Shawn Dolqan, Sustainable Skys: I read the monitoring for the control device installed annually but I do not read the monitoring of the visible emissions for the facilities. Is this rule subject to another rule that regulates visible emissions from the furnaces?

Vivian Christensen: As you know, residents of Portland have been breathing unhealthy air for many years. The EPA estimates that Portland’s air is capable of causing between 26 and 86 extra cancers per 1 million people. In six census tracts near the city center, this cancer rate is worse than 99 percent of the country. As you are aware, Oregon lags behind California and Washington in enforceable air quality standards. I urge the DEQ to implement art glass regulations that will result in the state meeting meaningful air quality benchmarks. I also urge the DEQ to require all glass manufacturers to demonstrate on an annual basis that they are using the best available technology to limit toxic emissions from their facilities. Residents living and working near these facilities should not have to shoulder the burden of poor environmental regulatory oversight. It is also imperative that the DEQ foster transparency of the amount and types of toxins that industry is emitting throughout Oregon. In order to win back the public’s trust, the DEQ must enable the public to view pollution permits as well as the pollution regulations that facilities are required to implement. I urge the Oregon DEQ to become a national leader in creating meaningful pollution regulations aimed at protecting human health and the environment.

Shawn Ingersoll: Received an error message when trying to submit, my comment is below:

- Health based regulation that incorporate the Precautionary Principle.

- Clause to allow for the future addition of other materials from glass manufacturing if found to exceed either short and/or long term health standards for air shed quality.

- Choose limits based on those most at risk, not normal average healthy adults (i.e., children, elders, and those with medical issues). Many of the facilities are near schools and parks, so there are large populations of children that cannot tolerate the same level of pollution as a full grown adult.

- Assume the EPA view that all Cr III converts to Cr 6 in glass production.

- Require filters that are rated to remove 99.9% of emissions.

- Require all furnaces to have said filters if they use HAP.

- Create facility limits, not furnace limits. If you limit based on furnaces, there is the likelihood that the accumulative pollution for all furnaces would be above health based standards.

- Heavy fines for violations and a plan for repeat offenders. The ability to shut facility down if it poses an immediate risk to the public and environment.

- Incorporate full health and environmental costs into account. Both long and short term.

- Health before profits. The cost of pollution will always outweigh any benefits a facility brings to the economy. We can get new jobs, develop new ways to make glass, yet we can't prevent the damage that has already been done to our bodies. Damage that may take years to surface.

- Ensure their coldshops (where they cut the glass) and resulting wastewater are safe. Incorporate direction/regulation/fines to ensure their coldshops do not result in environmental damage (i.e., fine glass particulates making their way into the water system).

- Incorporate direction/regulation/fines related to the fine glass particulates that have the ability to become airborne, as well as the glass fragments that litter the perimeter of their facility (particularly near their scrap collection bins).

- Incorporate an accumulative pollution approach to permitting (multiple industrial polluters in a small vicinity). There may be health based limits, but if two polluters are hitting both of their limits in a small geographical area, it will double the health/environmental impact of said pollutant and cause damage to people and the environment. In addition look at how pollution interacts, for example there was a study that showed higher rates of autism when a population was exposed to both styrene and chromium.

- Do not delay implementation beyond the defined timeline.

- Continue to involve the public in the process with transparent decision making and public input.

- Continue to monitor the air quality near these facilities.

Beyond just these rules:

- A public notification system for the permitting process (new and renewals). DEQ has a responsibility to ensure homeowners, businesses, and schools are aware of the pollution that is being permitted in their area. Currently there is no system in place that provides transparent and easy to access information for the public. We have a right to know who permits what, and we have a right to as a community, refuse to allow a polluter into our neighborhoods if they cannot do business responsibly or if their business puts the public or environment at unnecessary risk. We need in-person mailers to all homes, businesses, and schools within a determined radius of the facility (i.e., a mile) with information on the permit, other polluters nearby (so we can have an understanding of the addition of pollution being made to the area). In addition, an accessible online mapping system that identifies all facilities, all hazardous materials used/on site, the health effects (long and short) on the specific materials, permitting allowances for their facility, when a permit ends/begins, and air/water/soil monitoring data etc.

- DEQ needs to start collecting all info on all hazardous materials used on all sites, not just a lump sum of pollution.

- DEQ needs to advocate for funding. Show the public why you need it and what it is for. The DEQ is severely underfunded.

- DEQ should have informed the public of the high levels of cadmium when they first knew. DEQ needs to start notifying the public immediately to instances such as these.

- DEQ needs source and ambient air monitoring. The ability for DEQ to do source testing needs to be included in all permits moving forward.

- DEQ needs to do statewide moss sampling.

- Realize that for all the out of state glass artists that Bullseye has recruited to contribute their comments, their numbers pale in comparison to the affected families around these facilities. Be aware that many working families that are impacted by this pollution do not have the luxury to comment on these rules; be it time, access to the internet, or even being aware of this issue.

Our air, water, and soil is community based. We all need it to be clean and healthy for generations to come. A facility does not have the right to put others at risk simply by paying a small fee and all the while the public is none the wiser. Bullseye is the catalyst. It is my sincere hope that DEQ does not stop here because the public sure won't.

Thank you,

Shawn

Katharine Salzmann, EPAC: I would like to request the following changes to the Temporary Rules for Art Glass Manufacturers:

1. Please include ALL heavy metals and potentially toxic substances used and emitted in the glassmaking process. Selenium, for example, is not included and our neighborhood was recently exposed to a spike in this Hazardous Air Pollutant because it is still unregulated. ALL toxic and potentially toxic substances used and emitted during the glassmaking process should be included and controlled.

2. Please revisit the short-term and long-term benchmarks established in the Temporary Rules. I realize this document was made in extreme haste. In anticipation of the Cleaner Air Oregon regulatory overhaul, now is an opportune time to apply the most protective benchmarks available. I am sure you have staff who have been researching this. Please change the Temporary Rules to reflect the MOST HEALTH PROTECTIVE benchmarks possible.

3. Please expand this rule to cover the entire State of Oregon. It is my understanding that a search was done for other art glass manufacturers statewide and none were found. I am in no position to confirm this, but in anticipation of new businesses springing up, and to protect residents outside the Portland Air Quality Maintenance Area, these rules should be applied statewide.

Also, omitted from the Rules are two large Portland glass recyclers, General Glass Company and Owens-Brockway, which sit in two arsenic hot spots identified by the USFS Moss Study. Why?

4. The Rules should be amended to apply to all glass factories, not just art glass manufacturers and not just those that produce 10 tons per year. Please explore ways to include those two Portland glass recyclers and methods for preventing pollution from any glassmaker handling hazardous materials, not just art glassmakers.

5. Section 340-244-9070 of the Temporary Rules currently requires emissions control device that meets 99.0 percent or more removal efficiency for particulate matter. At a recent DEQ meeting allowing public comment on making the Temporary Rules permanent, the DEQ rule-writer repeatedly referred to the control requirement as 99.9 percent. That is not what it says in the Temporary Rules, but that is what it SHOULD SAY: 99.9 percent removal efficiency.

We have born a terrible burden in SE Portland for 42 years. Imagining the data from the October air monitoring extrapolated daily for decades, and watching what has occurred in the local airshed even with the Temporary Rules in place has been at once terrifying and utterly dismaying. Given that modern technology exists to filter up to 99.9% of HAPs, there is simply no reason to allow uncontrolled and unregulated emissions of any kind to continue to occur anywhere ever again.

And finally, I would once again like to ask that the DEQ be brought into the 21st century by employing modern video recording equipment for ALL PUBLIC MEETINGS, making those available online and through social media, so that discussion and information are more readily available for working people who would like to participate and stay informed. The Oregon Attorney General’s recent ruling that prohibits DEQ from charging the public for access to public documents denotes a real sea change for agency transparency. The public cannot support you or advocate for you with our legislators, nor can we make substantive commentary unless we understand the ways you are striving to protect us and our environment from hazardous pollution. We must have meaningful access to these essential public proceedings.

As a professional glass, I am all for the safe production of my raw materials. With that said, Bullseye, Uroboros, and the half dozen other art glass manufacturers across the country seem to be unfairly targeted by this witch-hunt. I call it a witch-hunt because even with extremely limited production for the last six months, the emissions monitoring during that time show little to no change in air quality. This definitely suggests that the problem is likely coming from another source. Please use accurate and fair data to make your assessments and rule definitions. And be fair in the application of these regulations: if this were Exxon polluting the air, water and soil, would they be given the same treatment? It seems that the small independent businesses are footing the bill in lost production for rules and regulations that are being changed and eliminated overnight. While the biggest companies are given years to implement new regulatory controls; how is that fair? Please, please use actual scientific data (not some blogger’s hysteria) to determine the new regulations. And, as another commenter pointed out, there is a simple fix to everything: close the loophole on the definition of batch production. Because that is basically what is happening here. The art glass industry has followed the rules, and like any logical entity, utilized the loophole to its advantage - so close the loophole.

As for economic impact, this is huge. I make my living as a glass artist. If the new regulations cause more art glass manufacturers to go out of business, like Spectrum Art Glass did as a direct result of this, the art glass world may very well collapse. Having Spectrum already out of business has already impacted my business, as well as countless others. I bought as much stock as I could afford to buy, using up my entire emergency fund, which means I actually have no money for an actual emergency. This is because Spectrum makes a few types of glass completely unique which I use in much of my artwork, and not having any more will have a huge impact on my business and is consequently forcing a change in my artistic style.

Bullseye and Uroboros are two of my primary material suppliers, especially for fusible/compatible glass. I have had to reduce my own production and limit my artwork because so much glass are unavailable, and still is not back into production, which means my sales have declined and my commissions have been delayed. This all adds up to less income. Multiply this by the hundreds of thousands of other artists and glass professionals, and this is a HUGE economic wheel. Not to mention that every single manufacture has increased prices by at least 10%, sometimes as much as %15. Since sheet glass is 80% of my yearly material expenses each year that will be a huge impact upon my bottom line.

Please, please consider the impact on all jobs, tax revenues, not just those in Portland. The limited win on pollution control when applying subjective and stringent rules on the glass industry with virtually no notification creates direct hardships that these small industries can barely weather. This effort has a huge financial impact and may well cause production to shift overseas. Sending production to China will not clean our air. It will not support the Oregonians who work in the art glass industry, nor any of those across our continent and the rest of the world. It will not provide any tax revenues.

Thank you for your time. Please consider using to have a real impact on our health and air quality, on art and our economy as changes are made in environmental regulations.

Hello,

As a member of the Humboldt Neighborhood Association board, I am writing in support of the letter submitted by NE Coalition of Neighborhoods which requests:

Ensuring leadership that prioritizes health-based standards. It is important to hire a DEQ Director who understands how to make health-based decisions on permitting and regulation. Any new Environmental Quality Commission board members should also understand the importance protecting human health.

Ongoing information and comprehensive air emissions data, concentration maps, locations, producers (known and unknown), and associated emissions health risks. Comprehensive information surrounding air toxics emissions taking place throughout the City of Portland is lacking. We recognize that regulatory actions have been taken to identify and inspect facilities, collect data, and increase air-monitoring capabilities. We are asking that DEQ and associated organizations provide the public with all the most up-to-date and comprehensive information that is ongoing, clear, and accessible to all.

Hexavalent chromium levels in the air need to be addressed. As indicated in the available data, there are currently many unknowns, one of which is of huge concern for the community: levels of hexavalent chromium. Hexavalent chromium is a known carcinogen, yet the Department currently lacks information regarding hexavalent chromium users and levels. The little information that is available does not differentiate between hexavalent chromium and other chromium.

Provide continuous information for the community that is translated for non-English speakers. We ask the DEQ and associated agencies to conduct additional information/community forums, provide translation for all materials released regarding the situation, and conduct culturally-specific outreach to non-English speakers, communities of color, and low-income communities.

Make air emissions permits publicly available, not just through public record release requests. Permits provided by the DEQ are public records, and any member of the public should be able to access these records without going through the lengthy and costly process of submitting a public records release request. The simplest way to rectify this is to provide permits online, through DEQ’s website. Ideally, permits would be available in a searchable database.

Provide clarification regarding the timeline released by the DEQ and associated entities, as this situation seems to have gone on for some time without informing the public at large formally. The press release on February 3, 2016 references this situation as a rapidly evolving one, even though this appears to have originated as far back as 2003. For example, in 2009 monitoring of the Harriet Tubman School in NE Portland revealed that Uroboros was noted as a potential source of cadmium emissions.

Focus on diesel particulates. One of the most serious current threats to public health from air pollution comes from the burning of diesel fuel. Oregon has become a dumping ground for dirty diesel and should develop an aggressive approach to these health threats.

Thank you,

Isa Dean

Humboldt Neighborhood Board Member

Portland, Oregon 97217

Al Hooton, Glass Alchemy