



Written Testimony in Opposition to HB 4102  
2026 Short Legislative Session

Committee: House Committee on Climate, Energy, and Environment

Position: Oppose

Submitted by: Krystal Abrams, Beyond Toxics

Chair Lively, Vice-Chairs Gamba, and Levy, and Members of the Committee  
Committee on Climate and Energy,

Beyond Toxics respectfully submits this testimony in opposition to HB 4102 as it's currently written. Beyond Toxics is an Oregon-based environmental justice 501c3 non-profit organization working to protect communities from disproportionate exposure to pollution and toxic chemicals, particularly in frontline, rural, and low-income communities.

We recognize that Oregon is experiencing real challenges related to permitting timelines and capacity. However, HB 4102 proposes the wrong solution to a real problem and would move Oregon in a direction that undermines public accountability, environmental protection, and community trust.

### **HB 4102 Is Not a Sustainable Solution to Permitting Backlogs**

Permitting delays in Oregon are largely the result of chronic underinvestment in state agencies, not inefficiency or lack of expertise. Agencies such as the Department of Environmental Quality (DEQ) are staffed by highly skilled, dedicated public servants who are working under significant budget and staffing constraints.

If the Legislature's goal is to improve permitting timelines, the evidence-based solutions are clear:

- Invest in additional agency staff and technical capacity
- Modernize systems and processes within public agencies
- Provide stable, long-term funding that matches legislative mandates

Outsourcing or privatizing permitting functions does not address the root cause of delays and risks introducing new inefficiencies, inconsistencies, and legal vulnerabilities.

### **Industrial Emitters Should Not Be Allowed to Self-Regulate**

HB 4102 advances a statewide model that if passed, would allow regulated entities to outsource permitting work to a third party. This will have impacts on our collective air, water, and land. This has the potential to create conflicts of interest

and shifts Oregon toward normalizing the privatization of environmental permitting.

Environmental permits exist to protect public health, air quality, water resources, and ecosystems, not to serve the financial interests of polluters. Allowing for a process that does not properly screen for conflicting interests may allow for the significantly increased potential for:

- Erosion of independent, science-based regulatory review
- Weakening public confidence in environmental decision-making
- Creating pathways for preferential treatment of well-resourced corporations

Communities already overburdened by pollution should not be further harmed by policies that allow companies to effectively purchase faster or more favorable regulatory outcomes. If this policy lacks a clear and enforceable method of preventing conflicts of interest in third party permit writing, it should not be passed out of this committee during the 2026 legislative session.

### **Risk of Unintended Harm to Oregon's Agencies and Communities**

HB 4102, as introduced, could create unintended consequences that weaken Oregon's regulatory infrastructure, including:

- Diverting valuable agency staff time toward managing and overseeing third-party contractors
- Creating a two-tier permitting system that favors large corporations over small businesses and community-scale projects
- Undermining consistent application and enforcement of environmental standards

Rather than strengthening agency capacity, this approach risks draining expertise from the public sector and increasing regulatory fragmentation; outcomes that ultimately slow permitting and increase community harm.

### **Oppose HB 4102 and Prioritize Strengthening Oregon's Department of Environmental Quality**

We strongly oppose HB 4102 as it is currently written. This bill moves Oregon in the wrong direction by opening the door to the privatization of environmental permitting and potentially allowing industry stronger influence over regulatory processes designed to protect public health and the environment.

At a time when Oregon's Department of Environmental Quality is facing staffing shortages, increasing workloads, and budget pressures, the Legislature should

instead focus on strengthening, not sidelining, this critical public agency. DEQ's dedicated staff and expertise are best situated to provide non-biased, science-based oversight that communities rely on to ensure clean air, clean water, and meaningful accountability for polluters.

Permitting backlogs are a symptom of underinvestment, not a failure of public agencies. The solution is to invest in DEQ's capacity, workforce, and infrastructure, not to create parallel, privatized systems that risk conflicts of interest, inequitable outcomes, and potential long-term harm to Oregon's regulatory framework.

For these reasons, Beyond Toxics urges the Legislature to oppose HB 4102 and instead prioritize policies that reinforce strong public oversight, protect environmental justice communities, and uphold Oregon's commitment to transparent, accountable environmental governance.

We stand ready to work with legislators on solutions that strengthen agencies, protect communities, and uphold Oregon's environmental values.

Thank you for the opportunity to submit testimony.

Respectfully submitted,

Krystal Abrams  
Beyond Toxics