



May 22, 2020

Subject: Covanta Marion municipal solid waste incinerator and Cleaner Air Oregon

Mr. Ali Mirzakhali, Administrator
Air Quality Division, Oregon DEQ

A recent conversation between Keith Johnson and a representative of our Clean Air Now coalition brought some issues to our attention that we would like to discuss with you further.

First, during the Cleaner Air Oregon (CAO) review of Oregon's top industrial polluters, the polluters themselves will be the primary sources of information about their emissions. The Department of Environmental Quality's CAO program will not conduct independent environmental testing in the vicinity of the polluting industries.

Second, we are concerned that CAO staff are not addressing the discrepancy we have observed between air emissions limits for the Covanta Marion municipal solid waste incinerator in Brooks, Oregon, versus the much stricter emissions limits for a medical waste incinerator. This discrepancy should be addressed by Oregon DEQ because: A) the incinerator in Brooks burns over five times as much medical waste (over 2,500 pounds per hour) as that required to classify a medical waste incinerator as "large", and B) the incinerator in Brooks has routinely and consistently failed to meet the emissions limits for heavy metals and acid gases that are required of a large medical waste incinerator. Please see the attached table with specific emissions values for the past seven years (DEQ Current Limits and Emissions).

The undersigned organizations make the following requests and ask for a follow-up meeting.

1. We expect that the air quality standards for the Covanta Marion incinerator will be made significantly stricter following the CAO review in 2020. We want CAO to include in the incinerator air quality permit more toxic substances associated with medical and solid waste incineration than appear in the current permit and have the emissions limits be at least as strict as the emissions limits for a large medical waste incinerator as defined in the Code of Federal Regulations [<https://www.govinfo.gov/content/pkg/CFR-2015-title40-vol7/pdf/CFR-2015-title40-vol7-part60-subpartEc.pdf> (page 297 for definition of "large hospital/infectious/medical waste incinerator" and pages 314 and 315 for emission limits for those incinerators)].
2. We also want to see the DEQ Air Quality Division establish emissions limits that are protective of human health by using the results of the CAO assessment AND by conducting specific environmental testing for toxic pollutants from the Covanta Marion incinerator. These could include continuous stack testing for toxins, moss testing in or near Brooks of the type done around the Portland art glass factories, and such other environmental testing that may add perspective to the potential health impacts of the

incinerator emissions. We recommend that DEQ require the incinerator to conduct continuous emissions monitoring for five hazardous air toxins: mercury, lead, cadmium, dioxins, and hydrogen chloride. These specific hazardous substances should be continuously monitored rather than the current requirement of stack testing once per year.

3. Clean Air Now formally requests a copy of the draft incinerator air quality permit that Gary Andes of DEQ sent to EPA for their review several weeks ago.

We have thus far been unable to confirm the impact our testimony (attached to this message) had on the draft incinerator air quality permit that DEQ sent to the US Environmental Protection Agency for review. One of our coalition members asked Gary Andes of DEQ on April 8 for a copy of that draft permit but has not yet received a response to that request.

It was our expectation that the emissions limits in that permit would be at least as strict as those required by the EPA for a large medical waste incinerator, but we have heard no evidence that the DEQ included this in the draft permit. If this was not included, we request the DEQ's full support to make the emissions limits for the Covanta Marion incinerator at least as strict as those for a large medical waste incinerator before this current air quality permit is finalized.

We also want to see the Department of Environmental Quality take whatever steps are necessary to require continuous emissions monitoring of toxic emissions from the incinerator. The annual stack tests do not begin to provide an adequate representation of actual toxic emissions as the incinerator fuel varies significantly from one time to the next. We have also received anecdotal evidence that incinerator operators across the country routinely modify the fuel burned on the days of testing so that they may receive much more favorable test results. Dioxin emissions also increase radically during conditions of upset at which times no testing is ever done.

(https://zerowasteeurope.eu/wp-content/uploads/2018/11/NetherlandsCS-FNL.pdf?utm_source=Press+Release+ZWE&utm_campaign=ecbc94492b-EMAIL_CAMPAIGN_2018_11_28_11_27&utm_medium=email&utm_term=0_a7b3972a6a-ecbc94492b-&mc_cid=ecbc94492b&mc_eid=%5BUNIQID%5D)

Given the Federal government's ongoing retreat from protecting the health of citizens from environmental pollution, the apparent exacerbating effect of particulate matter pollution on victims of COVID-19 (https://projects.iq.harvard.edu/files/covid-pm/files/pm_and_covid_mortality.pdf) and reports of especially high rates of COVID-19 cases in the vicinity of the incinerator in Brooks

(<https://www.statesmanjournal.com/story/news/2020/04/29/marion-county-coronavirus-cases-outpaces-oregon-counties/3000681001/>), and Governor Brown's stated intent to protect Oregon's citizens from airborne toxins, we believe it is more important than ever that the Oregon Department of Environmental Quality impose strict emissions limits on the Covanta Marion incinerator that will protect the health of all of our citizens.

We ask that you inform us in particular what steps DEQ's Air Quality Division plans to regulate the Covanta Marion incinerator to protect public health and reduce additional risk of COVID-19 from the facility's particulate and heavy metal emissions. Thank you for your attention to our request.

Signed,
Members of the Clean Air Now Coalition

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Rep. Marty Wilde (House Energy & Environment)
Rep. Brian Clem (House Agriculture and Land Use)
Rep. Teresa Alonso Leon (House Committee on Education)
Keith Johnson, DEQ