

Submitter: Nikki Mandell

On Behalf  
Of:

Committee: House Committee On Emergency Management, General  
Government, and Veterans

Measure: HB4044

February 8, 2024

House Committee On Emergency Management, General Government, and Veterans  
900 Court St NE Hearing Room C Salem, OR 97301

Re: House Bill 4044

Chair Grayber and Members of the Committee,

I am writing in strong support of HB 4044. I urge you to pass it out of committee and promote its passage by both houses as a critical statewide health and safety measure.

I live in Portland, and have both professional and personal reasons to travel through and visit in the Highway 30/Willamette River corridor that houses the Critical Energy Infrastructure Hub. Each time I do this, or talk with someone living in that area, I am highly conscious of the fact that we are one equipment malfunction, human error, or predicted earthquake away from a massive catastrophe.

The recently published study conducted by Portland State University's Institute for Sustainable Solutions [ISS] on behalf of Multnomah County, Risks of Earthquake-Induced Hazardous Materials Releases in Multnomah County, Oregon: Two Scenarios Examined, adds to our understanding of the looming disaster that awaits us if we allow the status quo to continue unaddressed. The study finds that a realistically predictable toxic hazmat materials release at the CEI Hub could result in more than 2,500 deaths, almost 20,000 potential injuries, and more than 300,000 irritation level exposures. These exposures, injuries, and deaths would occur at exactly the same time that first (and second) responders will be massively overwhelmed by infrastructure failures, damage to their own equipment and transit routes in the affected areas, and themselves subject to toxic chemical releases.

The ISS study was admittedly preliminary. Had it found no reason for concern, there would be no need for further study. That is not the case. The ISS study joins a number of other recent CEI Hub-related studies in recognizing that the CEI Hub, and other bulk fuel and toxic chemical storage facilities throughout the state are highly vulnerable to toxic hazmat material releases – and that risk mitigation measures are both needed and possible. The ISS study recommends risk assessments for all high-

risk hazardous facilities in the county to determine specific vulnerabilities and thereby inform a meaningful mitigation plan. HB 4044 would do just that – and to the benefit of all Oregonians by directing DEQ to conduct a study of all high-risk facilities statewide.

I have read opposition to HB 4044 based on assertions that all such hazmat material releases will be addressed by either the federal EPA Risk Management Program or the state Seismic Tank Risk Mitigation regulations. These are misrepresentations of the facts and current regulatory processes. Neither of these programs, even under the rosiest scenarios (which facility operators will continue to resist) would provide the kind of concrete information and monitoring that state and local officials in Oregon will need to develop and maintain risk mitigation and resiliency programs robust enough to address the predictable health and safety dangers. And the adoption, much less implementation of the EPA and/or DEQ regulations is many years in the future. The DEQ Seismic Tank Risk mitigation regulations, will not be adopted for well over a year, and have a ten year timeline for implementation (subject to further delay if there are waivers and legal challenges).

HB 4044 is an emergency measure needed to pro-actively address an emergency situation. Let's not wait until the disaster has sickened and killed our family, friends, neighbors, or strangers. We know that an earthquake can strike at any moment. Please vote yes to better prepare Oregonians to survive what we cannot prevent.

Sincerely,  
Nikki Mandell  
resident and voter, HD 46; SD 23