



LEAGUE OF WOMEN VOTERS®
OF OREGON

October 14, 2016

To: Cleaner Air Oregon Regulatory Reform Advisory Committee
Oregon Department of Environmental Quality
811 SW 6th Avenue
Portland, OR 97204

Subject: Overall Scope of Regulatory Advisory Committee

The League of Women Voters of Oregon (LWVOR) is a non-partisan political organization that encourages informed citizen participation in government. LWVOR first studied Air Quality in the 1960s and adopted its position on the issue in 1968. LWVOR supports regulation and reduction of pollution from stationary sources and from ambient toxic-air pollutants. We support the right of states to set more stringent standards than the federal government.

First, we would like to thank the Department of Environmental Quality (DEQ) and the Oregon Health Authority (OHA) for their exemplary effort to organize and support the Cleaner Air Oregon (CAO) initiative. Achieving stronger health-based air quality standards for Oregon is long overdue.

We realize that Oregon has gaps in regulatory requirements for toxics emissions where effects of industrial pollution are not adequately evaluated, controlled or enforced. These gaps occur throughout Oregon for air toxics that cause both cancer and non-cancer illnesses. These gaps will surely be addressed when the DEQ and OHA regulate based on health-based standards.

LWVOR believes Oregon should adopt more stringent standards. Oregon is behind other states that have adopted more stringent air quality standards than the Environmental Protection Agency (EPA). All industrial regulations should take into account synergistic effects and cumulative risks to health.

LWVOR also believes that instead of just reporting greenhouse gases, decreasing them will help to decrease PM2.5 and criteria pollutants, and further enable us to join our western neighbors in fighting climate change. Oregon is at a point where we can choose the best regulatory system possible and say we are going to achieve it. Let's make that choice.

LWVOR reminds the Regulatory Advisory Committee of CAO's definition for Air Toxics. It includes non-cancer illness and is not limited to the EPA's Hazardous Air Pollutants list:

Air toxics

*Air pollutants known to cause or suspected of causing cancer or other serious health problems. Health concerns could be associated with both short-and long-term exposures to these pollutants. Many are known to have respiratory, neurological, immune, or reproductive effects, particularly for more susceptible or sensitive populations such as children. Air toxics include, **but are not limited to**, Hazardous Air Pollutants as defined by U.S. EPA.*

LWVOR believes new Air Quality Regulations should

1. Be open and transparent in decision-making

2. Include Environmental Justice considerations for permit renewals and new sources near vulnerable populations.
3. Mandate ambient air monitoring paid for by industry in areas of concern to neighbors
4. Include into the new regulations all Oregon businesses that emit pollutants
5. Include accurate, multimedia data collection of pollutant emissions
6. Adopt more strict rules than EPA to protect the health of all Oregonians
7. Adopt elements of successful programs or whole programs from other states that protect health
8. Adopt flexible and iterative rulemaking toward protection of residents' health
9. Promote ways to integrate new high quality independent science findings into permits in a timely manner
10. Accommodate new air monitoring technologies and pollution control equipment
11. Mandate an easily accessible online database with accurate permit and emissions data
12. Require more exacting emissions data based on materials balancing from polluters, instead of current self-reporting requirements.
13. Strengthen requirements for pollution prevention and implement Oregon's Toxics Use and Hazardous Waste Reduction Act of 1989 planning as a way to eliminate unnecessary air pollutants and move industries toward green chemistry
14. Include administrative and enforcement regulations with teeth, including no-notice inspections.

The Technical Advisory workgroups provided many excellent ideas to inform the process. We believe the programs of Louisville, KY, South Coast California, and New York State provide excellent guidance for a program in Oregon.

Attached we have provided Comments related to questions posed to the Regulatory Advisory Committee for the October 18, 2016 meeting.

We thank you for considering these concerns and our program comments.

Sincerely,



Norman Turrill
President

Marilyn Koenitzer
Natural Resources, Air Quality Portfolio

Cc: Richard Whitman, Interim Department of Environmental Quality Director
Margaret Oliphant, Air Quality Division Manager
Lauri Aunan, Governor's Natural Resources Policy Advisor
Gabiella Goldfarb, Oregon Health Authority Section Manager Environmental Public Health

Attachment: Comments