



TO: Senate Committee on Energy and Environment
FR: Ira Cuello-Martinez, PCUN
RE: Support for SB 488

March 7, 2023

Chair Sollman, Vice Chair Findley, and Members of the Senate Energy and Environment Committee,

My name is Ira Cuello-Martinez and I am the policy and advocacy director at PCUN, Oregon's Farmworker Union. We work to empower farmworkers and working Latinx families to improve their working conditions through community building, organizing, and policy advocacy. I am testifying on behalf of PCUN in strong support of SB 488.

SB 488 is a sensible bill that would regulate Covanta Marion which is located in Brooks and is less than 9 miles from our community of Woodburn. This facility imports tens of thousands of tons of medical and industrial waste from other states, as well as Canada, to burn in our local community. We believe Oregon should take care of its own medical waste and not be a dumping ground for other states to send their regulated waste to become toxic air pollution in our communities.

Covanta Marion poses a serious threat to the health of nearby communities, including a large farmworker population, living and working in the shadow of Covanta's smokestack as well as the water and soil that may be contaminated from the fall-out of heavy metals, dioxin, and other pollutants from their toxic emissions.

A comprehensive Health Risk Assessment of the surrounding community has never been performed, nor has the community been given the opportunity for any meaningful input. We know that significant at-risk populations reside in the vicinity of the incinerator. The community is home to at least five schools. Using data taken from EPA EJSCREEN, the surrounding areas have much higher percentages of people of color, those with low incomes, young children, and those who are at risk for cancer and respiratory diseases when compared to the rest of the state. We are concerned about being unfairly overburdened with exposure to higher levels of pollutants.

It is important to pass SB 488 to give DEQ the authority to regulate Covanta Marion under new medical waste incinerator rules. Medical waste is composed of plastics, particularly PVC plastics. Medical waste also produces significantly more air-polluting toxins when burned. These include dioxin, one of the most toxic materials known to humankind, and heavy metals such as mercury

and lead. For these reasons, medical waste incinerators are regulated more stringently than municipal solid waste incinerators.

Although the Covanta Marion incinerator is not currently regulated as a “new medical waste incinerator” it burns a high enough tonnage of medical waste to be regulated as such. In 2020, Covanta burned over 14,000 tons of medical waste. Furthermore, given the goal of Covanta Marion’s foreign corporate owners to increase the amounts of medical waste that they burn, we can expect this incinerator to import more and more medical waste from other states and Canada, which will increase the amount and toxicity of its air pollution emissions. SB 488 will help address that issue by requiring more restrictive federal new medical waste incinerator emissions limits if its medical waste threshold is reached.

Our communities live in the fall-out area of Covanta’s tall stack. Covanta operates on the false premise that dilution is the solution to pollution – the tall stack is meant to disperse the pollution farther away from the source. Woodburn is impacted by this dispersion of hazardous air pollutants.

Our community is home to the North Marion Recycling and Transfer Station in Woodburn, the location where Covanta trucks its ash. The ash from incineration is very toxic and can be blown into the air during transport and storage, which increases exposure to particulate matter and other pollutants in our community. According to [2015 records from Marion County](#), approximately 1.2 million tons of ash residue is stored among four separate cells at the transfer station. Covanta Marion produces an additional 45,000+ tons of new ash per year. The trucks and machinery hauling and manipulating the ash results in diesel particulate. This ash creates hazardous leachate which can contaminate ground and surface water.

Our community wants to see Covanta Marion held to the stricter standards that EPA imposes on “large new medical waste incinerators.” We believe the Legislature should consider the health of people who live in the vicinity of the Covanta incinerator to be important and fragile as the health of people living in upscale neighborhoods in an urban area.

Oregon needs to close the loophole that allows Covanta to operate as a municipal waste incinerator, while not meeting current federal medical waste incinerator standards. PCUN urges you to prioritize public health and safety for our communities in Woodburn and the nearby rural areas by voting in support of SB 488.

Ira Cuello-Martinez
Policy and Advocacy Director
PCUN