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**From:** Brown, Jess <JBrown@CollinsCo.com>  
**Sent:** Monday, February 12, 2018 1:30 PM  
**To:** SENR Exhibits  
**Cc:** SENR Exhibits; Sen Dembrow; Sen Olsen; Sen Baertschiger; Sen Bentz; Sen Prozanski; Sen Roblan; Sen Taylor  
**Subject:** SB1541

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The purpose for this message is to submit written testimony supporting SB1541 and opposing SB1508.

For nearly the past two years Collins Pine Company and many other Oregon manufacturing companies have been actively engaged in tracking the development of the proposed Cleaner Air Oregon rules that are currently scheduled to be presented to the Environmental Quality Commission for adoption this coming summer. In my more than 30 years of professional experience working in the environmental industry, I have never seen such a travesty as the Cleaner Air Oregon rulemaking process to date. Based on my professional experience of having been personally involved in creating and writing environmental rules here in Oregon and in numerous other jurisdictions, the development of Cleaner Air Oregon and its associated rule package has been a complete and utter sham. Yet, in the interest of time and so as to remain focused on my discussion of SB1541, I will not provide a point by point summary of all that is wrong with how Cleaner Air Oregon came into being, how the proposed rules have been created, nor will I summarize each technical element that is wrong with the proposed Cleaner Air Oregon rule package, but suffice it to say, all that is wrong with the proposed Cleaner Air Oregon rules is why SB1541 has been developed and why the Oregon Legislature should adopt SB1541.

SB1541 is the appropriate solution that provides balance and certainty. Oregonians deserve both clean air and a healthy economy. While SB1541 will result in additional regulatory burdens and associated costs, it will set vastly more reasonable health protective benchmarks and provide regulatory certainty to many important regional employers like Collins Pine Company that owns and operates manufacturing facilities in rural Oregon communities. In both Lakeview and Klamath Falls, Collins provides living wage jobs to approximately 250 employees and at least three times that number of service sector jobs in those two communities.

If the Cleaner Air Oregon rules are adopted as presently drafted, there is a high likelihood that Collins' facilities may not be able to bear the additional, unreasonable regulatory burdens associated with the proposed Cleaner Air Oregon rules. Collins and many others in our business sector have already born incredible burdens complying with existing Federal National Emission Standards for Hazardous Air Pollutants (NESHAPs) by achieving and maintaining compliance with the Maximum Achievable Control Technology (MACT) rules associated with the NESHAP's our business sector are subject to. In Klamath Falls alone, our composite panel facilities bore approximately \$14MM in capital costs to comply with industry-specific Federal NESHAP MACT rules, and we continue to bear ongoing annual operations and maintenance costs of nearly \$1MM to comply with these existing rules. By virtue of Cleaner Air Oregon imposing unreasonable regulatory burdens by arbitrarily establishing

more restrictive standards than current Federal rules, Collins and companies like ours may find these additional regulatory burdens untenable.

SB1541 establishes a thoughtful and attainable health-based program requiring businesses to take action if they pose unreasonable risk to communities. The bill sets new, aggressive health-based benchmarks to protect public health; health standards that are supported by federal and state science. It provides businesses like ours and the DEQ certainty in how to reduce risks that supports community and employee concerns. The bill improves community access to good information and timely results. It will still hold businesses like ours accountable, and where needed to expend capital dollars to reduce emissions by designing and installing state-of-the-art, best available emission control technologies that will improve the air in the communities where we operate. The bill also “closes the gap” in regulations and ensures that businesses of all sizes reduce and eliminate unreasonable risks from our communities.

While most businesses like Collins are responsible neighbors and good community partners, SB 1541 holds bad actors accountable and requires controls that reduce their emissions. SB1541 also ensures that all businesses posing unreasonable risks make investments in appropriate air pollution control technologies.

The proposed legislation provides DEQ needed resources to strengthen its air programs and to aid the agency in improving its timeliness in the delivery of its services and work products to the regulated community. In a recent Secretary of State audit, it is obviously clear that DEQ continues to struggle with managing its workload and budget constraints. SB1541 directs DEQ to identify and regulate industry more efficiently and provides the necessary resources that will facilitate DEQ in accomplishing their mission of, “restoring, maintaining and enhancing the quality of Oregon’s air, land and water.”

While SB1541 may cost Oregon businesses time and resources, it is important that we have an air toxics program that works for us, the agency, and the communities where we do business. Oregon employers and businesses deserve the certainty provided through SB1541. It sets mainstream health protective standards that work for businesses and communities.

DEQ’s proposed Cleaner Air Oregon rule package does not provide fair air regulations for Oregonians. Subsequently, the Oregon Legislature should pass SB1541 and reject SB1508.

Sincerely,

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