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Washington County Citizen Action Network

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TO:

Members of Oregon Environmental Quality Commission

FROM:

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Disclaimer: The testimony below represents my opinions only.

In the interest of time let me summarize my written testimony.

My concerns focus on DEQ's failure to establish an independent regime for monitoring air emissions coming from Intel's Ronler Acres and Aloha fab plants.

It was shocking to find out in the public hearings back in 2013 that DEQ is totally reliant on Intel's reporting process. This is a classic wolf in the hen house regulatory scheme.

- If Intel is allowed by EQC and DEQ to operate under the existing "temporary rule," there will be no capacity for the public to know if Intel's emissions pose a public health risk.
- Since Intel failed to report it's illegal emissions of fluorides for over 30 years, there is nothing in the record to make

one believe Intel can be trusted to self-monitor its emissions.

- The EQC and DEQ can only carry out their mission to protect the public by requiring Intel to operate under a Title V air quality permit. States have the power to exceed federal regulations.

Oregon should follow California's lead and demand of Intel to operate under a higher not lower standard of emissions monitoring. Only in this way will the public interest be served.

- Intel has claimed holding it to a higher GHG and PSD standards would prejudice their best interests by costing several hundred thousands of dollars to go through the PSD/Title 5 permit process.
- For a global corporation whose annual profit is @ \$9 billion per year this assertion cannot be taken seriously. The public's right to know trumps what amounts less than a tenth of 1% (.00002) of Intel's annual profits.

We learned through the Great Recession that banks too big to fail couldn't be trusted to regulate themselves. The same rule applies to global corporations like Intel – they too can't be self-regulating either.

It's time DEQ became a proactive not passive player in the regulatory regime for Oregon. With no third party monitoring Intel's emissions the public can have no trust that the public health is being protected.

When Governor Tom McCall and the legislature established DEQ it was meant to protect and preserve Oregon's environment and it's people's health NOT to turn Oregon into a "hungry hussy, throwing herself at every stinking smokestack that's offered."

It's my opinion that Intel can live with the highest environmental standards not the low hanging fruit so to speak. This is not a technological question – it's a matter of political will in Salem from the EQC, DEQ and ultimately the Governor's office.

As a member of the Good Neighbor Agreement negotiating team I'm working with Intel to create a monitoring system that will meet the highest standards. As the largest employer in Oregon and Washington County I want Intel to stay here.

But I don't want my 4-year-old grand daughter to wake up 30 years from now only to find out she has been poisoned by air or water emissions that we could have prevented. We don't need another Love Canal – this one in suburban Washington County.

For the record – allow me to add additional comments above and beyond my oral testimony above:

Intel applied for a Title V air quality permit. DEQ held a public information session followed several weeks later by a public hearing Oct 14, 2013. Initially DEQ permit writers stated that they were going to approve the permit as a routine procedure.

However, as a result of the public hearings DEQ changed its position – indicating that the review process would extend into 2015 because of public comments and their intent to require Intel go through the Title V permit process.

DEQ subsequently levied fines against Intel for –

- Failing to notify DEQ of its fluorides emissions;
- Failing to obtain a permit to emit fluorides;
- Beginning construction of Fab DiX and Fab 20 without obtaining proper construction approval;

Conclusion: Given Intel's track record a robust regulatory regime is clearly required.