



**LEAGUE OF WOMEN VOTERS®
OF OREGON**

The League of Women Voters of Oregon is a 97-year-old grassroots nonpartisan political organization that encourages informed and active participation in government. We envision informed Oregonians participating in a fully accessible, responsive, and transparent government to achieve the common good. LWVOR Legislative Action is based on advocacy positions formed through studies and member consensus. The League never supports or opposes any candidate or political party.

May 22, 2017

To: Joint Committee on Ways and Means Sub Committee on Natural Resources
Senator Lew Frederick and Representative Brad Witt, Co-Chairs
jwmnr.exhibits@oregonlegislature.gov

Re: **HB 2269-A** – Funding for Air Quality Regulations and Disbursal of Volkswagen Settlement funds – **SUPPORT** – **Supplemental testimony**

The League of Women Voters of Oregon (LWVOR) provided oral testimony in the House Committee on Energy and Environment and submitted written testimony to this committee on May 11. After listening to testimony of others, we'd like to address critical issues **in support of HB 2269 A**.

As background: Starting in July 2016, LWVOR has either attended in person or by phone every meeting of Cleaner Air Oregon (CAO). We observed, listened to and learned from the Technical Advisory Committee member experts. Based on their discussions, we submitted lengthy testimony for each Regulatory Advisory Committee. One example is: *“**Program Element 20: Phasing**—The Technical Workgroup information is excellent. You will have to phase. You have already started working on an emissions inventory. You will have to do new and modifieds as they come along. If you follow SCAQMD(CA)'s program, you can use a four-year phase in for existing sources, starting with the highest emitters first. Since you have a higher workload at implementation time (2017), give all facilities a grace period of 2 years so they can fall under the new rules and you will have time to adjust to the new program. The tiered computer programs can be run simultaneously to bring in lesser categories more efficiently. You will have to hire either consultants or new personnel who know how to run the programs.”*

We are very impressed with the work done by the Dept. of Environmental Quality (DEQ) and the Oregon Health Authority (OHA) staff to synthesize and present valuable, credible, **scientific** information to the Regulatory Advisory Committee members. That information is enabling the members to have factual input into the difficult process of enacting new DEQ rules **based on health**. We understand the difficulty of working with a balanced committee of opposing views. We believe the process has been fair and has so far resulted in a framework for the new regulations that will have been well worth the time and money spent for the project. We also believe the committee's work will result in **better health for Oregonians**, which after all, is **the goal of Cleaner Air Oregon (CAO)**.

We understand that some industries may fear new regulations. But we must remember why the Governor established CAO: Systematic lack of funding for DEQ to monitor, regulate and enforce regulations resulted in unnecessary, unhealthy pollution. Our current program relies on industry to provide information related to their permits. Most businesses accurately comply, but we do know of cases (Intel with fluoride and Evanite/Hollingsworth & Vose with carbon monoxide, fluoride and trichloroethylene) where monitoring by DEQ might have provided the **data** needed to help both the businesses and the public to address pollution issues.

From our observations of CAO meetings, we believe DEQ is promulgating new tools, such as Pollution Prevention, and has a new mandate to help businesses comply with new regulations in cost effective

ways. The regulations will have tiers of pollution limits, so many industries may not be affected. Most small businesses will submit emissions data with no further impact. We expect that industries located away from dense populations will be largely unaffected. But those near dense residential areas—environmental justice communities—can expect more regulation. LWVOR believes that businesses are not in jeopardy of having to meet regulations that will cause them to cease operations. LWVOR members work in many of these businesses and understand the nexus between jobs and providing food on the table and a roof over people's heads. We understand that government services such as education depend on income taxes from jobs. It is our intent to support a program **grounded in science, informed by data and health-based.**

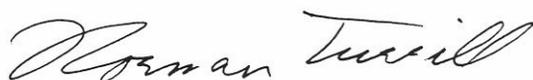
LWVOR believes very strongly that **the one-time “standup” fees in HB 2269 A should be approved.** These fees (totally about \$1.1 million) will fund **science review, data analysis and a robust public outreach** where businesses, workers and the public can provide valuable input into any final rules. It is time to complete the CAO rules framework now. We must follow through to improve Oregon's air quality regulations while supporting businesses as they work to address air quality issues that may well have been unknown.

We have used information from the Environmental Protection Agency website, www.epa.gov, to help inform us on the nature of air toxics and the Hazardous Air Pollutants list (See URL below and attached information). These are the air toxics of concern to Oregonians. Portland area residents are concerned about many chemicals and heavy metals on the list, while Corvallis residents are concerned about trichloroethylene, fine mineral (glass) fibers less than one micron in size and several other listed chemicals. As science matures in this area, we must evolve to address health issues.

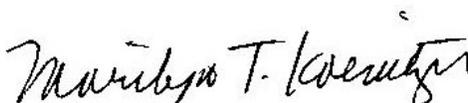
To implement a first-class program, DEQ needs the funding to get it up and running and keep data current on an ongoing basis. Purchase, training, and use of new computer programs (such as AERSCREEN, AERMOD) and program implementation will require the funding provided in HB 2269-A.

We all need to work together to complete the rulemaking and set appropriate on-going fees to address a program **grounded in science, informed by data and health-based** in 2018.

LWVOR strongly supports and urges you to pass HB 2269 A. We thank you for the opportunity to submit additional testimony.



Norman Turrill
LWVOR President



Marilyn Koenitzer
LWVOR Natural Resources Air Quality Portfolio

Cc: Richard Whitman, Director, Dept. of Environmental Quality
Lynn Saxton, Director, Oregon Health Authority
Jason Miner, Governor's Natural Resources Policy Manager

<https://www.epa.gov/regulatory-information-topic/regulatory-information-topic-toxic-substances>

Epa.gov What are Hazardous Air Pollutants?

Hazardous air pollutants, also known as toxic air pollutants or air toxics, are those pollutants that are known or suspected to cause cancer or other serious health effects, such as reproductive effects or birth defects, or adverse environmental effects. The EPA is working with state, local, and tribal governments to reduce air emissions of [187 toxic air pollutants](#) to the environment.

Examples of toxic air pollutants include benzene, which is found in gasoline; perchloroethylene, which is emitted from some dry cleaning facilities; and methylene chloride, which is used as a solvent and paint stripper by a number of industries.

Examples of other listed air toxics include dioxin, asbestos, toluene, and metals such as cadmium, mercury, chromium, and lead compounds.

Initial List of Hazardous Air Pollutants with Modifications

Under the Clean Air Act, the EPA is required to regulate emissions of hazardous air pollutants. This original list included 189 pollutants. Since 1990, the EPA has [modified](#) the list through rulemaking to include 187 hazardous air pollutants.