

January 14, 2022

Keith Johnson, Program Manager  
DEQ Cleaner Air Oregon  
Lloyd 700 Building  
700 NE Multnomah St #600  
Portland, OR 97232-4100

Dear Mr. Johnson:

This is Linnton Neighborhood Association's (LNA) last attempt to resolve our concerns directly with DEQ Cleaner Air Oregon (CAO) about what appears to be incorrect reporting from CEI Hub industries: BP, Chevron, Equilon, Kinder Morgan, Phillips 66, Exxonmobil, Olympic Pipeline, McCall Oil (Shore Terminals/Nustar), and Arc Terminals to DEQ Cleaner Air Oregon. If we cannot get a reasonable resolution from DEQ, we will address our concerns with a public campaign focused on DEQ's inaction regarding CEI Hub industries with a media, social media, and legal action.

The cited research we submitted to DEQ March 2021 is also linked here:

<http://portlandcleanair.org/files/reports/Tank%20Farm%20v8%20web.pdf>

This report suggests that the four VOCs -- benzene, ethylbenzene, toluene, zylene(s) -- being emitted by internal floating roof gasoline tanks (IFRTs) and asphalt tanks at the CEI Hub are likely thirty times (30x) higher than what these industries are reporting to DEQ Cleaner Air Oregon. We understand the tank farm owners are reporting to CAO using AP-42, a formula written by the oil industry.

LNA expects DEQ to:

- 1) measure emissions from heated asphalt and heated residual oil tanks with EPA Method 204
- 2) conduct fenceline monitoring of IFRT tanks emissions of benzene, ethylbenzene, toluene, and xylene with EPA Method 325.

EPA investigated heated asphalt and #6 fuel oil tanks in New England starting in 2007, measuring emissions in South Portland and Searsport, Maine; Chelsea, Everett, and Quincy, Massachusetts; Newington, New Hampshire; and Providence, Rhode Island. All of those investigations found violations of the Clean Air Act which resulted in fines.

In March 2021, these states' findings were included in Linnton's Tank Farm Report which was sent to you on our behalf by Greg Bourget of Cascadia Action. You responded to Greg that you created a work group at DEQ to review this data and LNA's concerns. You invited Greg Bourget to listen in on the work group. Then you seem to have uninvited him and appear to have disbanded this work group. It has been almost a year and we have heard nothing more about this. Yet, we continue to live amid this airborne industrial pollution.

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It seems every other Oregon industry with Title V, Standard, or Simple ACDPs is required to submit more accurate Emission Inventories than the CEI Hub industries. We understand that this Emissions Inventory reporting, as we have seen with Columbia Steel and Owens Brockway, is not as accurate as Source Testing, and are used for prioritization for call in to CAO which triggers a requirement for Source Testing.

LNA is troubled and disappointed that CAO is not requiring a reasonable attempt at accuracy from the CEI Hub industries for their Emission Inventories. AP-42 should not be allowed considering how grossly inaccurate they have been found to be in New England for the type of tanks identical to those found in Linnton.

Because it seems like DEQ may not take any action on this issue, our only choice appears to be a campaign against DEQ CAO. We prefer not to do this because we think Cleaner Air Oregon is mostly heading in the right direction, calling in the most dangerous polluters, and requiring them to follow health-based regulations and mitigation.

However, if DEQ allows certain industries to be exempt from CAO —perhaps the worst polluters —by letting them be misleading and dishonest with their Emissions Inventories, then we will begin to doubt the whole Cleaner Air Oregon program.

We understand that the CAO prioritization process is to identify those industries that are probably posing the greatest risk to human health. We support and agree with that process. We are not requesting that the CEI tank farms be called in ahead of other Portland-area industries that objectively pose greater risks to human health. However, if the CEI Hub industry emissions are likely 30x higher than being reported, this should be a factor in the prioritization.

LNA has written a letter holding DEQ responsible for a policy of inaction on CEI Hub emissions. In February 2022, we will circulate this letter to 82 participating organizations in a cooperative effort for public endorsement. Our media and social media consultants are preparing a campaign to publicly release this letter and oppose DEQ CAO starting as soon as March 2022.

On our behalf, Greg has asked that you use your lab, testing equipment, and authority to order the CEI Hub industries to accurately test emissions—what Maine and Massachusetts are already doing. The EPA allows AP-42 — we get that — but this formula is unreliable. EPA expressed this in the AP-42 documentation: “The methodologies do not address conditions of deteriorated or otherwise damaged materials of construction.”

Of the active tanks today, “63% were built before 1993 and are structurally insecure,” according to a recent report from Engineers for a Sustainable Future. EPA’s documentation of AP-42 also cites a “limited availability of actual tank test data” for IFRTs but includes a 1979 study by Radian Corporation

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directly measured emissions of 28,324 pounds of VOCs per year from a 926,310-gallon IFRT gasoline tank, or about 3% of the volume. The AP-42 model underpredicted the same tank's emissions by as much as "59%". If Linnton IFRTs are emitting 3% of their volume as airborne VOCs annually, then their emissions are 30x higher than they reported to CAO in their Emissions Inventories. (Greg emailed a spreadsheet to you showing gasoline amounts stored in Linnton.)

If the petrochemical odors we regularly smell at our houses are a "nuisance," but not a significant health threat, this would change our view. If the risks to human health are severe, isn't it the mission of DEQ CAO to assess and regulate that?

The CEI Hub safety risks are being closely studied now and discussed in depth at the state, county, and city levels. This is, in part, because the Oregon Seismic Safety Policy Advisory Commission (OSSPAC) in their 2019 report stated: "The Critical Energy Infrastructure Hub is a major threat to safety, environment, and recovery after a Cascadia Subduction Zone earthquake on par with the 2011 Fukushima nuclear meltdown in Japan." As this threat is assessed, LNA will be interviewed by media. If DEQ continues to ignore LNA, we will change our media strategy to a direct offensive against DEQ for its failure to reasonably consider these industries' emissions and effects on human health.

Sincerely,

Richard Barker, Chair  
Linnton Neighborhood Association Board

Nancy Hiser  
Linnton Neighborhood Environmental Committee

Shawn Looney  
Linnton Neighborhood Environmental Committee