

**POLITICS**

# Oregon Legislature debates medical waste burning at Covanta incinerator in Marion County

*The Brooks facility now is the fourth-largest medical waste incinerator in the country.*

**Tracy Loew**

Salem Statesman Journal

Published 1:19 p.m. PT March 16, 2023

For years, Marion County residents have debated whether the increasing amount of out-of-state medical waste burned at Covanta Marion, the municipal waste incinerator in Brooks, is safe.

Now, as the Oregon Legislature considers a bill that would more strictly regulate the burner, Covanta officials have released a company analysis they say shows burning additional medical waste does not change what comes out of the incinerator's smokestacks.

A Covanta official referred to the new study during a contentious legislative hearing on the bill last week, and provided a summary of the analysis to the Statesman Journal Tuesday.

"Regulated medical waste is less likely than regular household municipal solid waste to contain contaminants like lead, cadmium and mercury," reads the study, which looked at Covanta Marion's emissions from 2011 through 2021, excluding 2018.

"It is factually inaccurate to state that (regulated medical waste) produces more toxins or emissions. It does not," Covanta spokeswoman Nicolle Robles said in an email to the Statesman Journal.

That contradicts what environmental groups, the incinerator's neighbors and even the U.S. Environmental Protection Agency have said for years.

And the Oregon Department of Environmental Quality, in its 2020 review report of

Covanta Marion's permit, noted that dioxin/furan emissions from the plant, while under permit limits, were increasing.

The DEQ report said the increase could be due to "combustion of more medical waste or more plastics, or some other change in the solid waste constituents."

Medical waste "primarily consists of plastics such as polyvinyl chloride (PVC), which are known to emit more toxic pollutants than most other municipal waste," Environment Oregon said in testimony on the bill.

"Very few municipal waste incinerators are permitted to burn untreated medical waste, but Covanta Marion, the last remaining incinerator in Oregon, is one of them," the group said.

## **Covanta now fourth largest medical waste burner**

The 36-year-old burner, located north of Salem in Brooks, previously operated as a partnership between Marion County and New Jersey-based Covanta Holding Corp.

In July 2021, Marion County left the partnership. It now pays Covanta a flat fee to take a set amount of the county's garbage.

The move gave Covanta the ability to burn up to 18,000 tons per year of medical waste, much of it from other states and Canada, as well as an unlimited amount of industrial waste. And Covanta no longer must tell the county, or the public, exactly what it is burning.

The U.S. EPA issued new regulations for medical waste incinerators in 1997, calling them "a major source of mercury and dioxin air emissions in the United States."

Since then, the number of dedicated medical waste incinerators in the U.S. has declined, from about 6,200 in 1988 to about 30 now.

In 2022, Covanta Marion burned 16,335 tons of medical waste, Marion County spokesman Jon Heynan said.

That makes Covanta Marion the fourth-largest medical waste incinerator in the country, according to the nonprofit Energy Justice Network, and the only one west of the Rockies.

If the facility were regulated solely on the amount of medical waste it accepts, it would be

subject to the stricter federal pollution limits imposed on medical waste burners.

But, because Covanta mixes the medical waste with a larger amount of household and business waste, it is regulated as a municipal waste incinerator.

“This is the loophole we must close to keep the air we breathe safe,” said Sen. Deb Patterson, D-Salem, who is sponsoring the bill.

In addition to medical waste, Covanta is allowed to take an unlimited amount of industrial waste, creating additional concerns for environmental groups and neighbors.

In July 2021, the Statesman Journal reported that, during a one-year period, Covanta accepted about 6,000 tons of industrial waste from businesses and organizations based in 19 Oregon counties; in California, Washington, Nevada, Utah and Georgia; and in Ontario and British Columbia, Canada.

The waste included oily debris, paint and rubber waste, toner waste, HVAC filters, polyurethane foam packaging, pharmaceutical waste, corn and soybean seeds, and more.

The Statesman Journal got the information from detailed invoices to Marion County it received in response to a public records request. Covanta is no longer required to provide that information to the county.

## **Legislation proposed**

Senate Bill 488 would require Covanta to meet federal emissions limits for large medical waste incinerators if it accepts medical waste at an annual average rate of more than 500 pounds per hour.

Covanta currently exceeds those limits for hydrogen chloride, sulfur dioxide, carbon monoxide, nitrogen dioxide, cadmium, lead and mercury, according to an analysis of DEQ data by Beyond Toxics, a Eugene-based environmental nonprofit.

Under the bill, Covanta would need to meet federal emissions limits for medium medical waste incinerators if it accepts an annual average of more than 200 but less than 500 pounds per hour.

At the 18,000 tons of medical waste per year it currently can accept, Covanta could average more than 4,000 pounds per hour, or nearly ten times the federal threshold for a

large medical waste incinerator.

“The incinerator in Oregon, purchased in recent years by a multinational corporation based in Sweden, is taking advantage of our loophole to earn profits by making Oregon a dumping ground for the dangerous wastes other states don’t want,” Patterson said.

Marion County Commissioner Kevin Cameron testified against the bill at the hearing, saying that a 2019 survey of county residents showed overwhelming support for the incinerator.

The bill is currently in the Senate Energy and Environment Committee.

## **Medical waste emissions not studied**

Officials at the Oregon Department of Environmental Quality said they had not previously seen Covanta’s medical waste emissions analysis.

“DEQ does not plan to review or comment on this analysis as it is not part of our permitting process or the Cleaner Air Oregon Risk Assessment process,” DEQ spokesman Dylan Darling said.

Former Gov. Kate Brown launched the Cleaner Air Oregon program in 2016, after a U.S. Forest Service moss study found a Portland neighborhood had been contaminated with dangerous levels of heavy metals coming from nearby Bullseye Glass.

Covanta was among the first 20 polluters called into the program in March 2019.

But that process won’t shed light on the question of whether, or how much, burning medical waste increases the facility’s emissions either, DEQ said.

“Determining differences in pollutant emissions rates between medical waste and nonmedical waste was not one of CAO’s objectives for the source testing, so DEQ has not performed any statistical analysis of the relationship between the amount of regulated medical waste combusted and emission rates of any pollutant,” Darling wrote.

Covanta's analysis covered five of the pollutants the EPA regulates for medical waste incinerators. They are filterable particulate, cadmium, lead, mercury and dioxins/furans.

EPA also sets emission limits for nitrogen oxides, carbon monoxide, hydrogen chloride and sulfur dioxide.

*Tracy Loew covers the environment at the Statesman Journal. Send comments, questions and tips [totloew@statesmanjournal.com](mailto:totloew@statesmanjournal.com), 503-399-6779. Follow her on Twitter at [@Tracy\\_Loew](#)*