

Joseph and Jennifer Dezso

Environment and Natural Resources Committee

April 10, 2017

Chair Senator Michael Dembrow and Members of the Environment and Natural Resources Committee:

My name is Joseph R. Dezso, a resident of North Portland and the State of Oregon. My testimony today is presented on the behalf of me; my wife, Jennifer D. Dezso, and our newborn son Emmett O. Dezso.

I am submitting this testimony in support of proposed Senate Bill 871 (SB871), which makes changes to the program requiring asbestos survey and creates a program requiring lead-based paint survey to have been conducted before demolishing a residential building. Current laws regulating asbestos and lead-based paint in residential demolitions do not protect the health and safety of Oregonians. I strongly urge you to support the proposed SB871 to close the demolition loop holes which have placed my family and fellow Oregonians at risk. Recent events highlighting the public's exposure to hazardous materials in Portland Public Schools and Flint Michigan, have shown the impacts that lack of regulation can have on a community.

In February, 2017, my family was made aware the 1930's home next door to us was purchased by a developer. The developer set plans in motion to demolish the home and existing garage in favor of the construction of three new skinny homes.

At the time, my wife was nine months pregnant with our first child. Due to the age and condition of the home next door we grew increasingly concerned about the potential presence and effects of hazardous materials that would inevitably be released during demolition. Scientific research has shown both asbestos and lead-based paint have been linked with certain forms of cancer and ingestion of lead can cause developmental delays in children.

Initially, we assumed there were legal protections in place that would keep our family safe, but quickly realized that legal loop holes existed in regards to the survey and abatement of asbestos and lead-based paint when a residence is demolished. Multiple conversations with the City of Portland, Oregon Department of Environmental Quality, Oregon Construction Contractors Board, and the U.S. Environmental Protection Agency revealed that no single agency regulated these substances in a demolition project. We were shocked to learn that laws are in place regulating hazardous materials during renovation, but not during demolition. It is clear that dust and debris spread during demolition is more broadly distributed than during a renovation. Multiple members of The City of Portland, OCCB, and ODEQ also expressed frustration and amazement over the demolition loop holes and the lack of regulative authority.

My wife and I scheduled a meeting with the developer to discuss the project and our concerns. We learned the developer was not certified to abate for hazardous materials and he shared that in 16 years of business he never once surveyed for, or had to abate asbestos or lead-based paint in the numerous pre-1978 constructed residences he had demolished.

My wife and I decided, after that meeting, we would work diligently to protect our soon-to-be born son from airborne hazardous materials stemming from the neighboring demolition. We spent countless hours researching the regulations, calling and emailing state, city, and county agencies and communicating with the developer to express our concerns. We engaged local advocacy groups and neighbors and shared our story to inform others of the hidden dangers of demolitions in Oregon. We made it clear to the developer we would monitor all activities and voice our concerns. I spent multiple hours at the City of Portland Bureau of Development Services (BDS) office copying permit files, and communicating with permittees, only to be told the City did not have authority to regulate lead or asbestos in regard to demolitions. The City referred me to both the ODEQ and OCCB, but both agencies told me their hands were tied by current demolition loopholes. Multiple neighbors expressed fear and frustration over the lack of regulation on this issue.

Luckily both my wife and I had the time, energy, and environmental and legal knowledge to push the developer to survey and abate for hazardous materials. This proved to be an immense challenge to tackle while preparing to start our budding Oregon family. My wife and I had multiple frustrating and saddening conversations over the plight of others in the same situation that do not possess the energy, time or resources to mount a similar campaign.

Our son was born happy and healthy on March, 20th, 2017. We are anxious to see if the developer utilizes safe practices in the face of current legislative loop holes.

Please protect our family, neighbors and the citizens of Oregon by passing SB871. We see the value in sustainable development in Oregon, but we implore you to close the loop holes which affect the health and safety of Oregonians as development in this state increases.

Thank you for your time and interest in this matter. Please don't hesitate to contact me with any additional questions you may have regarding this matter.

Respectfully,

A handwritten signature in black ink, appearing to read 'Joseph R. Dezso', with a long horizontal flourish extending to the right.

Joseph R. Dezso