



4/13/2023

Dear Co-Chairs Steiner and Sanchez, Co-Vice Chairs Girod, Gomberg, and G. Smith, and members of the Joint Ways and Means Committee,

We are a group of Oregon organizations that work closely with communities seeking public health and well-being by improving environmental health monitoring and protection. We strongly encourage the Committee to support SB 488A which invests a relatively small amount of money to support the Oregon DEQ carry out air quality monitoring and compliance to strengthen existing Title V permitting under Cleaner Air Oregon (CAO). SB 488A provides the structure for a pilot project to test continuous air toxics emissions monitoring and reporting at a waste incineration facility. *We have consulted with the DEQ Air Quality Division, and they have assured us that SB 488A is consistent with DEQ's regulatory mandate to measure and assess the impacts of toxic air emissions.*

The Covanta Marion incinerator, located in the heart of the mid-Willamette Valley, is the nation's 4<sup>th</sup> largest medical waste incinerator. In 2022, Covanta burned over 170,000 tons of waste, of which 16,335 tons was medical waste (Statesman Journal 3/16/2023). Ninety percent of this medical waste was trucked here from out-of-state, primarily California, Washington, and Canada. This makes Oregon the target of plastics waste and the resulting pollution that other states don't want released into their air and watersheds.

**However, due to limited monitoring, any claims that the facility is operating within their Title V air pollution permit limits are not verifiable.** Covanta is a unique polluter because its fuel content changes hour-to-hour and day-to-day. The types of materials burned create extreme variability in air toxics emissions. This facility presents a difficult challenge to the DEQ to assess the health risk from air toxics as Covanta goes through the CAO process. Medical waste contains considerable quantities of plastic, and especially polyvinyl chloride (PVC) plastic. Incineration of all types of plastics (and the many additives contained within these plastics) produces many major air pollutants that are covered under the CAO mandate, e.g., dioxins, furans, volatile organic compounds and heavy metals. Dioxins and furans are among the most toxic chemicals known to science. They persist in land and water and bioaccumulate and pass from one species to the next up the food chain to animals and human. Health impacts of dioxins and furans include cancer and various types of reproductive, endocrine, developmental, and immune system impairment.

Covanta is almost 40 years old and much of its pollution control and monitoring equipment is "grandfathered in" under what are now outdated emissions monitoring rules. Most pollutants are

tested just once a year, which is a momentary snapshot of the facility's operations. Annual testing cannot provide the needed data to support the Cleaner Air Oregon health risk assessment process. SB 488A allows for the DEQ to require Covanta to undertake a project of continuous emissions monitoring or more frequent emissions sampling, proven technologies that provides regular intervals of more accurate and complete data. The DEQ requires Covanta to use continuous monitoring systems for four pollutants: carbon dioxide (CO<sub>2</sub>), sulfur dioxide (SO<sub>2</sub>), carbon monoxide (CO) and nitrogen oxides (NO<sub>x</sub>) – none of these are the air toxics that CAO regulates. This is a huge monitoring gap.

SB 488A gives us data obtained by modern pollution monitoring technologies to protect our health and the environmental justice community downwind of Covanta. Many of the people who live nearest to the incinerator are part of rural, BIPOC and agricultural communities in the mid-Willamette Valley. They are bearing the burden of unknown amounts of heavy metals, dioxins and acids resulting from the burning of medical and municipal waste.

The Oregon DEQ is tasked with protecting our environment and public health by ensuring our clean air and clean water laws are enforced and that industries are appropriately monitoring and reporting their emissions so that we can protect our land, air, and water. It is crucial that we invest in SB 488A so that the DEQ so it can fulfill its duty to carry out the Cleaner Air Oregon regulations. The relatively small amount of money requested by the agency is needed for essential work to continue and should not be on the chopping block.

Beyond Toxics

PCUN

Oregon Physicians for Social Responsibility

Surfrider

Oregon Environmental Council

350 Salem

Oceana

Environment Oregon

Clean Air Now Coalition