

To: Chair Dembrow and members of the Senate Environment and Natural Resources Committee
From: Lisa Arkin, Executive Director, Beyond Toxics
Subject: In support of SB 995 – Toxics Reporting
Date: March 27, 2017

Thank you very much for holding this hearing for SB 995, a bill that provides Oregonians with an opportunity to improve public health. My name is Lisa Arkin and I represent Beyond Toxics, the statewide environmental health non-profit. I am also an appointed member of the Governor's Cleaner Air Oregon Policy Advisory Group and also serve as the Chair of the Eugene Toxics Board. I'd like to briefly discuss Oregon's history on toxics emissions reporting, then describe the benefits of SB 995.

In 1999 the Legislature directed DEQ to establish a policy advisory group to "explore options for enhancing statewide hazardous toxics substance reporting and data collection" from point source pollution. The DEQ convened national and local experts to form the Oregon Toxics Reporting Advisory Group. These experts presented their findings to the 71st Legislature in the year 2000. Their final report contained aspects of SB 995, most importantly stressing the need for comprehensive toxics reporting.

The Legislature was advised to require upfront toxic emissions reporting to advance statewide goals to reduce pollution and human exposures. As explained in the report, toxics reporting is critical for getting better quality data for agency decision-making, including data on air, water, and waste pollution streams. A chemicals accounting system called materials balance reporting was suggested as the most comprehensive assessment of toxic chemicals leaving facilities and entering the environment. Materials balance reporting was recommended for facilities located in environmentally sensitive areas. SB 995 follows the Advisory Group's recommendations by requiring materials balance reporting.

Sadly, not one of the Advisory Group's recommendations has been implemented. The State failed to provide the one thing that was promised to the all Oregonians eighteen years ago, which is a comprehensive, multi-media and accurate toxics emissions reporting system that communicates environmental risk.

SB 995 is this Legislature's opportunity to come through on its promise made eighteen years ago. Let's not repeat history by ignoring the 1999 Legislative toxics monitoring report and allowing it to be shelved again. Oregonians understand the relationship between toxic exposures and community health. They want our state environmental agency to be equipped with the best data and the resources to reduce environmental pollution.

However, the Department of Environmental Quality has never been given the necessary resources to track and reduce pollution. On the books, we have Oregon's Toxics Use and Hazardous Waste Reduction Act. Once regarded as a "landmark" law, this well-intentioned program has suffered from an absence of funding and a lack of industry buy-in and accountability. Senate Bill 995 could make more efficient use of DEQ's scarce resources by helping that agency identify amounts, types and location of toxic emission sources. This is the data set necessary to monitor toxics use and encourage the adoption of modern technology to reduce hazardous waste.

Lack of data created the long delay before air regulators discovered that Bullseye and Uroburos glass companies were polluting local communities in far greater amounts than their pollution permits allowed. In fact, Bullseye filed a meaningless report in 2010 under the Toxics Use and Hazardous Waste Reduction Act because neither the industry nor DEQ were tracking their inputs and outputs.

We urge legislators to be responsive to communities overburdened by toxic pollution. We urge you to act on a promise to Oregonians made 18 years ago. Please enthusiastically support the passage of SB 995.