

# Creston-Kenilworth Neighborhood Association Meeting Monday, November 27, 2017 Kateri Park Common Room 3640 SE 28<sup>th</sup> Avenue

Board members present: John L, Elizabeth, Darian, Jason and Rachel.

## Board Meeting

- 7:05 Rachel called meeting to order. Darian moved to approve the agenda, Elizabeth seconded. All in favor.
- 7:08 Darian presented the Treasurers report including disbursements to Reed NA for Fall Cleanup. After disbursement the new account balance is \$7764.
- 7:12 Reports from Officers and Standing Committees

## General Meeting

- 7:15 Joe reported on the history of the truck traffic issue, and Greg with PDX Clean Air discussed the EPAC Fact Sheet (attached). Diesel emissions in C-K and Brooklyn were a focus of discussion.
- 7:25 Elizabeth made a motion to accept the fact sheet. John L. seconded. All voted in favor, with Darian abstaining.
- 7:30 Neighborhood Resource Officer, Shaun Sahli ([shaun.sahli@portlandoregon.gov](mailto:shaun.sahli@portlandoregon.gov)) took questions and discussed attacks on women walking alone, damage to cars in Kateri Park, and provided an update on the shooting there.
- 7:40 Regan Kuharske with Unleashed, provided information about a low-cost pet vaccination program that they provide at their location on the SW corner Powell and Cesar Chavez. Elizabeth presented upcoming neighborhood events and provided an update on changes to crosswalks on Powell.
- 7:45 Elizabeth moved to adjourn the meeting with Darian seconding. All in favor.

Prepared by John Legler

Please report any errors or omissions to [john.legler@gmail.com](mailto:john.legler@gmail.com) for inclusion in final notes.



## Eastside Portland Air Coalition

### Cleaner Air Oregon:

**Proposed health-based regulations for industrial air pollution in Oregon**

Public comment period  
open thru December 22

In 2016, the U.S. Forest Service revealed dangerously high levels of toxic heavy metals in moss near two Portland art glass companies. Governor Kate Brown responded by calling on Oregon's Department of Environmental Quality (DEQ) to draft **health-based regulatory protections** for all stationary air pollution sources in Oregon.

**Cleaner Air Oregon** was launched to create these new rules.

**Oregon currently has no regulations to protect people or the environment from the health effects of toxic industrial air pollution.** DEQ regulates according to the Clean Air Act and EPA rules but these cover only the largest (Title V) polluters and only six of the most dangerous chemicals in our air. Oregon DEQ has a list of 52 air toxics--health "benchmarks"--but these have acted only as guidelines should a crisis arise. According to the DEQ's statements to the media **Oregon's air permitting program does not regulate based on human health.**

DEQ knew all along about the 6,000 lbs of lead, cadmium, arsenic, and chromium Bullseye Glass was putting into its furnace annually and did not require a filter. The neighbors got the media and lawyers involved and now Bullseye has a filter

removing 98.7% of airborne heavy metals. Bullseye already owned this filter but didn't plug it in because it was not required by the State of Oregon. Since installation, **two 55-gallon drums of toxic dust are cleaned off their filters EVERY DAY.** This is what neighbors were breathing for 42 years. **This regulatory neglect is happening all over the state.** Portland currently ranks as the worst city in the United States for respiratory distress from air pollution according to the 2011 EPA National Air Toxics Assessment released on December 2015.

### Protecting Public Health: Anticipating Industry Backlash

Once finalized, the new Cleaner Air Oregon rules must first be approved by the Environmental Quality Commission, DEQ's policy and rulemaking board. Then these rules will face a tough fight in the 2018 legislative session for the proposed funding structure. Industry lobbyists will fight hard against them, arguing that these new rules will cost too much, damage Oregon's economy, and lose jobs.

A thriving economy and regulations that protect human health are not at odds. Both the EPA and the World Health Organization have shown that **every dollar spent on pollution prevention and control renders a thirty dollar savings for the economy.** Industry lobbyists will mistakenly argue that increased regulatory costs will put industries out of business or drive them from Oregon. This is a myth. The benefits to public health costs, business innovation, decreased pollution mitigation costs, etc. far exceed the costs of cleaning up the air.

Industry lobbyists in opposition to CAO will also claim it has elements that are "unprecedented" and too severe. Precedent may matter in legal analyses, but does not

apply to public policy. If it did apply, public policies would stagnate and it would limit the ability of states to adapt policy to their own circumstances. **Oregon needs basic health-based clean air standards in communities exposed to air toxins.** We have some hard hit communities in Oregon. We want regulation that allows thriving industries and protection for human health.

### **What we like about the Cleaner Air Oregon draft proposal:**

Oregon currently DOES NOT HAVE regulations to protect people or the environment from the health impacts of most toxic industrial air pollution. We like that the CAO proposal:

- Applies statewide
- Requires reporting of 660 air toxics from ALL commercial and industrial facilities that emit air toxics.
- Includes existing, modified, and new facilities.
- Sets health-based Risk Action Levels and permitting procedures for 215 air toxics and clear procedures for compliance.
- Considers the cumulative health risks from multiple sources within a geographic area. Applies an "area cap" based on the cumulative health risks from multiple sources within a geographic area.
- Sets health-based benchmarks for 24-hour and annual exposures for carcinogens, and both chronic and acute non-cancer health impacts of air toxics.
- Includes a Polluter Pays fee structure.
- DEQ consulted with Oregon's Environmental Justice Task Force and has worked to include their information and advice.

### **What needs to be added or changed in the Cleaner Air Oregon proposal:**

- Include mobile sources of air toxics such as diesel particulate in cumulative risk assessments. Unfiltered industrial trucks are illegal in California but allowed in Oregon. Multnomah is among the worst 1% of Counties for diesel particulate exposure according to the EPA.
- Employ the Hazard Index (non-cancerous health impacts) of 1 at all risk levels. Where scientific uncertainty or a lack of research applies, health protective regulations must err on the side of caution.
- Eliminate the DEQ Alternate Noncancer Risk Action Level (ANRAL) and Directors' Consultation loopholes.
- Include risk-based concentration averaging after 1-hour of exposure to a toxic. In some cases a 24-hour risk action trigger may be too late.
- Consult these organizations with considerations:
  - ✓ CalEPA - when setting health risk-based concentrations
  - ✓ EPA Integrated Risk Information System - being mindful of out-dated science
  - ✓ DEQ Air Toxics Science Advisory Committee - but with skepticism
- Eliminate the Tiered Implementation language from the rules. CAO should apply to all companies upon adoption, require immediate action, and not be artificially restricted by agency funding and resources.
- Offer a loan program for smaller companies who may be financially challenged by compliance.
- Include a Citizen Enforcement Clause in the event that DEQ is unable or unwilling to enforce the rules.
- Make the Emissions Inventory publicly available in a user-friendly data base.

Scientific research on industrial toxins is incomplete. Toxic chemicals are rarely shown to be "not as bad" as once thought. For industries to anticipate this trend, our regulatory agencies need sufficient public comment to err on the side of caution.

## Upcoming Public Forums

DEQ will be hosting seven **public information events** on Cleaner Air Oregon to receive public comments and field questions:

### Medford

Wednesday Nov. 15, 2017, 5:30 p.m. - 7:30 p.m.  
Ramada Medford Hotel and Conference Center  
2250 Biddle Road Medford, OR 97504

### Coos Bay

Thursday Nov. 16, 2017, 5:30 p.m. - 7:30 p.m.  
Coos Bay Library, 525 Anderson Avenue  
Coos Bay, Oregon 97420

### Corvallis

Monday Nov. 20, 2017, 5:30 p.m. - 8 p.m.  
Walnut Community Room, 4950 NW Fair Oaks Dr.  
Corvallis, OR 97330

### Pendleton

Tuesday Nov. 28, 2017, 5:30 p.m. - 7:30 p.m.  
Pendleton Library, 502 SW Dorion Ave  
Pendleton, OR 97801

### Portland

Wednesday Nov. 29, 2017,  
5:30 p.m. - 9:30 p.m.  
PCC SE Campus, Community Hall, 2305 SE  
82nd Portland, OR 97216

### Portland

Saturday Dec. 2, 2017, 10 a.m. - 3 p.m.  
Oregon Convention Center, 777 NE Martin  
Luther King Jr Blvd Portland, OR 97232

### Eugene

Thursday, Dec. 7, 5:30 - 7:30 p.m., location TBD

Read the proposed rules, summaries and all related material at [cleanerair.oregon.gov](http://cleanerair.oregon.gov)

## Submit written comments by December 22

by web form:

[oregon.gov/deq/Regulations/rulemaking/Pages/ccleanerair2017.aspx](http://oregon.gov/deq/Regulations/rulemaking/Pages/ccleanerair2017.aspx)

by email: [westersund.joe@deq.state.or.us](mailto:westersund.joe@deq.state.or.us)  
subject heading "CAO Draft Rules Comment"

**Questions?** Ask DEQ a million questions!

Joe Westersund: [westersund.joe@deq.state.or.us](mailto:westersund.joe@deq.state.or.us)  
503-229-6403

Keith Johnson: [johnson.keith@deq.state.or.us](mailto:johnson.keith@deq.state.or.us)  
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### Eastside Portland Air Coalition

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EPAC was formed to address the Bullseye

Glass crisis and now works on creating air quality protections statewide. EPAC served as a community representative on the CAO Rules Advisory Committee alongside other regional air quality and health advocates as well as numerous industry lobbyists of Oregon's largest air polluters.