



NORTHEAST COALITION OF NEIGHBORHOODS
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Chair Marsh, Vice-Chair Helm, Vice-Chair Brock Smith, and Members of the House Committee on Energy & Environment,

Thank you for the opportunity to testify in support of House Bill 3372, Chronic Environmental Violators. We, the staff of Northeast Coalition of Neighborhoods have advocated alongside community and Department of Environmental Quality staff for improved regulatory processes which will allow DEQ to fully enforce Oregon's existing environmental quality laws. We strongly support this bill because it helps to strengthen the implementation of existing laws whose purpose is to protect our communities' health while supporting business' ability to operate safely.

The Northeast Coalition of Neighborhoods advocates for improved livability and protections for residents of 12 neighborhoods of inner N/NE Portland. Our community remembers well the 2018 scrapyards fire at NW Metals that blanketed the Cully neighborhood and much of east Portland in toxic black smoke for days; the environmentally disastrous fire impacted all residents, including wild and domestic animals with exposure to hazardous air quality. These residents deserve the strongest possible protections against harm to their health from air pollution.

Since 2016, the NECN Board of Directors has worked to actively to improve air quality policies by supporting local neighborhood air quality groups to engage with DEQ and with the state. In January 2021, the NECN Board submitted formal testimony to DEQ opposing issuance of an Air Quality Discharge Permit (ADCP) to NW Metals allowing them to operate at their proposed new site.

We stand with our board and residents of these 12 neighborhoods in demanding that DEQ fully implement protections to our air quality from industrial air contaminant emissions. We believe that DEQ needs to be empowered through HB 3372, to require full pertinent records and documentation from ADCP applicants. Currently, without the ability to collect, consider, and evaluate applicant's compliance history, DEQ cannot fulfil its mission to restore, maintain, and enhance the quality of Oregon's air, land and water.

With DEQ's increased internal regulatory capacity through HB 3372, the need to take chronic environmental violator's such as NW Metals into Multnomah County Circuit Court will be bypassed. This frees up court time for other issues and allows for more cohesion in DEQ's processes. We do not need to bring the courts in to assist the DEQ to complete its own enforcement.

The past negligent behavior of NW Metals initiated the need for HB 3372. We believe that NW Metals' past behavior and refusal to pay \$77,419 in fines for its previous violations of environmental laws

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indicates NW Metals will continue to flout DEQ's regulations. We cannot take this risk. The proposed new site of this facility will put children and other vulnerable people at greater risk.

The proposed site raises the following concerns.

Will worsen existing Environmental Justice impacts:

- -Thirty-six percent of residents of the area are Black, Indigenous and/or people of color (BIPOC).
- -According to Multnomah County, BIPOC and low-income communities are exposed to levels of diesel pollution 2-3 times higher than their white counterparts.
- -Area Risk from cumulative air toxics is already high at the proposed site on N Columbia Boulevard: the area is already inundated with many pollution sources including heavy freight and auto traffic, trains and industry.

Will threaten sensitive natural greenspaces:

- -Wildlife habitats, riparian wetlands and migratory bird sites at nearby Smith and Bybee Lakes will be negatively impacted.

We urge the House Committee on Energy and Environment to vote in support of HB 3372, empowering the DEQ directly benefits the health of Oregonians

Sincerely,

Northeast Coalition of Neighborhoods Staff

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