through U.S. Forest Service data, risk-based air quality standards are needed throughout the entire region in order to prevent similar hotspots from arising in other locations in the future.

Third, there is an immediate need for DEQ to develop and implement comprehensive monitoring of hazardous air pollutants. The monitoring needs to be long-term and comprehensive in terms of the locations and pollutants covered. Robust monitoring will provide a better understanding of the types of hazardous air pollutants that are present in our communities as well as the sources of those pollutants. It is critical that monitoring and enforcement does not depend merely on the self-reporting of industrial facilities.

Fourth, it is important to recognize that communities continue to experience real, ongoing impacts. The regulatory and monitoring actions identified above must be paired with immediate action to ensure that emissions are brought under control. It is my understanding that DEQ has not yet been able to reach a written agreement with Bullseye Glass that requires the company to stop emitting arsenic, cadmium, and all forms of chromium. This is extremely concerning given the public health risks involved. It is unacceptable for public health impacts of this magnitude to

be left up to the voluntary discretion of the polluting facility. It is essential that DEQ be given the authority to order cessation of use of these harmful chemicals.

Fifth, DEQ should compile an inventory of hazardous air pollutants and their sources throughout the region and maintain it online for access by the public, medical professionals, scientists, and policy makers. This information is essential for clarity and transparency of health risks as well as to ensure that regulators are responding in a responsible manner.

Sixth, DEQ should establish a central database of test results, soil samples, blood samples, and other data collected by neighbors near identified hotspots. This central collection point would serve to protect the integrity and accessibility of the data for use by both other agencies and the public.

Seventh, I call upon all relevant agencies to evaluate and determine the proper roles and responsibilities for planning and implementation of any necessary cleanup. Affected communities have suffered significant impacts to their homes and families and should not also be forced to bear the costs of cleanup.

Eighth, I would like to recognize Portland City Mayor Hales and Multnomah County Chair Kafoury's letter to Governor Brown on February 18th promoting the establishment of a local Portland metropolitan area Regional Air Pollution Authority. I believe that we should consider all options in order to ensure the development and enforcement of robust ambient air quality standards. Similarly, I lend my voice in support of Mayor Hales and Chair Kafoury's call to revise Portland Air Toxics Solutions and create a statewide action plan on diesel emissions.

Ninth, I would like to echo U.S. Senators Wyden and Merkley and U.S. Representative Blumenauer in their call for the Environmental Protection Agency to update federal emission standards, help assess the urgent health risks, and increase air quality monitoring, modeling, and research.

Finally, it is essential that the state take all necessary measures to ensure adequate funding for the monitoring, enforcement, and other activities needed to protect the public from hazardous air pollution.

Thank you for the opportunity to provide input on this critical public health issue. I look forward to working closely together as we work to develop solutions.

Sincerely,

A handwritten signature in black ink that reads "Diane Rosenbaum". The signature is written in a cursive, flowing style.

Senator Diane Rosenbaum  
Senate President Pro Tempore  
District 21