

Eastside Portland Air Coalition
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Oregon Department of Environmental Quality
811 SW Sixth Ave
Portland, OR 97204

March 3, 2016

Joni Hammond, Interim Director
hammond.joni@deq.state.or.us

Dear Ms. Hammond:

Eastside Portland Air Coalition welcomes the opportunity to work with you as the interim director of the DEQ. It has been a month since Portlanders learned that discharges from Precision Cast Parts, Bullseye Glass, and Uroboros Glass have caused high concentrations of heavy metals to contaminate the air. This has been going on uninvestigated by DEQ for years.

Health officials have warned residents living within ½ mile of Bullseye Glass and Uroboros Glass not to eat food grown in their yards. And neighbors are sharing reports of medical tests showing elevated levels of arsenic and cadmium. For years DEQ has been slow to respond to air quality issues generally, and to specific complaints filed against polluters. DEQ has consistently withheld information, or released it in slow motion. And a DEQ regulator even played a role in Bullseye's successful advocacy for a loophole in EPA regulations.

As a result of DEQ's failures, the thousands of families who reside or have resided near these two glass manufacturers have an increased probability of health problems, including neurological issues and cancer. It was and continues to be DEQ's responsibility to protect our families from air toxics. DEQ has fundamentally failed to protect the public, with possibly fatal consequences, not only in Portland but throughout Oregon.

DEQ has had the authority to properly regulate toxic air emissions, but chose not to use this authority. Now is the time to act to restore the public's trust in your agency.

Because DEQ has repeatedly failed to act, Congressmen Merkeley, Wyden, and Bluemenauer are now saying that Portland is in a "public health emergency". It would be highly inappropriate for the legislature to disperse after hearing this call. We are demanding that Governor Brown and legislative leaders convene an emergency session tasked with cleaning up Oregon's air and protecting the public's health -- a job which has been neglected for far too many years. This job is too urgent to be left to the whims of an un-elected agency undergoing personnel change.

We assert that the air, lungs, kidneys, hearts, and brains of Oregonians are just as important as our feet and shoes. Governor Brown must take the same emergency action for our personal health that Governor Kitzhaber did for Nike in 2014 -- and immediately call an emergency session in the state legislature. It is truly frightening to imagine the long-term prospects of a state that can invoke emergency powers in the name of corporate tax breaks, but is completely unwilling or unable to mobilize in the face of a genuine emergency affecting everyone's health. Oregon must value people over profits.

Eastside Portland Air Coalition respectfully demands that DEQ immediately:

1. Compel an immediate cessation of any further toxic emissions from McClure Industries, Precision Cast Parts, Bullseye Glass and Uroboros Glass until best in class pollution control equipment has been installed and verified to be functional. Revoke air discharge permits if any are uncooperative. DEQ has this authority under O.A.R. 340-216-0082 (4) (b) when it finds there is a serious danger to the public's health.
2. Release all information and communications between DEQ and Precision Castparts, McClure Industries, Bullseye Glass, and Uroboros Glass, including staff notes, meeting minutes, inspection records, citizen complaints, etc. Make this data available online for citizens to access.
3. Immediately release a complete list of companies using hexavalent chromium.
4. Inform communities about the toxic air exposure that demonstrate serious risks to public and neighborhood health. Withholding this information from the affected community is a breach of trust, and DEQ should strive to exhibit the same ethical standards shown by the moss-study researchers with the U.S. Forest Service.

5. Immediately take steps to protect Oregonians from all dangerous air pollutants and particulate matter, not just arsenic, cadmium and chromium. This MUST include diesel particulates. Use your authority to adopt rules immediately that will allow Oregon to reach the EPA-recommended target of reducing air toxics by 75%. Implement a permitting system that puts human health at its center by relying on the precautionary principle.

DEQ has lost the trust of the public. Trust is restored by action over time. The time for DEQ to begin rebuilding the public's trust is now. Please honor the above requests. We look forward to working with you to make our state a safe place to breathe.

Eastside Portland Air Coalition

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