December 22, 2017

Joe Westersund

Cleaner Air Coordinator

Department of Environmental Quality

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RE: Cleaner Air Oregon Administrative Rules: CLHO Comments

My name is Caitlin Hill and I am the Program Manager of the Coalition of Local Health Officials representing the 34 local public health departments in Oregon who work every day to protect and promote health within communities across Oregon. We know that clean air is imperative to public safety and appreciate the efforts of DEQ and OHA to improve Oregon’s air regulation. I am writing today to provide section by section comments on the Cleaner Air Oregon draft administrative rules.

* 340-245-0030. Existing facilities don’t have the same health standards as new facilities. While we understand the need to support existing businesses, we also believe that the Risk Action Levels (RALs) for existing sources should be brought more in line with new sources, while also considering impact on existing sources and providing support to help local businesses implement these RALs.
* 340-245-0040. Tiered implementation of the rules would only review 80 facilities with the highest health risks first within five years after the rules take effect. We are concerned that this number represents an arbitrary cut-off and does not consider the health risks of facilities beyond the initial 80. Restricting Tier 1 implementation to 80 facilities is an arbitrary cut-off and limits the ability of DEQ to advance CAO on a faster timeline. Rather than restricting Tier 1 implementation to 80 facilities, DEQ should establish a risk threshold to target the facilities that pose the greatest risk, with a goal of addressing no less than 80 facilities. ​
* 340-245-0230. The DEQ Director has the final authority to decide if a facility can continue to pollute beyond the permitted limit. While we appreciate the process the DEQ Director must pursue to permit to facilities beyond conditional risk, including consulting with OHA and local authorities, we recommend the final authority rest with the Environmental Quality Commission in order for there to be greater transparency in decision-making.
* 340-245-0250. We appreciate the incorporation of the detailed community engagement plan in the rules. We believe this plan could be strengthened by the Oregon Legislature allocating at least $500,000 in general funds to include staffing at least two community outreach specialists to provide technical assistance and advocacy for all communities in Oregon, with a special focus on our most vulnerable populations.
* The program does not include community sources like traffic and diesel emissions. In Oregon, diesel pollution puts 90% of people at risk for cancer, causes up to 460 premature deaths in Oregon each year, and causes 145 heart attacks each year- adding up to $5.6 million in hospitalization costs. Given the health costs and risks associated with diesel, we would like to see diesel added to the rules within the next five years.

Sincerely,  
Caitlin Hill

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