

The Honorable Paul Holvey
Chair, House Committee on Business and Labor
Oregon State Legislature
900 Court St NE
Salem, OR 97301

Via email

Dear Chair Holvey and members of the committee,

We write today in support of House Bill 2377, relating to claims against insurance assets of dissolved business entities, brought to you at the request of Attorney General Ellen Rosenblum.

Portland General Electric (PGE), PacifiCorp and Northwest Natural (NWN) are three of the entities that are engaged in a long-running effort to clean up and remediate historical contamination located in the riverbanks and sediment of a roughly 10 mile stretch of the lower Willamette River known as Portland Harbor, designated as a Superfund Site and placed on the National Priorities List in 2000. Cleanup efforts in the Portland Harbor were greatly advanced with the issuance of a Record of Decision by the federal Environmental Protection Agency (EPA) in 2017 and with the announcement this month that 100% of the Portland Harbor Superfund Site (PHSS) is now under engineering for remedial design.

One of the barriers to cleanup is the overall cost itself. The EPA estimated in 2017 that the present value of the cleanup under the preferred alternative would reach \$1.7 billion, but this estimate failed to address a number of aspects regarding the cleanup and may significantly underestimate the true cost of cleanup.

Our three companies are engaged with nearly 100 potentially responsible parties (PRPs) in the PHSS, including a number of public entities such as the Port of Portland, City of Portland, State of Oregon and the United States, in a confidential alternative dispute resolution process to attempt to allocate responsibility for the cleanup costs. Because the activities that contributed contamination in the PHSS stretch back decades into the early 20th century, some of the entities responsible for the historical contamination no longer exist but may have had insurance assets that could contribute toward paying for the cleanup effort. Accessing these funds will reduce the ultimate costs to all PRPs and increase the likelihood that the dispute process will resolve amicably – possibly accelerating remediation activities in the PHSS. With the public entities noted above involved in the process, access to these insurance proceeds therefore benefit taxpayers as well as business entities.

Thank you for considering this important legislation in your committee

Respectfully submitted,



Sania Radcliffe



Annette Price



Nels Johnson

