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Testimony in Opposition of SB488

Chairwoman Sollman and committee members, thank you for the opportunity to come and testify on SB488. My name is Lloyd Naideck and I'm a director of government relations with Covanta.

Covanta is a sustainable materials management company with 39 Waste-to-Energy facilities, in addition to many other smaller waste disposal and materials management operations.

The technology of waste-to-energy uses combustion to take municipal solid waste (MSW) and other non-hazardous waste (such as regulated medical waste) and turn that waste into electricity that is put back into the grid. This technology is the standard for nearly all of Europe, Japan, and most other industrialized nations.

The reason for that is simple--after maximizing reduce, reuse and recycling, what we are left with are two options for disposing our waste: landfills or waste-to-energy. However, the choice between the two couldn't be clearer. Landfills are a leading emitter of methane, a greenhouse gas 84 times more potent than carbon dioxide, here in the United States. The water that seeps through landfills (known as leachate) is contaminated and must be treated. Landfills also require the use of vast tracts of land and must be maintained for decades post-closure.

Compare that to waste-to-energy facilities, which produce drastically more energy per ton of waste, recycle metal that would otherwise be lost forever and avoid methane production. This creates a true net-negative carbon solution. This is why the US EPA, the European Union and many states rank waste-to-energy over landfills in the waste hierarchy.

Now, let me speak to Senate Bill 488, a bill that would mandate our Marion County facility to be regulated as a medical waste incinerator rather than a municipal waste combustor.

First and most importantly, the EPA and DEQ hold all combustion facilities to extremely high standards that have been demonstrated to be protective of human health and the environment. The Covanta Marion facility is no different and has demonstrated, through rigorous statistical analysis, that there is no correlation between feed rate of regulated medical waste (RMW) and emission rates. In fact, processing of RMW at this facility is not new; the facility has been safely processing RMW for over 20 years. During that entire time, the Covanta Marion facility has operated well below federal standards for allowable emissions, and we continue to do so today.

Second, beyond federal and state standards for permits, Governor Brown and this Legislative body decided to go even further by creating a program called Cleaner Air Oregon. This program is the most extensive review of emissions and health risk assessment presently underway in the country and the DEQ is currently in the middle of implementing it statewide. The Marion facility is currently



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going through this program which includes testing over 190 additional emissions factors. In fact, it is rigorously testing our RMW waste stream at more than 2.5x the amount the facility processes. We believe that program should be allowed to come to its conclusion on its own. This bill predetermines the outcome of Cleaner Air Oregon without any facts or science, and it takes away the opportunity for Governor Kotek and the new administration at DEQ to put their own processes in place.

Third, there's a reason that the processing of MSW comingled with RMW is fully allowable by state and federal law, including at the Marion facility. That's because RMW is a "cleaner," more homogeneous waste stream. RMW doesn't contain the variables that are in the MSW that our facility is designed to handle. In the case of a **new** facility that **only** handles RMW, as this bill cites, the permit would be reflective of just processing the "cleaner" RMW. That means that the emission limits would be lower, matching the profile of RMW. A facility that processes MSW and is permitted to comingle in RMW has a permit that is reflective of processing the more challenging waste stream. In this case, that is MSW.

Fourth, this bill would close the only in-state option for RMW. That would substantially increase the cost of disposal of RMW for the entire Oregon healthcare system and consumers. The closest medical waste incinerator facility is in Kansas City, KS, over 1,800 miles from Brooks, Oregon. The likely home for this RMW would be in Baltimore, MD, over 2,800 miles away. It is also possible that this waste is sent to states like Texas or Louisiana, places that don't have the environmental standards that Oregon has in place. That means the in-state generated RMW would have to be shipped out of state, significantly increasing truck traffic and greenhouse gas emissions. Oregon would be deciding that it wants to ship this responsibility to those communities if this bill passes.

Thank you for your time today. If there are questions I could answer, I would be happy to take them at this time.