



Washington County Citizen Action Network

Washington County Citizen Action Network (WC CAN) is a coalition of grassroots advocates (individuals and groups) dedicated to improving quality of life in Washington County by promoting healthy and sustainable communities, social and economic justice, and open and responsive government.

October 17, 2013

To: Environmental Quality Commissioners
cc: DEQ Director Petersen

Re: Permit 342681 issues and context

I address you today as a former Washington County Commissioner and Chair (1995-99), and current Chair of Washington County Citizen Action Network. As you can see by our letterhead, we are a coalition of individuals and groups advocating for quality of life in Washington County. With me is Dr. Dale Feik, a member of the WC CAN Board and head of our Air Quality Committee.

Together with Neighbors for Clean Air and the Northwest Environmental Defense Center, we submitted testimony to DEQ which you'll find in the packet we brought for each of you. I also submitted on behalf of WC CAN additional comments regarding concerns that we're told are outside the scope of staff's permitting authority. I allude to these concerns in the Guest Commentary posted on OregonLive, October 15th, also in your packet.

On the Washington County Board of Commissioners, I took part in some landmark decisions: We used the State's new Strategic Investment Program to encourage Intel's expansion into the Sunset Corridor, believing the "good neighbor" promise which they seemed to fulfill. I served on a Metro advisory committee as we crafted an ambitious set of plans and policies for smart growth in the Portland Metropolitan Region. We envisioned healthy, livable urban spaces, pedestrian and transit friendly, with mixed uses, parks, easy access to workplaces, shops, and services. We've had successes, become world-renowned for our urban design achievements and our green, bicycle friendly regional culture. We've reduced pollution from cars and trucks.

But now we have to face a literal cloud hanging over all this bright vision. Communities planned for residential density around transit hubs and corridors and for proximity to employment can only be healthy and livable if the air is clean and safe to breathe. Industrial employers located near residential and public spaces must keep their air emissions sufficiently free of toxins and hazardous pollutants to protect humans, pets, nearby farms, and the existing economy..

It seems that as of now, Oregon lacks the regulatory rigor to assure that what our industries emit will not harm us.

Our supposed good neighbor Intel, we find, released unpermitted fluorides into Tualatin Valley air for 30plus years. Neither Intel nor DEQ can account for the "error". We know from the experience of New Mexico communities, which Dale will talk about a bit more, that their Intel plants resisted meaningful oversight of air and water emissions for decades. These realities do not boost our confidence that the current air permitting process goes much beyond paperwork.

I ended my Oregonian/Argus piece with summaries of WC CAN's requests of DEQ, of Intel, and

of our elected officials. I didn't include EQC on that list, but I want to ask you directly today for your cooperation in bringing much needed rigor to Oregon's regulation of industrial air emissions.

Perhaps you can give guidance to DEQ staff, or plan for work groups to consider legislation. Perhaps you can just carry away some of these ideas to share in conversations.

1. Condition the granting of tax breaks to manufacturers under the SIP or other incentive programs to include binding commitments to use best practices and technology for control and continuous monitoring of stack emissions.
2. Condition the granting of land development applications for manufacturing plants to require signoffs by DEQ on probable air quality impacts, using clear, scientifically valid criteria and empirical data.
3. Provide DEQ with adequate authority, funding and staffing to evaluate such land use applications for local jurisdictions; to impose permit requirements needed to protect community health (e.g., continuous monitoring and short-term rather than per/year limits); to perform inspections and impose meaningful sanctions when needed (such as production shutdowns for serious violations or prolonged scrubber/burner maintenance.)

We can still have those livable communities in which we've already invested so many millions of public and private dollars, but we need policy changes to assure they remain healthy places to live, work, and play.

Respectfully,

Linda Peters
Chair, Washington County Citizen Action Network

Documents included in this packet of materials:

- § Myra Beeler, letter to Mr. Davis, testimony, concern about toxic emissions. Myra lives in East Hillsboro
- § Washington County Citizen Action Network (WC CAN) Full Board testimony to DEQ Air Quality Permit Coordinator
- § Warren Lancaster, 93 years old, Oregon Live, Intel's year round emissions require yearround monitoring
- § Neighbors for Clean Air, John Krallman Staff Attorney; Linda Peters – WC CAN; Mark Riskedahl, NW Environmental Defense Center
- § Dale Feik, Letters to the editors Published in four newspapers, list of 154 Hazardous chemicals; US EPA Office of Criminal Enforcement Investigation Intel, June 3, 2010, Findings and areas of Noncompliance and Areas of Concern; Living Downstream DVD, now Living Downwind of Intel's toxic emissions.
- § Linda Peters, Chairwoman of WC CAN and former chairwoman of Washington County Commissioners, Oregon Live, "Intel emissions remind us livable communities need clean air: Guest opinion"
- § Joseph Miller, PhD, Testimony to Air Quality Permit Coordinator