From:	Dale Feik
To:	CALDERA Stephanie
Cc:	HAMMOND Joni
Subject:	Stephanie Caldera Public comment for EQC members March 30, 2016
Date:	Wednesday, March 30, 2016 14:32:24
Attachments:	EQC colored glass Temporary Rule testimony March 30 2016.docx Plaintiffs 21 Youth 8 to 19 years in color.docx

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To: Environmental Quality Commissioners **Via:** Stephanie Caldera, Administrative Assistant to EQC, 503-229-5301
Jane O'Keeffe, Chair
Ed Armstrong, Vice Chair
Morgan Rider
Colleen Johnson
Melinda Eden

Joni Hammond, Interim Director, DEQ

From: Dale Feik
Date: March 30, 2016

After reading the proposed Temporary Rules that apply to the colored-glass manufacturing companies in Portland, I believe that they are necessary to protect the immediate and long-term health of the people who live close to those plants. Even the people who do not live close by will be affected because those toxic emissions, after being diluted by mixing with the air, still linger on. Every toxic emission matters!

The goal of the Clean Air Act and the Clean Water Act is to eliminate toxic emissions, not just reduce them. That is why in the Clean Water Act, the EPA and State Environmental Quality Regulatory Agencies have to approve industries' National Pollution Discharge Elimination System (NPDES) permits. Many lobbyists and attorneys representing industries (Association for Oregon Industries – Air Quality Committee co-chaired by Thomas Wood and Mark Morford) have convinced DEQ and you to make decisions that do not seriously prejudice them so that the industries can make huge profits without being held to the strictest environmental emission controls possible. With the hiring of a new Director of DEQ I hope that the DEQ staff will make recommendations to you that are stricter than current Federal rules – rules that DEQ has the authority to make.

Specifically, I believe that the Temporary Rules need to be enhanced by:

Changing the wording so that they apply to not just Portland but to at least the Portland Metro area – better yet, to all glass manufacturers and glass makers statewide.

I requested from the State Fire Marshal in Salem all of the extremely Hazardous Chemicals that Intel had stored onsite in the years 2010 through 2015 in Washington County. Intel manufacturing plants in Hillsboro and Aloha are classified by the State Fire Marshal as Extremely Hazardous Facilities. The very long lists of Flammable, Corrosive, Acute Health Hazard, Combustible, Poisonous Substances, and Chemicals are overwhelming even to Fire Fighter Emergency Response teams. The State Fire Marshal's office administers the 1986 Federal Emergency Planning and Community Right to Know law which has never been implemented well at the Local Emergency Planning Committee County level. Many of those

Intel Extremely Hazardous Substances are heavy metals which are also used by the glass manufacturing industry – lead, copper, zinc cadmium, arsenic, chromium and others, and because of propriety laws, are unnamed.

The Southwest Organizing Project in New Mexico wrote the book titled Intel Inside, A Case Study of Environmental and Social Injustice. Most of that injustice had to do with politicians/lobbyists blocking effective environmental laws that would have protected the large Latino population who live by Intel's facilities who emit tons, not just pounds, of toxic emissions. Any Temporary Rule in Oregon needs to be sufficient to protect the environmental health of our most vulnerable residents, not just the ones living by the glass manufacturing plants.

As you know, I objected to the Temporary Rule that you adopted for six months without public comment so that Intel in Washington County and On-Manufacturing semi-conductor facility in Multnomah County would not have to follow the then current DEQ rule to control greenhouse gases. Toxic air emissions (heavy metals, fluorine related substances) create many health related diseases but greenhouse gas emissions caused by the burning of fossil fuels (coal, oil and natural gas) in the long run will make our planet inhabitable by animal life as we know it. When you decide the details of the Temporary Rule, please consider the statement of the 21 Youth Plaintiffs ages 8 through19 who sued the Federal Government and the Fossil Fuel Industry. I have attached the statements made by those 21 youth – those statements are beside each youth's picture. http://ourchildrenstrust.org/federalplaintiffs

In summary, colored glass has many interesting features depending on your point of view and qualities of materials used. Many people now wish that public health took precedence over artistic beauty. What good is beauty if you get sick or die from that beauty? Please adopt very strict Temporary Rules and make them Permanent. This time I would be in favor of you doing that.