



February 27, 2023

To: House Committee on Climate, Energy and the Environment.

Thank you for the opportunity to provide comment today in support of HB 3229.

The last time Oregon Department of Environmental Quality raised its Title V fees was in 2011. That was shortly after my neighborhood was rocked by the concerns of toxic air pollution from industrial sources that abut high density residential communities like ours (and 5 years before a US Forest Service study revealed toxic hot spots of high concentrations of industrial air contaminants in moss around the Portland Metro region, which ushered in the Cleaner Air Oregon program). I learned that the permit for Esco, which was the company of concern in my neighborhood, was “expired,” as I also learned that all the Title V permits in Portland were as well.

Air quality permits provide the information and safeguards for protecting communities from toxic air pollution. Nowhere is this more critical than when the source holds a Title V air permit, which is the designation for major industrial sources of air pollution. When I began this work, my neighbors and I were outraged by what appeared to be a wildly permissive permitting system, that cut significant corners in oversight and seemed to allow pollution to continue unabated. This is not hyperbole. A subsequent Secretary of State audit concluded that “43% of DEQ’s largest and most complex air quality permits are overdue for renewal. Some inspections are also overdue.”¹ And while there were process improvements identified, it was clearly noted that the agency was straining under the effects of decades of underfunding.

That is why it is critical for the state legislature to approve this fee increase. The agency has made huge strides in improving permitting overall, which benefits both the businesses and the communities permits are intended to protect. In fact, the agency continues to make progress on the 10 recommendations from the Secretary of State, completing over half, and making advances on all remaining. This was due, in no small part, to the 4 positions added in the wake of the audit, that service the Air Contaminant Discharge Permits, or ACDPs. But **federal law requires a different funding structure for the very critical Title V program.**

Oregon’s air permitting program cannot afford to backslide to the days of lax oversight, caused by staffing reductions, which endangered Oregonians and frustrated businesses. Timely renewals and facility inspections, ensure that businesses in Oregon are complying with new and updated rules designed to protect the health and well-being of Oregonians, and the environment. The benefit to businesses is evidenced by testimony submitted on record.

I urge you to support this critical fee increase and thank you for your consideration of the public health cost paid by communities if you do not.

Sincerely,

A handwritten signature in cursive script that reads 'Mary Peveto'.

Mary Peveto
Executive Director, Neighbors for Clean Air

¹ <https://content.govdelivery.com/accounts/ORSOS/bulletins/1d04037>

