

American Petroleum Environmental Services Air Contaminant Discharge Permit 26-3021

Response to Comments

DEQ issued a public notice on May 19, 2017 requesting public comment on DEQ's draft air quality permit for American Petroleum Environmental Services, Inc. DEQ mailed notice to property owners within at least one mile of the facility, and included additional zip codes and neighborhood associations where DEQ anticipated there would be interest. DEQ also provided public notice through publication in two local newspapers, posting of the notice on DEQ's website, and through email; subscribers of DEQ's email notification list received a message about the proposed permit issuance and the chance to comment. The comment period closed at 5 p.m. on July 3, 2017.

The following response to comments combines like topics and comments to minimize duplicates. Comments are paraphrased to address the main point and are not included verbatim. All written and oral (transcribed) comments are included as an addendum to this document. Comments relating to other facilities are not addressed by the responses below. Some of the following comments are verbatim, combined, or paraphrased with similar comments to reduce redundancy.

1. Comment

The DEQ should issue American Petroleum Environmental Services (APES) an immediate Cease and Desist order (ORS 468.115(1)) requiring them to shut down until they can reduce emissions below levels that may be harmful to the residents in the area. DEQ should shut the facility down using the authority in OAR 340-216-0082 (permit revocation). DEQ should deny the permit renewal until all neighborhood concerns are met.

DEQ response

In order to issue a cease and desist order under Oregon Revised Statute (ORS) 468.115, DEQ would need to determine that air pollution from APES was causing "an imminent and substantial endangerment to the health of persons," and the Governor would need to direct DEQ to enter such an order. DEQ has authority under Oregon Administrative Rule (OAR) 340-216-0082(4) to revoke an air quality permit if it finds that the permittee's activities are seriously endangering public health, safety or the environment. DEQ has not determined APES to be in violation of its air quality permit. Results of air sampling conducted by DEQ and EPA have not shown concentrations of air pollutants to exceed levels that would result in serious danger to public health, safety, or the environment. We therefore conclude that a cease and desist order is not appropriate at this time.

2. Comment

DEQ should regulate the emissions of toxic air pollutants (e.g., dioxin, hexavalent chromium, lead) and prohibit the burning of PCB containing oil. DEQ should require APES to meet the



health-based benchmarks and implement the draft proposal under the Cleaner Air Oregon framework that is currently in the works.

DEQ response

The draft permit includes applicable existing requirements under current environmental rules and laws as related to toxic air pollutants. The permit cannot be used to create new emission standards unsupported by existing rule. The draft permit uses less than 2 parts per million (ppm) as the PCB limit for used oil combusted on site. EPA considers 2-ppm to be the quantifiable level of PCB's in used oil. DEQ proposes to modify the "less than 2 ppm" to "non-PCB containing oil" to mitigate confusion.

The health based benchmarks in the current DEQ rules are goals for air quality, but not enforceable standards a facility can be held to. Stricter requirements under a new industrial air toxics program, known as Cleaner Air Oregon, are currently under development and will be presented to the Environmental Quality Commission for review and adoption in 2018. Requirements that have not been adopted by the EQC cannot be implemented by DEQ. Cleaner Air Oregon may or may not address operations at APES.

APES must comply with any applicable Cleaner Air Oregon requirements when the rules are adopted. APES will not be grandfathered out of the Cleaner Air Oregon rules if DEQ issues this air quality renewal permit. APES has been operating under an expired permit with outdated permit conditions. The renewal permit contains current requirements that APES must comply with. DEQ intends to issue the renewal permit.

3. Comment

The draft permit is inadequate to protect public health and does not set strict enough standards. DEQ should establish stricter requirements in the air quality permit. DEQ should require 24 hour per day, 7 day per week stack monitoring for all pollutants. Monitoring and reporting should be more frequent. Allow DEQ access at ALL times.

DEQ response

As stated above in response to Comment 2, the draft permit is based on current DEQ rules.

Continuous full spectrum monitoring is not practicable to implement. In lieu of this type of monitoring, the permit requires APES to complete stack testing to verify emissions. Testing will be completed by a 3rd party testing company that must follow EPA Reference Methods. The 3rd party testing company must submit plans to DEQ for review and approval prior to testing. DEQ representatives will attend the stack test to verify the proper EPA test methods are used.

The testing will be completed under representative conditions, meaning the testing will be conducted under the worst case operating conditions. Representative testing will challenge a piece of emissions control equipment called a thermal oxidizer. If the thermal oxidizer can

meet the destruction efficiency required under that operating scenario, it will be able to under any future scenario. Operating parameters, like contaminant concentration in the used oil, flow rate, process temperature, etc., will be included as monitoring conditions in the permit. APES renewed air quality permit requires periodic stack testing to verify continued control of emissions.

4. Comment

DEQ should not allow APES to emit concentrations of SO₂ that are 10 times that of other oil refineries in the United States.

DEQ response

Current environmental law does not limit the concentration of Sulfur Dioxide emissions from the processes at APES. Therefore, the draft permit does not address the concentration of Sulphur Dioxide (SO₂) in air emissions. Instead, the permit contains a Plant Site Emission Limit (PSEL) for SO₂. PSELs are limits on the overall amount of emissions from activities at a facility in a year. The burning of fuel in the oil heater and the regeneration of the oil filtration system are sources of SO₂ emissions. By comparing the inlet sulfur concentration to the outlet sulfur concentration SO₂ emissions, a total amount of SO₂ emissions is determined. The difference between the inlet and outlet concentrations represents the total sulfur remaining in the system after one complete filtration cycle. During filter regeneration, the remaining sulfur is converted to SO₂.

5. Comment

An independent investigation into overall compliance including emissions from the facility and removal of TOs in 2006. Independent stack testing should be required and paid for by APES. An independent investigation into DEQ's implementation of the permitting program and compliance with regulations should be conducted.

DEQ response

The thermal oxidizer removed from the facility in 2006 was not required by permit, only acknowledged in the review report, and not required for facility operation. The removal of the control equipment was a violation because the previous owner failed to notify DEQ the device was being removed. DEQ could not legally cite APES for the violation because the removal occurred under previous ownership. APES is required to have stack testing conducted by a certified stack testing company.

The proposed permit requires periodic stack testing; see response to Comment 4, above.

DEQ's permitting programs are periodically evaluated by EPA as part of implementing federal requirements. DEQ often consults with the Oregon Department of Justice and DEQ's Office of Compliance and Enforcement, and the EPA to ensure the air quality program is implementing regulations consistently and according to state statute and administrative rules.

6. Comment

DEQ should require a higher standard than 97% control for the thermal oxidizer.

DEQ response

DEQ drafts permits requiring facilities to maintain compliance 100% of the time. The thermal oxidizer is likely to exceed the 97% control efficiency stated in the permit, but 97% is considered typically achievable control technology, which is the rule DEQ is implementing, and allows a small buffer zone for compliance. Commenters are correct that 97% control allows 3 times the amount of emissions that 99% control would allow; however, 99% does not control 3 times as many emissions compared to 97% control.

EXAMPLE:

Facility A emits 10 tpy VOC.

99% control allows 0.1 tpy VOC emissions.

97% control allows 0.3 tpy VOC emissions.

7. Comment

Reclassify APES as a Title V source. Require best available control technology. Eliminate odors, not just mitigate

DEQ response

Title V permitting is triggered for specific emission levels and/or being subject to regulations that require Title V permitting. Sources with emissions less than 100 tons/year of criteria pollutants, less than 10 tons/year of any individual Hazardous Air Pollutant (HAP) and less than 25 tons/year of combined HAPs are not subject to Title V permitting unless there is a federal regulation (New Source Performance Standards or National Emission Standards for Hazardous Air Pollutants) that requires the facility to get a Title V permit. Title V permits do not add requirements not supported by rule, and are no more stringent than the ACDP permits.

Facilities may be subject to best available control technology if they make a major modification (with a significant increase in emissions) to the facility. DEQ cannot require more stringent standards in permits than are required by rule.

Although not required by rule, in 2016, DEQ initiated a Typically Achievable Control Technology (TACT) analysis of APES emission control devices for the front plant cooking operation. The analysis compared emission control devices operated at similar used oil refineries in the United States and determined that 97% control of VOC emissions is standard across the industry. In December of 2016, DEQ and APES entered into a Mutual Agreement and Final Order (MAO), mandating APES install a natural gas thermal oxidizer with 97% VOC destruction efficiency by July 25, 2017, in order to meet the industry standard for VOC control devices.

All facilities have some level of odor that cannot be eliminated. The thermal oxidizer installation required by the existing MAO and the draft permit are expected to reduce odors and air toxics from the facility, but will not completely eliminate them.

8. Comment

Neighbors have been complaining about odors and toxic emissions from the APES facility for some time and have not gotten any relief.

DEQ Response

In accordance with the MAO, APES shut down the front plant burner. Some of the emissions and odors are expected to be eliminated by the shutdown. The draft permit addresses odors and toxic emissions from the APES facility by requiring the installation and operation of a thermal oxidizer to control volatile emissions from the facility. Existing and proposed new equipment will be ducted to the oxidizer for control. The oxidizer temperature will be continuously monitored to ensure proper performance and stack testing will be conducted periodically to demonstrate control efficiency.

9. Comment

State that the review report is incorporated into the permit and becomes a part thereof. Do not allow fugitive emissions to be exempted from visible emissions standards. Eliminate odors, not minimize odors. Require cessation of operation and DEQ notification for excess emissions. Do not allow PM_{2.5} to be emitted. Do not allow self-reporting.

DEQ Response

As stated in DEQ's response to Comment 2, above, the renewal permit may not be used to create new requirements, only to include requirements from existing rules.

Applicable requirements are included in the permit. The review report is not part of the permit but an explanation of what the facility does and how permit conditions were determined. Fugitive emissions are exempt from visible emissions standards in existing rules so cannot be included in visible emission requirements. It is not practicable to eliminate all odors from industrial facilities, and the existing rules do not support odor elimination. The excess emission rules are being applied as they are established in existing rules. Current rules allow particulate matter to be emitted, regardless of the particle size. All air quality permitted facilities in Oregon are required to maintain their own records. As is the case across the United States, DEQ's rules require self-reporting from all facilities in Oregon. DEQ reviews annual reports and stack test submittals to verify information provided. In addition, DEQ conducts regular onsite inspections, both announced and unannounced and reviews of production and emission reports.

Please see response under Comment 2 regarding the State of Oregon's rulemaking effort to develop a new industrial air toxics program, Cleaner Air Oregon.

10. Comment

Concerns about the health impact from the facility emissions.

DEQ Response

The air quality permitting program as it currently exists in DEQ rules is an air shed management and technology based program. Criteria pollutants such as particulate matter, carbon monoxide, nitrogen oxides, sulfur dioxide, volatile organic compounds, and greenhouse gases are addressed on an air shed basis to ensure that the Portland Metropolitan area meets the National Ambient Air Quality Standards. Where there are National Emission Standards for Hazardous Air Pollutants, these for the most part are technology based. Typically Achievable Control Technology (TACT), as required by the APES draft air quality permit, is a technology based standard to control volatile organic compounds, including organic Hazardous Air Pollutants. The DEQ air quality permitting program is not a health-based program that considers localized air quality impacts as currently written in Oregon administrative rules.

See response under Comment 2 regarding the State of Oregon's rulemaking effort to develop a new industrial air toxics program, Cleaner Air Oregon.

11. Comment

APES commented that the design criteria for the thermal oxidizer temperature is 1500 degrees F instead of the 1600 listed in the permit. APES also requested a compliance schedule for installing the pressure/vacuum relief valves on the storage tanks so they can be spread out over one year.

DEQ response

After review of the permit application (Form AQ306) for the thermal oxidizer, DEQ found that 1600 degrees F is the temperature that was listed. APES may use a lower temperature if and when the 97% control efficiency is demonstrated at that lower temperature via stack testing.

See response to Comment 3 regarding DEQ protocols for stack testing.

The emissions from storage tanks are minimal and it is reasonable to consider a compliance schedule for P/V relief valve installation.

Metro Comments Forwarded to DEQ

12. Comment

Since 2006, the facility has had no emission control devices, although their permit says they are supposed to.

DEQ response

See response to Comment 5 regarding requirements for control technology at APES.

13. Comment

We suggested that you require APES to use a cleaner source of fuel to process their used oil which would solve most of the problem.

DEQ response

Under federal regulation, APES is allowed to burn used oil as fuel as long as it meets the specifications listed in CFR 279.11, Table 1.

14. Comment

We revealed to DEQ the presence of an unsecured, vulnerable tank full of illegal PCBs (which you finally acknowledged last Fall) and asked you to wipe/test their stacks during maintenance to provide evidence that PCBs had been illegally burned, but you failed to do so.

DEQ response

DEQ has no evidence indicating PCB oils were burned. EPA regulates PCB containing oils and is working with the facility to properly dispose PCB containing oils. DEQ reviewed dozens of lab samples APES sent for PCB analysis and there were no detectable levels of PCB reported for fuels burned on site. Additionally, DEQ conducted its own sampling on multiple occasions and had the samples analyzed for PCB presence; no PCB's were found in any sample.

APES has one tank, Tank 12, which contains PCB contaminated oil. EPA regulates PCB's under the Toxic Substances Control Act (TSCA).

EPA has informed DEQ that APES is sending the PCB contaminated oil from Tank 12 to a TSCA permitted incinerator in Utah for disposal. APES has also informed DEQ that this activity is occurring. APES has indicated that Tank 12 and the vehicle used to transport the PCB containing oil will be decontaminated when Tank 12 is empty.

DEQ will continue to monitor and verify with EPA that this disposal continues and that Tank 12 and the transport truck are properly cleaned when this transfer is complete.

DEQ has observed concrete containment berms around all tanks onsite. The facility has a Spill Prevention, Control, and Countermeasure Plan (SPCC) that details the measures in place to prevent a release of oil. The SPCC was prepared in accordance with Title 40, Code of Federal Regulations (CFR), Part 112.

15. Comment

I am opposed to any expansion of activities at the American Petroleum Environmental Services Inc. (APES site at 11535 N. Force Rd, Portland because the facility has historically diminished the livability of residential areas in a wide radius around the facility including my home. APES has a track records of failed compliance with other regulatory bodies making it unlikely APES will comply with Metro's regulations.

DEQ response

DEQ does not determine land use compatibility. DEQ's authority is limited to ensuring compliance with environmental rules and regulations established in the Oregon Revised Statutes, Oregon Administrative Code, and the Code of Federal Registration.

APES is not requesting in increase in their Plant Site Emission Limits or their annual throughput limit through this proposed permit.

The oily solids management is an existing activity at the APES facility. DEQ recently reviewed the used oil rules and concluded that sites managing these oily solids require a DEQ solid waste permit. The activities regulated under the DEQ solid waste disposal site permit do not constitute an expansion to the site.

Neither hazardous waste nor solid waste incineration is allowed at this facility. Used oil is burned incidental to the used oil process, which is allowed under the state and federal used oil regulations.

DEQ has determined that APES can meet solid waste regulations, and will proceed with issuance of a DEQ solid waste material recovery facility permit.

16. Comment

I am concerned that this application legitimizes and enables activities beyond the scope of the actual permit. There is inadequate verification of self-reported pollution volumes that conveniently evade Title V requirements. This company has demonstrated a lack of compliance with the existing permits that are lapsed and violated. Metro and DEQ have demonstrated limited ability to enforce these permits.

DEQ response

DEQ verifies all emission related activities at APES, annually, by comparing APES reported emission values against emission factors documented in the facility's permit to determine if APES is complying with their permit conditions. Operating conditions are also verified for compliance during inspections, both announced and unannounced.

See response to Comment 7 regarding Typically Achievable Control Technology (TACT) requirements included in the proposed permit.

17. Comment

The permit application erroneously states that there are no pending land use violations. The Willamette Superfund Site is dealing with corporate malfeasance relating to illegal disposal of PCBs. Taxpayers will share in the Billion dollar cost of the remedy. APES currently has several storage tanks of oils contaminated with PCBs. There are no containment berms. The tanks are in an earthquake liquefaction zone. Directives to dispose of the PCBs to a regulated facility have been violated. There is no oversight as to proper handling and accounting. Dirty oil is used as an energy source on site. Over time, is the volume of these PCBs being reduced in this incineration? Without regular monitoring how can anyone know. We do know of adverse health impacts on the neighbors. Until you can enforce compliance with any of these permits, you should not go forward with renewals.

DEQ response

See response to Comment 14 regarding disposal of PCB containing oil in Tank 12 at APES.

EPA and DEQ conducted air quality monitoring in 2015 and 2016 to determine the level of air toxics in the North Portland, Hayden Island area to determine if an imminent health risk existed. Results of EPA and DEQ monitoring indicated toxic air pollutants were present, but in amounts consistent with urban background areas across the state. Air quality monitoring efforts concluded there was not an immediate health threat to those exposed to the emissions in the Hayden Island area.

DEQ routinely enforces compliance at APES and all facilities requiring an air quality permit. Compliance is determined by conducting on and offsite inspections, both announced and unannounced, and reviewing emission reporting documents submitted by the facility.

DEQ is required to issue APES renewal permit if they comply with state and federal regulations. DEQ expects the MAO and renewal of the air quality permit at APES will result in both odor and emission reductions.

18. Comment

Under no circumstances should the current owner be allowed to continue ownership and operation of the facility.

DEQ response

DEQ does not have the authority determine who owns and operates a facility. DEQs authority focuses on ensuring a facility's compliance with environmental regulations.

19. Comment

We contacted DEQ and attempted to document when the odor was present. Lately, there have been sporadic incidents of the odor. If these companies are allowed to expand their operations, will there be any better control of their toxics emissions, or will there simply be greater volume?

DEQ response

See response to Comment 7 regarding Typically Achievable Control Technology (TACT) requirements included in the proposed permit.

APES has not requested an increase in the permitted amount of oil processed, or an increase in Plant Site Emission Limits through this permitting action.

20. Comment

Several times my husband and I have been out in the open in the Jantzen Beach Shopping Center when the oil re-refinery emissions suddenly arrived and hung around. When we discussed this situation with others, we were informed that there have even been evacuations from commercial buildings here on the island because of these strong emissions until the people in charge knew the source was the nearby oil re-refinery.

DEQ response

DEQ expects that installation of the thermal oxidizer will reduce odors and emissions. DEQ requests neighboring business owners and residents notify DEQ of future emission events through our Complaint Intake System online at <http://www.oregon.gov/deq/Get-Involved/Pages/File-Pollution-Complaint.aspx>, or by phone at 1-888-997-7888.

21. Comment

Include all three types – Oil refinery, Oil re-refinery, and oil recyclers. DEQ and EQC need to demand independent testing at oil refineries, re-refineries and recyclers in the stacks ongoing and full spectrum.

DEQ response

See response to Comment 3 regarding periodic stack testing required in the proposed permit.

22. Comment

APES and ORRCO need their operations shut down by using Governor Brown’s Cease and Desist authority or by using DEQ’s authority to shut them down until new rules are written and they are reclassified as Title V polluters.

DEQ response

See response to Comment 1 regarding DEQ’s authority to issue a cease and desist order under Oregon Revised Statute (ORS) 468.115.

To be classified as a Title V facility, APES must emit 100 tons per year or greater of any criteria pollutant, greater than 10 tons per year of any single hazardous air pollutant, or greater than 25 tons per year of an combined HAP’s. The facility does not emit pollutants at quantities requiring a Title V permit. The review report for the proposed permit includes emission estimations using conservative emission factors that will be verified during stack testing.

23. Comment

DEQ has never conducted full-spectrum stack testing to provide fact-based emissions data. DEQ’s flawed monitoring did not obtain results showing the true danger of these emissions.

DEQ Response

See response to Comment 3 regarding periodic stack testing required in the proposed permit.

See response to Comment 17 regarding ambient air quality monitoring completed by DEQ and EPA.

24. Comment

I am writing to ask that enforceable requirements be put in place for APES to reduce odors and emissions.

DEQ Response

The proposed permit requires APES to install and operate a natural gas-fired thermal oxidizer with a 97% destruction efficiency. The operation of the thermal oxidizer is expected to reduce both odors and emissions. Both the MAO and the proposed renewal permit make operation of the thermal oxidizer an enforceable requirement.

25. Comment

I would urge you to be as vigilant as you possibly can to ensure the public that these companies are meeting the standards of licenses and permits to protect the public's health.

DEQ Response

See response to Comment 16.

26. Comment

I am aware that APES has been without a valid license for years but have been allowed to continue operating.

DEQ Response

By rule, DEQ administratively extended APES air quality permit, because they submitted a timely permit application. APES permit remains in force until DEQ takes final action on the facility's renewal application.

27. Comment

Several years of breathing dirty emissions from the re-refining processes taking place at APES has caused me to develop repeated chronic respiratory problems.

DEQ Response

See response to Comment 2 regarding Cleaner Air Oregon, Comment 5 regarding control technology required at APES, and Comment 7 regarding Typically Achievable Control Technology (TACT) requirements included in the proposed permit.

28. Comment

Granting a license to APES to expand their operation goes counter to Portland (Oregon) City Council's resolution No. 37168, passed unanimously, which opposed the expansion of fossil fuel infrastructure in the city and its adjacent waterways.

DEQ Response

In response to receiving this comment, DEQ contacted the City of Portland. The resolution resulted to amendments to the City of Portland Zoning code. These amendments are presented in the City of Portland report available here: <https://www.portlandoregon.gov/bps/article/621438>.

According to city personnel, the resolution and subsequent zoning amendment do not apply to either APES or ORRCO because the sites are not increasing the onsite storage capacity. Further, the sites likely do not meet the definition of a "bulk fossil fuel terminal". Neither APES nor ORRCO are listed as existing Bulk Fossil Fuel Terminals.

HEARING OFFICER REPORT and TRANSCRIPT OF COMMENTS

American Petroleum Environmental Services, Inc.
Air Quality Permit No.: 26-3021-ST-01 and Solid Waste Permit
No. 1591



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Department of
Environmental
Quality

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and enhancing the
quality of Oregon's air,
land and water.

Background

American Petroleum submitted a renewal application for their air contaminant discharge permit on Sept. 30, 2013. American Petroleum also submitted a Complex Technical Modification for their ACDP on Jan. 30, 2017. American Petroleum is also applying for a new Solid Waste permit. This hearing is addressing all 3 permit applications. American Petroleum is located at 11535 N Force Avenue in Portland, OR. A Standard permit/complex modification was drafted along with a Solid Waste and proposed for issuance.

Public Notice Period

Pursuant to OAR 340-216-0066(3)(a), issuance of Standard Air Contaminant Discharge Permits require Category III public notice in accordance with OAR 340-209-0030(3)(c). This rule requires DEQ to provide notice of the proposed permit actions and a minimum of 35 days for interested persons to submit written comments. An information meeting was held at the Red Lion on the River on Tuesday March 7, 2017 to hear questions and concerns from citizens. The public notice process began on Friday May 19, 2017, due to public interest; DEQ scheduled a hearing on Wednesday June 21, 2017. Public comments were provided during the hearing, with emailed and written comments received through Monday July 3, 2017 at 5:00 p.m.

Public Hearing

Location: Red Lion on the River
909 N Hayden Island Drive
Portland OR 97217

Date: Wednesday June 21, 2017

Time Convened 6:15 p.m. Closed 7:00 pm.

DEQ personal remained on site until 9:00 p.m. to talk informally about the permitting process or if additional thoughts or questions came up.

Presiding Officer: Rebecca Wells-Albers, Project Manager/Brownfields
Coordinator DEQ NWR

The hearing commenced at 6:15 pm.

At 6:27 pm. before taking comments, the presiding officer summarized procedures for the hearing including notification that DEQ was recording the hearing. The presiding officer asked that anyone wanting to present verbal comments to complete, sign and submit a registration form. Fourteen citizens signed up to give comments.

The presiding officer collected the public hearing attendance sheets at the end of the hearing. Information includes attendee's name and whether they

HEARING OFFICER REPORT and TRANSCRIPT OF COMMENTS

wished to give oral comment. The electronic recording of the hearing transcribed and is held in the permanent permit file.

35 citizens attended the hearing in addition to DEQ personnel and American Petroleum Environmental Services, Inc. company representatives; comments received and DEQ's response are below. 16 people provided verbal comments. The transcript of the verbal comments is attached to this memo.

Summary

1. Odor indicates more than nuisance, indicates health issues associated with breathing. Any expansion at the plant needs to take into account the current body burden and current toxins in the air and cumulative impacts. Companies should not be operating or growing without taking cumulative impacts into account. Health should be the priority.
2. DEQ is using intimidation factor to not get people to talk and wearing down citizens. The company has operated and violated the current permit. Why will a new permit make a difference? How will they hold up the standards of the permit? How does DEQ sleep at night?
3. The area is already polluted. There are numerous tank farms – do they vent to the air? Fumes can cause cancer. Who pays? The issue is not just one facility but the cumulative effects. When the permit is based on averages, that hides the peak emissions. Peak emissions affect health.
4. Nothing on operator training to make sure people know how to run the equipment. Still concerned about testing. Who is liable for illnesses? Will APES be liable for people's conditions?
5. Feel beat down by the process from doing this for several months and years. With Cleaner Air Oregon not in effect until 2018, we are not going to see improvements for several years. Doesn't want to shut company down, but wants company to understand health impacts to the community and be responsive. DEQ's job is to permit industry and also protect public health. We need to know what is being emitted. Self-reporting and periodic testing are a concern. APES needs to be open to testing.
6. My family has run chemical businesses for 40 years. APES should not get a break. Until APES complies, capacity should be diminished by 70% and helped with the financing to get their scrubbers on. DEQ has known about this for a long time. Shut their capacity by 80% help them with financing. Health of OR residents is paramount. DEQ needs to exceed Swiss standards by 10%.
7. Do public hearings really help? Have they made any difference? Will we get 24 hour stack testing?
8. I see a lot of what APES is supposed to do but nothing about what DEQ does with self-reporting. What is DEQ going to do? How will DEQ enforce regulations? APES has operated without pollution controls since 2006 and DEQ discovered this in 2011. The AQ permit expired in 2013 but APES has been allowed to use the expired permit. APES is supposedly doing a good thing but manufacturing a toxic substance. DEQ should stop APES until we know what's going on. DEQ is not protecting the public or APES employees. DEQ should get act together in rules and abide by the rules.
9. APES and ORRCO have not earned our trust. Without any enforcement, how will we trust them? When will 24 hour stack monitoring be considered?
10. Doesn't think APES will comply with self-monitoring. DEQ should monitor often.



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DEQ is a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.

HEARING OFFICER REPORT and TRANSCRIPT OF COMMENTS

11. If APES needs help with funding, provide it. 3000 noses provide scientific study and evidence that there is a problem. APES should capture and save every delivery with date and time. That becomes a public record. If people smell the odors, they should be able to isolate and determine what is being burned. Records are public. If the public notices an odor, require testing. DEQ needs to change permit requirements, they are not adequate.
12. The evasion of a Title V permit and self-monitoring is a big issue. DEQ has no ability or interest in protecting the public. Portland Metro should do the monitoring. For the solid waste permit, PCBs stored in volume are not protected by containment berms. We are one accident away from creating a superfund site.
13. Wants consistent, reliable, repeated, recorded emissions testing. Kids at the school are exposed. Concerned that no transparency with this permitting process. Lack of response from DEQ.
14. User should pay. Why don't we have 5% tax on oil changes like the bottle bill to make sure stuff gets recycled and subsidize equipment?
15. We all have to live and work here. Need to be solution-based and a solution will not happen overnight. DEQ's track record is not good. It is wrong that APES has been able to work on an expired permit. We don't know what is in the air or how much is in the air. APES could be Title V based on self-reporting. Not a good partnership with the community. Would like DEQ to be more solutions – based. Do your job and deny the permit until we can verify the amount and nature of what's being emitted. Have not received responses to questions sent to the director or the NWR administrator from them. DEQ's manager responded.
16. Questions to APES-what do you have for PCBs? DEQ has to take responsibility for protecting public from hazardous waste. Should we be doing more?

Accessibility

Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696; or email deqinfo@deq.state.or.us.



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American Petroleum Environmental Services
DEQ Public Hearing
Wednesday, June 21st, 6:00-8:30 pm
Transcription

Rebecca Wells Albers: I'm Rebecca Wells Albers. Today is June 21st, 2017. It is 6:19 pm. I am starting the public hearing to receive verbal comments on the draft air quality and solid waste permits for American Petroleum Environmental Services facility. The first person to submit comments is Rochelle B. Rochelle, please come forward.

Richelle Beck: I left my written comments at home, so I'll email them. Hello, I'm Rochelle Beck. Thanks for letting us come here and make comments today. I am a local resident. I have had trouble with odor in the past, and health issues. I know it's hard to pinpoint where these issues might be coming from. We are all heavily burdened. I talk a lot with people about the body burden, and that's what I'm here again to talk about today. I think between our home, personal care products, cleaning products, everything we are using in our homes, our body is heavily burdened, and I know that people are aware of this. I know the government is aware of it, I know the media is aware of it, but nobody's talking about it, so it's been left up to us people to talk about it. My problem is that it doesn't seem like anybody is really paying much attention to the cumulative effects of just a little bit more toxin in our air and in our bodies. So I don't know, you know, how far I'm going to get with talking to you guys about this. But I talk about it wherever I can, whenever I can, because it doesn't seem to be getting anywhere. You said in previous meetings, I understand, or documentation, the odor that's coming from the APES plant, and new since odor. But it is much more than that, because when people smell it, they feel ill. Maybe when our bodies were pure and clean, and we weren't being exposed to toxins in our homes to the level we are now, maybe it wasn't as big of a deal, but now it is a big deal, because our bodies are very burdened. So I just want to really encourage you guys, as you're looking to expand – and any kind of expansion, any kind of permit approval – that you consider the cumulative effects of a burdened body. Just a little bit more toxins – I love that they're planning on putting some oxidizers and filters on their stacks, that's really great, but it's, to me it's not enough. I don't think these companies should be growing; I don't even think they should be operating. I understand they're already under operation, there's nothing I can do about that, those are jobs, I get it, yadda yadda, but it doesn't seem like our health is the priority, and I really believe that it should be. So that is my comment today, to please consider the cumulative effects on a burdened body of the citizens of this island, and the residents around this area that are affected by this. Thank you.

Cheryl Baker: Thank you. Cheryl Baker, and I live on Hayden Island at Jantzen Beach moorage. I think this intimidation tactic here to (chuckle) get people to not want to come up and talk. I just have a short comment because I've made a lot of comments at previous meetings, and online, and by phone, and I think you're just trying to wear us down. And obviously by the turnout tonight, that's what you've done. So my question -- a couple, I guess, a couple of questions. This company has operated without a current permit, it has violated the permit that they had. And I'd like to know your explanation for why a new permit is going to make a difference. Why are they going to have to hold up the standards of this new permit, when that hasn't happened in the past? And that's basically it. Oh, and how do you sleep at night?

Don Steinke: Hello, I'm Don Steinke from Vancouver, Washington. You guys need to know this is not just about this area. We have a lot of people that breathe over there, too. This area is already polluted too much. In Vancouver, we have Newstar receiving pipeline jet fuel, gasoline, and diesel. I just left my friend in the hospital with terminal bladder cancer. He worked in the hydrocarbon industry as an engineer all his life. He told me, this afternoon, that when the tanks are being filled at Newstar in Vancouver and probably imported by the Willamette River, they vent straight to the air. And so my question is -- if not particularly about this case, but my question was, do the tank farms along the river vent straight to the air? Now Newstar in Vancouver wants to expand, but in Vancouver, Tesoro wants to build the largest kind of rail facility in North America, and I'm on that campaign to stop it. As far as I know, Tesoro has no plans to combust the fumes being pushed out of the tanks. It's worthwhile to remind ourselves that the EPA website says that the fumes in the air from these tanks, and from hydrocarbons in general, cause birth defects. Who will pay for all the special ed? These fumes cause cancer. When our business model causes people to die unnecessarily, we've crossed a moral line. The Columbia waterfront project, right across the river from here, immediately right across it at the other end of the bridge, is preeminent to the City of Vancouver. It just started up. They spent ninety million dollars on it already, and that project is a one and a half billion dollar project that will provide thousands of jobs. But that project could go bankrupt if it stinks. It's not just about one facility; it's about the cumulative effects. You have everything along between Swan Island and here polluting this part of the world. And we have, right across the rail

bridge, we have the rail yard for Vancouver, and the Port of Vancouver over there, and it's pretty clean, but this planet may get dirtier. So when you base your permits on averages, you tend to hide the peak emissions, and it's the peak emissions that make people sit up and take notice. But we need to protect all of our health, and our economy. It affects our economy, too. Thank you.

John G: John G____, from Kenton. I have a few questions, reading the permit application, or proposal for the first time, I have a lot of questions for that. But I didn't see anything about operator training. The more sophisticated this equipment becomes, the test equipment becomes, the more important it is that people understand what they're doing, what they're seeing, how do they process the information, the data they're getting, so they can respond correctly? I'm still concerned about the testing. I see that there's some testing in here, but I want to read the whole thing. And then the last thing we – when I was here in March, I think it was, there were a lot of people talking about their – how they were ill, their family was ill, their friends were ill, students in the school were ill. Who is going to end up being liable for the illnesses? You know, if you go into a bar and you drink too much, and the bartender keeps giving you booze, and you get drunk and you drive, and you have a wreck, the bartender is liable for your condition. Will they be liable for the conditions that the people suffer, or have suffered? Until I finish reading this, I don't think I have very many more comments. Thank you.

Walt D: I pass

Mark T: Mark Thilman?, resident of the Island. I live at Jantzen Bay Beach Moorage. And I kind of agree with Cheryl, I feel a little beat down by the process. We've been doing this for several months, and actually some of us for years. And after last month's meeting, it became kind of clear, after listening to Richard Whitman speak, that Cleaner Air Oregon may not -- won't be in effect in 2018, and may not even be, depending on whether or not

the legislature puts some money towards it, it may not happen at all. And that happened about the next day, there was a big article that all the Bullseye equipment, all the testing equipment from DEQ was heading to The Dalles. So you put that timeline, that effort going in, and the fact that yeah, it kind of speaks to us that we're not going to see anything for several years. And to this last gentleman's comments, by that time, maybe ____ schoolkids shows noticeable effects, or one of the people in the mobile home – the elderly in the mobile home – or somebody like that is going to die, and we can do an autopsy, and we'll find out what's in the air. But until then, we're kind of held hostage. And yeah, I've made a lot of comments, I've been real verbal in this process, and I – I'm kind of at the point where I really – I've talked with one of the owners last week, heading – or last month, heading out. And I, for one, am not somebody who wants to shut them down. I want them to play fair, and I want them to understand the health problems and their responsibility to our community. And I also – I just think that DEQ, you know, you guys are in a -- you're -- wonderful job, you're supposed to be promoting business, you're permitting business and industry. That's your job. Your other job is to protect and make sure those businesses that you permit are not destroying the environment, or the health of the people that live nearby, and I think the line's been blurred. I've spent a lot of time in state government, and I know the challenges. But I also don't think that's an excuse. And again, I read the draft, and I see the permits, I see the monitoring. I still -- I will not be comfortable until I know the amount and the nature of what's being emitted from APES. And I haven't ever -- self-reporting doesn't make it for me, and once in awhile, testing doesn't make it for me under special conditions. So that is my main concern, I would feel much better if you guys could tell me that, and prove to us that at any time, be open to having it tested, and prove that we're in the limits, and it's safe to breathe. And yeah, I'm seeing I have 30 seconds, and I still have more to say, so I'll probably be back. But thanks.

Todd V: Well I'm sorry I didn't do the first part of this meeting, or listen to it, but my family runs businesses that are chemical-related in Portland for 40 years, and I just don't think these guys ought to be given a break. They've been doing it for over a decade, and I don't think they should be crushed out of business, but I think that they should be, until they

comply, they ought to have their capacity diminished by like 75%, 85%. And then help with financing to get their scrubbers on. Now, I don't really believe in subsidies to business, but we do need people to clean our oil from the cars. But I think everybody's -- you know, the problem with the DEQ is that they've known about this for a long time, and really, the two parties, the DEQ and these guys can't -- their probation is over, and now we need to treat 'em pretty hard. And so I say shut capacity by at least 80%, help them with financing if we've got that kind of thing in Oregon. I think the health of Oregon residents is paramount. And as I said in one of the original meetings, we need to find out -- and I'm talking to DEQ folks -- the Swiss have the highest standards in the world. I sell Swiss robotic equipment that does this stuff, and we need to exceed the Swiss standards by at least 10%. And that's all I have to say, put 'em partially out of business. Thank you.

Joy H: Good evening. I'm a resident at Jantzen Beach mooring, and I have several questions. One is to the DEQ. Do public hearings really help? Do they make any difference at all? Can you give me an example -- and I've only been to three of them, to three meetings. But I know people have been to many more, people have made comments online. Can you give me one example of when someone's comment from the public has been mentioned in a memo, maybe in an email, maybe in a conversation when you're having coffee? Has anyone referenced back anything that's said here at all? Or is this just public relations BS? I know that at the last meeting, one question was asked at least seven times, and there was absolutely no answer to it. There was a lot of twisting and turning, and dancing around it, pivoting. And I'll tell you, Kellyanne Conway could have learned a lot from what -- the way we were answered. Tonight I received this, public hearing about proposed meeting. And it says here, "What happens after the meeting? DEQ considers and responds to all comments received and may modify the proposed permit, based on comments." So for the five times I heard the question asked two meetings ago, and the seven times I heard it asked at the last meeting, can you tell me, will we get 24 hour stack testing? And that's my comment.

Martin S: My name is Martin Slopekis. I own property on Hayden Island, and I've been to several of these meetings. I've also been involved in some other issues with other state agencies that affect the island. [someone in the audience says she can't hear.] Sorry, I have hearing aids. I hear myself very well. [laughter] OK, I quit singing a long time ago. A quick read of the permits that are being considered tonight, I see a lot of what American Petroleum Environmental Services is supposed to do. But I see nothing about what the Oregon DEQ is going to do when APES self-reports whatever it is they're required to self-report. This agency is operating on the integrity and the specificity of the industry reporting to them, but I ask the Oregon DEQ, what are you going to do? How do you enforce the rules and regulations that you're telling us you abide by? The issue that bothers me is that, according to your own DEQ records, APES has been operating without pollution control equipment since 2006. The Oregon DEQ states that it's illegal for APES to remove the pollution control equipment. Oregon DEQ did not discover the pollution control equipment until it had been removed until a 2011 inspection. The air pollution permits for both – for APES – has expired in 2013, and they allowed APES to continue operation with the expired permits. That's all well and good, but since approximately 2000, the Oregon DEQ has been receiving complaints of respiratory illnesses, discomforts, and things going on with the health of the residents since February of 2000. What I'm finding interesting about all this is the purpose for what APES and ORRCO – but what APES is doing is supposedly a good purpose. They're taking a benign –well, I can't say it's benign – but so long as it's contained – oil substance, oil liquid, under a solid waste permit, putting it through oxidized – supposedly, putting it through oxidize, is burning it, but they're allowing the agency – or excuse me, the company – to manufacture a toxic substance that was proven by EPA, and allow that to go into the air. It escapes me; I'm sorry, I just don't understand why, after all these complaints, that the Oregon DEQ has not said cut it, stop it until we figure out what's going on. Everybody says, we know what's going on, but nobody's telling anybody to stop it. I don't necessarily have a problem with APES or ORRCO doing business. What I do have a problem, is the agency that is supposed to be protecting the public, including the employees of the firms that are doing this, are not. They're not doing anything. So I'm saying, before you start granting renewal of permits, that Oregon DEQ get their own act together in the rules they're saying they're going to revise, and abide

by 'em. It's another example of allowing an industry to self-report, and it's not doing, I think, the residents any good. Thank you.

Michelle Knight: My name is Michelle Knight, and I am a member at _____. Scott has had headaches, and we notice the odor across the river, so it's visible to us. And our concern is that it seems from, as we're going through meetings, that APES and ORRCO have not earned our trust, as well as DEQ, but mainly APES ORRCO. And I'd like to know how they're going to, without any enforcement, how are they going to be able -- how they are going to be able to make us trust them, or be able to comply. And I would also like to know, sort of a new question, is when will 24-hour stack monitoring be considered at APES ORRCO? Thank you.

Lisa Powell: Hello, my name is Lisa Powell, and I have a question; well actually, it's more of a comment. It's been said earlier a bunch of times about the self-monitoring. I have a problem with that, mostly because I was told by Mike Mazza himself that if I choose to live in an industrial area, what should I expect? So... [woman from audience asks her to please repeat that]. I was told by Mike Mazza that if I choose to live in an industrial area, what would I expect? So I do not trust that APES will comply, so I have a problem with the self-monitoring, and think that DEQ should be monitoring often.

Jeff G: Hi, I'm Jeff Geisler, I'm a resident, a kayaker, I'm the current chair of Hinoon, the Hayden Island Neighborhood Network. We've been attending these meetings now for -- I can't even remember when we had the first one, actually. There's a couple ways to remedy our scenario without DEQ, which seems to be rather inadequately funded. And the permit process is obviously not perfect, far from it. But if you have a business -- kind of like the railroads, you know, they've been here for 200 years, and so they always have the right of way. Well, maybe the day has come where they don't get that permit anymore, you know, they might have to move over a freeway. Sometimes industries need to move to, you know. They're not going to move 2,000 or 3,000 people, but there are industrial sites where APES

and ORRCCO could move if that ends up being the ultimate solution. But the obvious solution is to clean up their operation. So just like with Mercedes Benz, still, I think to this day, is emitting all kinds of odors from their paint. They have not been able to be shut down, to my knowledge, and they've not actually been told to change anything, because – scientifically, because there's not enough testing equipment, there's never been a finding of what the people are smelling. But out of those meetings, we learned that a scientific study could actually be made by the 3,000 or 10,000 noses that smelled something. That's actually a valid study. We kind of have that same scenario here. So you know, my idea is that we'd like to see your operation be 97%, 100% clean. If you need help getting that kind of equipment, if it exists, I think maybe funding is something that should be looked into. But you should be required to capture and save samples of every delivery, and those records should be dated and timed of the process, so that when you process that delivery, it's almost like an assembly line, comes in, but on the date and time that it gets processed, that becomes a public record, continuous. So that if you do that, and the people start smelling it, we'll pretty much start being able to isolate what it is you're burning that day that we're smelling. It's just my thinking, you know. I don't know that I'm the smartest guy on the block, but it seems like that might be a beginning to finding out what really is getting burnt over there, or processed. These records should be made public, and in the case of detection by the public, you know, we're going to have to have some way to immediately require testing and notification. And other than that, I think that kind of covers it. That's my only solution. It's different than what we've been talking about, so... But eventually, DEQ needs to change your permit guidelines. I don't think they're adequate. Thank you.

Doug Larson: I'm Doug Larson. I'm a member of Portland Harbor Community Advisory Group, and I live in Cathedral Park. I'll talk about the air pollution permit first. I've got comments on both of them. Air pollution: My big issue is sort of self-reporting, and the evasion of Title 5 compliance. DEQ has demonstrated they don't have the capacity to protect public health. I have been advocating with Metro and the mayor's office to take jurisdiction away from DEQ, and for Portland Metro to conduct their own monitoring and air quality. We've been beating our heads with DEQ's air quality department for a long

time, and they either don't have the ability or the interest in protecting people. The governor's new proposed air quality ordinance would be fine if the lobbyists let anything protective get through the legislative process, but I'm not optimistic about that. The solid waste permit: I talked to Heather, who wrote the permit last week, and she confirmed to me that there are PCBs stored in volume on the site. My understanding is they're not protected by containment berms. Because I work with the Superfund advisory committee, I'm aware of the PCBs in the river bottom. It seems like we're one accident away from creating a new Superfund site next to the exhibition center. There's nothing in the permit that addresses the issue of PCB storage. I talked with Laura Knudsen with EPA last week. She was surprised that DEQ is evading any responsibility for the disposal of the PCBs, so they're presently stored on the site. I find that frightening, and find it reprehensible that there's nothing in the permit that addresses the issue. Thank you.

Beven Burns: Hi, I'm Bevan Burns. I'm the principal of Bridges Middle School. We're just up the street and upwind from both APES and ORRICO. I've been coming to these meetings and submitting formal testimony in writing, meeting with DEQ, EPA, and health officials, kind of not getting anywhere. I was pretty shocked to see that the repeated request from community members, residents and myself; a school, which is zoned, according to the EPA, as requiring special attention. We're not getting it, and we're not seeing the very simple requests that we've made for consistent, reliable, repeated, and reported testing so that we know what is coming out of those stacks. That's the biggest issue left for us, is we don't understand, and we don't know what our kids are breathing. And that's what our families are concerned about, and that's what me as principal, and as a mother of four in the same zip code, is concerned about. We also are concerned about the process. My understanding was that this permitting request was part of also a larger overhaul of the permitting process through the DEQ, as it was explained to me. So what we hope we would see out of that would be transparency, truth, and accountability, and unfortunately, I'm not seeing any of those things happen from APES or ORRICO, or from DEQ, EPA and Metro through this. I've had zero response to any of the formal written considerations for this permitting process, and I've seen nothing reflected in the new drafts that have come out. I'm

disappointed, and I'm unfortunately going to be reporting back to my families about the lack of response, and that we still don't know what their kids are breathing. Thank you for listening.

Man in room: She was the last one, right? And I had about 25 seconds, and I wanted to amend my deal. Unless somebody objects.

Rebecca: So you, and then Mark. Anyone else? Would anybody else like to submit comments? OK.

Doug Larson: Doug, back here. I think I had, like, 25 seconds. But you know, I'm kind of – I'm into solutions. And the one thing that I never heard anybody mention is the user should pay. And that means if you are – and this is a suggestion to you guys. Why don't we have a five percent tax on oil changes, you know, like Oregon Bottle Bill, you know, you had five cents on a pop in '73, '74. Now they just raised it to ten, and you make sure that the stuff gets recycled. That allows you – he's shaking his head, but that allows you [chuckling in audience] to subsidize the equipment, right? That solves your problem. And if it's not so expensive, if it's only like, sixty cents on an oil change, which I suppose these guys would know, but probably 95% of people have their oil changed. The 65 cents on your \$20 oil change is nothing. And then the problem gets solved. Anyway, that's my solution, that's my amendment, thank you.

Mark C: So yeah, I'm Mark Cloman. And now I had a little time to think. I'm not good when I open up to speaking, so... I did like what I heard from the last gentleman, and Jeff, I do think this thing's gotta be solution based. I mean, we all have our passion, and we all are concerned about things, and we all have people that we want to blame, but bottom line is we're all here, and we all have to live here and work here. And so with that, ____ a solution,

I think that's a good conversation to have. However, it's not going to happen overnight. And again, my base feeling is that the track record of DEQ has not been good. Nina has sat here in several meetings and said, "That's on me, that's on me." I have earned your trust, I have earned your trust, and the same things happen. And it has been said, you know, right or wrong, if it's wrong, APES has gotten to work on expired permits, name changes, and some of the other things that has allowed them to operate with inefficient equipment, and you know, I think one thing that would be sensible until a solution does come is to suspend operation for awhile, whether it be 85%, or whatever, like Bevan said, our main thing is we don't know what is in the air, we don't know how much. If we know it's in the air, we can deal with it. If we know how much, you know, there's a very strong possibility that this is a Title 5 company, Title 5 polluter that's flying underneath the radar, because it's self-reporting, and DEQ has not taken it upon themselves to find out what that is. And consequently, that is not a good partnership with the community. And I would, you know, I just really wish that DEQ would think more solution based, and not just, you know, this is how we do it, this is how it's only been done. It's going to open the door for more and more companies to come in and fly under that radar. And I would ask you to do your job. I would ask that until permit be denied, and until we could verify the amount and the nature of what's being omitted. There's too many people in here that are getting sick, and it's serious, it's really serious. I had lunch, I invited commissioners from the DEQ to come and talk to me personally, and he had lunch with a few of us on the dock on a weekday, and it was – the big smells come in the evenings. My wife wakes up usually at about four in the morning with headaches. A lot of people on the docks report that it's in the evenings. I smell a lot on the weekends. But this was in the afternoon, 2:00 on a Tuesday. Very faint, but I smell the smell. And...yeah. And he's one person, he knows it, he encouraged me, he's the one that told me to meet Richard Whitman and send the questions; I never got anything back from Richard Whitman. I never got anything back from Nina, and so that's our frustration. And I will say that I reached out to Michael (Orman?), and I got a lot of information. That's helpful, and that's something that I think DEQ needs to work on is understanding this is a cumulative thing, these aren't isolated problems, they're all connected, and they need to be approached that way.

Rebecca: Is there anyone else?

Sean G: My first question is to the process owners. What process do you use, or do you see happening with PCBs?

Response from Mike Mazza: I don't think that's the format we're in now, right? I can answer that later, but I don't think that's the format of the context of the meeting right now.

Sean G: OK, then the other comment is that DEQ has got to take the responsibility for protecting the public. Somewhere in doing research, I was reading some of the charters of the DEQ, and in there it says to protect the public from hazardous waste. And it sounds to me like they're not even aware -- that can't be aware that there's hazardous waste there, or they would be doing more about it. Thank you.

Rebecca: Anyone else? Going once, going twice... Is there anyone that I'm not seeing? Alright. So hearing no one come forward for additional comments, it is now 7:01 pm, and I am closing the public hearing. And I'll turn it over to Audrey.

Audrey O'Brien: We are pausing the hearing, it is 7:02, we are pausing the hearing, no one is submitting comments at this time, but we'll pause the hearing until the hearing is closed at 8:30, and then I'll notify everyone. Sorry about the confusion.

Michael Orman: It is now 8:30 pm and DEQ is closing the hearing.

End of hearing

Transcribed by Sharon Chalem



2. Alastair (AJ) Roxburgh [blackett.dirac@gmail.com]

Sent via email prior to the submission deadline: 5 pm July 3, 2017.

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3. Dear Oregon DEQ:

4.

5. **Public Comment Re. Oregon DEQ Proposed Permit for American Petroleum Environmental Services (APES)**

6.

7. Thank you for giving the neighbors of the APES facility (who live 0.6 miles from it, to the north) the chance to submit comments on their new License Application. My comment includes four demands (see below), after which I have included discussion of the APES operation and draft Permit Number 26-3021-ST-01, which was handed out by Oregon DEQ at the June 21, 2017, Red Lion meeting on Hayden Island.

8.

9. **In light of the points discussed below, I demand that Oregon DEQ:**

10. **1)** Issues an immediate Cease and Desist order on APES until such time as they can operate under a valid Air Contaminant Discharge (ACD) Permit.

11.

12. **2)** Issues no ACD Permit until an independent investigation of all emissions is completed and makes binding recommendations on the permit, including resolution of the following:

13. a) Why DEQ should permitted APES to emit heavy metals and dioxin (among a slew of proven carcinogens) into a residential area 0.6 mile to the north (Hayden Island), that was established before APES and (several related and unrelated predecessor companies) on the same site were started.

14. b) Investigate what happened to the thermal oxidizer that Mr. Mazza previously said many times was connected to the stack and removed at the beginning, or just prior to his ownership. When an APES company official was pressed on this issue at the June 21st 2017 at the Red Lion, he said that the thermal oxidizer was never installed by APES. This may be an example of the name/ownership play that Mr Mazza has been known to engage in: APES or one of its forebears (there has been a succession of companies during which time some of the team remained the same or in changed roles and the name was changed to appear as a new company. After becoming APES, under the ownership of Mr. Maza (who also had roles in earlier version of the company), APES decided to sell the oxidizer unit, which was apparently never installed at APES (but may have been installed on the same site by a predecessor company), to another facility. This oxidizer was required by a permit issued many years ago, but which expired, also years ago, and despite the expiration APES was allowed by DEQ to continue without the oxidizer. Not being required to install the oxidizer, APES disposed of it (by sale or trade?) to "another facility". It was not clear whether the "other facility" was a different company, or another facility owned by Maza and partners. When asked three times where it was now, an APES company official reluctantly said (after the June 21, 2017 DEQ meeting at the Red Lion on Hayden Island) that the oxidizer had been transferred to another facility. In my opinion, neither Portland, Multnomah County, or Oregon should give financial assistance to APES to buy a thermal oxidizer because using one is standard practice, and they must have been aware of the writing on the wall back in 1978. The history of the oxidizer needs to be clarified, so that APES can no longer hide behind oxidizer-related excuses.

15.

16. **3)** Issues citations for the DEQ-admitted eleven years of permit violations.

17. **4)** Inform APES that they will never be allowed to expand their oil re-refining operation, because that would violate Portland's "no fossil fuel infrastructure expansion" ordinance. They should be encouraged to relocate as soon as possible.

18. Oil-Related Air Pollution Experienced on Hayden Island

19. I live on Hayden Island as one of a population of 5,000 residents, and 5,000 workers and shoppers. Unfortunately, as I and many others have submitted as testimonies in the past (which DEQ recently declared they would ignore and void, although by what legal statute I have not been able to find out), island residents and visitors have experienced frequent sickening petroleum-based emissions that have been firmly traced to the APES oil re-refinery. It can happen at any time of day or night, any time of year, and last hours. We are basically at the mercy of wind directions, and when it is from the south it reaches us rather than residents in other nearby areas in Portland. These oily emissions cause people I know severe respiratory distress, headaches, nausea, difficulty concentrating, and due to our community not being able to solve this ongoing air pollution problem after repeatedly reaching out to the owner and Oregon DEQ, who have admitted their mishandling of APES' Permit over the past decade or so, but have done nothing substantive to fix it, other than to say (as was said by a DEQ official at a meeting on Hayden Island last year) "just close your windows". If only it were that easy....

20.

21. 2015 Tour of APES, and Demonstration of Plant Simulation

22. I attended a three-hour tour of the N. Force Avenue APES facility in 2015 (the visit was requested by one of the HOAs on Hayden Island, and APES accepted for reasons that may become clear in point 3 below). Here are some high-lights from the tour, which was hosted by APES owner, Mr. Mike Mazza.

23. a) In response to a question about a tank full of PCBs, Mr Mazza pointed out a large tank on the north side of his property, and said that it was there when he took over the business, and that he did not know what is in it. (He did not mention that he had been a partner in the immediately previous company, and so I think he should know what's in it. (We now know that this tank contains the infamous and controversial pcb-laced oil!).

24.

25. b) Mr Mazza showed us a large blueprint of a scrubber which he claimed would make APES a zero-emissions operation. He said this was to be installed soon. I do not know its status in 2017.

26.

27. c) Our tour was coincidentally several days after one of the worst smell/airspill events Hayden Islanders have ever experienced (although several incidents in the weeks after the APES tour could rival that!). This big air-spill/emission event kept island resident indoors to avoid gagging on a strong burnt/somewhat rubbery/oil smell. During the tour Mr. Mazza was asked about this. He claimed that it could not have been caused by APES because they had been closed down for a week. He even identified the main chemical we had been smelling, as something that is used in the truck tire retread business, however I have since learned that used oil coming into the APES facility can sometimes be contaminated with a wide variety of chemicals, some of which, like this particular one, are problematic. What retread business that would be is a mystery, because there are none such in our area. My 'bogometer' was starting to go off in a big way at about this point. Mr Mazza then took us to his control room and showed us the week of downtime on his computer system, which in a scrollable multi-graph displayed a roughly week-long period where virtually all of the process signals were zeroed out. When he told us that the computer not only records and controls the whole process of re-refining, but that they can actually simulate any kinds of events (e.g., to test the system before going live), despite the strong oily smell inside their lab, the skeptic in me started smelling a rat; it would have been far too easy for Mazza to have simulated the claimed shutdown, and shown us that instead of real-world data. He was very concerned to convince us that the rubber/oil smell could not have come from his plant, yet meteorological data collected on Hayden Island before, during, and after, says otherwise (the worst conditions are a southerly breeze of 3 to 5 mph, which blows the plant emissions (which we now know from the draft Permit are not just "odors") to Jantzen Beach Moorage and the rest of Hayden Island. When Mr Mazza took us outside to show us the main part of the plant, it did not seem to me to be (as claimed by him) still warming up, as it would be after a genuine

- shutdown (which we were told had almost never happened before). The plant seemed very hot and everyone agreed it “stunk to high-heaven”, and at close range seemed to have some of the same rubber/oil/burnt smell we had complained about. He also said that a certain Hayden Island resident (name omitted) was his major opponent, and even if it was to become his life’s work, he would prove to her that APES is not making the debilitating smells we are all familiar with on Hayden Island, come gentle south winds.
28. My guess it that APES is always, or more often than we think, emitting high peak levels of a variety of highly toxic materials, including VOCs, CO, VOCs and the heavy metals that attend used oil. It is a function of wind direction and speed, whether we smell the the most odorous, but not necessarily most toxic substances emitted. I almost always notice it either along Marine drive north of APES, or along Portland Road west of APES. Additionally, I have noticed an effect where the smell becomes very strong often after a rain shower, suggesting that the rain “scrubs” the VOCs from our of the air, and brings then down to ground level.
 - 29.
 30. In light of the draft Permit, and other sources, we have learned the extent and shocking variety of heavy metals, in addition to CO, SO₂, and VOC emissions from such an oil re-cycling plant. Among them are some of the most toxic chemicals, including neurotoxins and eleven known human carcinogens: Arsenic, Cadmium, Chromium including hexavalent chromium, Lead, Mercury, Selenium, and most of the VOCs listed.
 - 31.
 32. I would like to see Prof. Eckman of Portland U apply his mapping software to creating a map of the source or sources of the APES odors, assuming that the other emissions follow a similar spatial envelope. I invite you to read Prof Eckman's report:
 - 33.
 34. <https://assets.documentcloud.org/documents/2799479/Eckmann-AirPollutionInNorthPortland-April2016.pdf>
 - 35.
 36. See the spatial map on 2nd page, which shows a large orange/red area over Daimler’s works, obtained by combining geo-spatial data (map) with subjective smell reports and historical wind direction records. Even with such a conceptually simple approach they we able to create a map that shows where the paint fumes were/are coming from.
 - 37.
 38. http://www.oregonlive.com/environment/index.ssf/2016/06/angry_residents_challenge_inco.html
 - 39.
 40. *Wright, Samantha G., *Velasquez, Sandra C., and Eckmann, Ted C., (2016) Spatial Analysis of Air Quality in a Topographically Complex Urban River Valley. Annual Meeting of the Association of American Geographers: March 29-April 2, 2016. San Francisco, CA (USA).
 - 41.
 42. While Hayden Island residents have been unable to duplicate Prof Eckman's remarkable geo-spatial modeling, we have been doing the next best thing, which is logging the correlation of strong burnt oil smells only when there is a southerly breeze. I say 'breeze', because in high wind conditions there is apparently enough turbulent mixing of the toxic smell with the air that by the time it reaches Hayden Island's Jantzen Beach Moorage (Oregon's largest floating home community, which is about 1.5 miles due north from the APES facility) it is diminished in intensity.
 - 43.
 44. **Monitoring Methodologies**
 45. One of the problems with current and past DEQ monitoring is the reliance on average emission rates, rather than peaks, when it is the peaks that cause most of the damage. Moreover, as determined by the Portland U team under Prof Eckman, DEQ monitoring (in that case of paint-related fumes from the Daimler plant) was on a regular weekly schedule, but (and this is the

most interesting point) on the day which minimizes the amount of pollution monitored. Eckman's comment was that DEQ could not have chosen a better day to minimize the pollution reading if they had tried. Of course this points out the problems with regular monitoring schedules. Monitoring schedules (like plant visits) must be made random, and without notice to the parties involved. Annual self-reported data is absolutely insufficient, and implies a high-level of unjustified and misplaced trust in the industries being monitored.

46.

47. Is Thermal Oxidation Sufficient?

48. A thermal oxidizer can do one thing well, and that is break down compounds susceptible to being oxidized into harmless materials such as H₂O and CO₂. While this may work well with VOCs, it does not reduce the toxicity of the heavy metals. Indeed, some heavy metals are more toxic in the form of oxide particles than as microscopic metal dust particles. Thus a thermal oxidizer can reduce some problems, but may have no effect on others, or make some problems worse. Particulate filtering may be needed also, particularly due to the close proximity of long-established residential areas, less than 0.7 miles way to the north.

49.

50. A Self-Defeating Industry?

51. It is self-defeating to continue and/or expand these types of industries inside city urban area boundaries. Continuation and/or expansion of highly-polluting types of industries such as oil re-refining will result in many more doctor and hospital ER visits, in addition to increased elder care costs. These industries, by DEQ's own admission, have barely been regulated in the past. For these reasons, and in observance Portland's "no fossil fuel infrastructure expansion" ordinance, these all highly polluting industries, including APES, and ORCO must be not only become cleaner, but must also be relocated away from City of Portland's urban area. Moreover, some types of industries must, in time, go away completely. Oil re-refining is a candidate for going away completely because the 'cure' (re-refine used oil to allows its re-use) is worse than the 'disease' (the toxic pollution and health cost it creates).

52.

53. Put Back In the Ground, Rather Than Re-cycle?

54. Since we are in an age of oil glut, it may be that all used oil should be put back in carefully-selected pieces of the oilfields from when it came in the first place.

55.

56.

57. Thank you,

58. Alastair Roxburgh

59. Hayden Island Resident

60. aroxburgh@ieee.org

3. Amy Carlson [amycarlson@comcast.net]

To Whom It May Concern:

Please accept these comments for the official comment period.

As a resident of North Portland who regularly deals with toxic smells wafting through my neighborhood and the places I visit and recreate in north Portland, I am deeply concerned that the new permit is far from adequate to address the health impacts of the emissions.

Even though it has become very likely thanks to imaging that the smells affecting our neighborhoods are in large part due to APES emissions, the permit is not setting strong enough new standards and it is not going to result in reliable data due to the (acknowledged by DEQ) issues in the software system they are being allowed to use for self-reporting.

It permits APES to emit 10x the concentration typically emitted by oil refineries across the country. There are dangerous compounds being released within those many of which are highly risky at very very small concentrations.

I am appalled that the state has known that they were not compliant for years and has done nothing to actually bring them into compliance. I support an independent investigation into the non compliance issues and DEQs repeated failure to address them.

The standards need to be much stronger to ensure public health. And they need to have adequate data to effectively enforce them. This permit must set higher standards.

I've lived in north portland for 13 years and I have been trying that whole time to figure out what combination of toxic releases has blanketed the neighborhood regularly. I know Malarkey is one factor, I now know APES and others. Do right by public health and develop a permit reflective of APES track record of non-compliance and data regarding public health risks. I look forward to your response and new permit standards being developed.

Thank you,
Amy Carlson
N Emerson St.

4. Candy Olson [cthomp4712@comcast.net]

My husband and I are residents of the Bridgeton Neighborhood and as such are directly affected by the actions of American Petroleum Environmental Service, Inc. (APES). Based on information reported in this article from The Portland Tribune:

<http://portlandtribune.com/pt/9-news/364466-244751-oil-recycler-permit-shows-it-emits-more-than-foul-odors> I am writing to request that you issue an immediate Cease and Desist for their current operations which result in toxic emissions. We insist that DEQ issue NO permits of any kind until an independent investigation is completed.

We want to see an independent investigation as to why the DEQ is currently allowing dioxin and hexavalent chromium to be emitted into our residential area, which has been here since before APES started operating, and as to who was responsible for removing the thermal oxidizers in 2006 as noted in the article.

We also want to see DEQ issue a citation with all penalties allowed by law for those 11 years of violations.

We appreciate your review and attention to these issues.

Regards,

Marna Olson

905 North Harbour Dr. #16

Portland, OR 997217

cthomp4712@comcast.net

503-550-6123

5. Celeste [celeste.js.brady@gmail.com]

Dear DEQ,

As a concerned Portland citizen living in the NE quadrant of town, I am deeply concerned about Portland's air quality. My family suffers from asthma-like symptoms due to Portland's air quality issues.

APES (American Petroleum) oil refinery is spewing out cancer-causing toxics, operating without the proper permits and control equipment. Please deny new permits until APES stops poisoning the community.

On behalf of myself, my children and the many people I know who are suffering from Portland's air pollution, I ask that DEQ please take action to protect us from further harm.

Respectfully,
Celeste Brady

6. Chandra Dragulin [chandradee@icloud.com]

I'm a 3rd year resident of a house on NE South Shore, in what is known as the East Columbia neighborhood. I'm writing to insist that the permit to APES/ORRCO not be issued. I am in agreement with my community that they should be shut down pending an investigation by an unbiased third party, as I do not have good faith in the current efforts of governing agencies.

EPA and DEQ should have a clear duty to the citizens affected by the ongoing pollution, and the flagrant non-compliance of these companies in what is one of the least regulated states around. Instead we (the actual people living with illness and concern) are being forced by circumstance to inhale a litany of chemicals at ratios outside most modern limits, as if there were no regulations at all.

I do not feel enough is being done to ensure my family is safe. I do not feel that adequate monitoring has been performed, I do not feel that any repercussions for lack of compliance have been enacted.

I do see two agencies who are failing to take our health and future health seriously. I see two agencies who are more concerned with corporate agendas than their duty to the people of this state.

This is my daughter. She turned three yesterday. She's super cute and hilarious and smart and we bought our home over here so she could enjoy nature while daddy stayed close to his job. Every day that passes she is exposed to a cocktail of chemicals her vulnerable lungs and developing body should not be exposed to. We were so busy making sure our house was lead free, we didn't think to question whether the air we breathed was safe. We assumed (wrongly) that our tax money was paying people to make sure it was.

7. chris@chriscanote.com

I stand with Portland's North Harbor residents: no permit renewal for APES until all neighborhood concerns have been addressed!

Chris email: chris@chriscanote.com phone: 503.305.0530

8. Dawn Nafus [dnafus@gmail.com]

Dear Air Quality Permit Coordinator,

I am a Portland resident writing to express my deep concern about the APES Permit currently under consideration. It is not acceptable for the plant to be allowed to emit over ten times the SO₂ emitted by oil refineries in other parts of the country, when SO₂ has known effects on cardiovascular and pulmonary health. I am also baffled that it would be seen as acceptable to put known carcinogens like hexavalent chromium in the air. Considering that the DEQ has only recently acknowledged that there is a problem more significant than odor, it is clear that much more due diligence is necessary before any permitting moves ahead. The human health risks are too significant to just move ahead.

I believe this company should be made to install the much higher grade technology that removes 99% of total VOCs, not 97%. Twenty four hour monitoring should also be required, and the data should be made available to the public on a real-time basis, with access to full historical datasets. Tests a mere twice a year do nothing more than create the appearance of monitoring. An analysis of the temporal patterns of emissions would help the company diagnose the exact business processes that exacerbate pollution, and help the residents understand what is in the air and why.

With best wishes, Dawn Nafus Portland, Oregon

9. Deborah Buckley [sweetwaterhouseplants@yahoo.com]

I stand with Portland's North Harbor residents: No Permit renewal for APES until all neighborhood concerns have been addressed. The toxins they are emitting need regulation not indulgence. PLEASE help our vulnerable lungs and send a strong message that clean air is the cost of doing business.

Sincerely, Deborah Buckley

10. Debra Louise Zavala-Lloyd [contractorzavala@rocketmail.com]

To DEQ

North Portland residents live downwind of the APES (American Petroleum) oil refinery spewing out cancer-causing toxics, operating without the proper permits and control equipment! You, our state environmental protection agency let this happen! Please deny new permits until APES stop poisoning the community! Email: nwraqpermits@deq.state.or.us Please issue a "cease and desist" order for American Petroleum Environmental Services. Thank you for helping to clean up our air!

lead – one of the 16 carcinogens linked to the APES plant – is also known to be interfering with childhood development and reproduction. It is also suspected of disrupting the endocrine system and to be toxic to the blood, gastrointestinal tract, liver, immune system, kidneys, lung, sense organs and the nervous system. The APES plant releases up to 26 chemicals that pose a danger to the human body in some way.

Debra Louise Zavala

4117 SE 80 th Avenue

Portland OR 97206-3316

11. Diana Rempe [dianarempe@gmail.com]

To whom it may concern,

For the entire time we have lived in North Portland, we have smelled chemical and petroleum smells and reported them to DEQ. We smell them as we ride our bicycles on Willamette and in our neighborhood in Arbor Lodge. On particularly bad days we smell them in our back yard, as we watch our children play. We have called and written and emailed. And still they continue. We know that if we can smell them, it must be bad; but, what really concerns us is what we cannot smell. We know that the oil recycling is only part of what is causing the known air toxins here in North Portland. But it is an important part of this problem and it is up to DEQ to make sure that the company is responsible for emitting as little as possible, for the health and safety of our community.

We rely on DEQ for this. It is DEQ's job. And when I see the draft APES permit, it appears that DEQ is not doing its job.

Why would DEQ allow 11 known chemicals to be dispersed in the air that have been PROVEN health hazards? Why would DEQ allow APES to emit more than 10 times the typical concentration of SO₂ emitted by oil refineries across the country, according to the EPA? Especially when the plant

has a proven track record of intentionally polluting North Portland? The Portland Tribune reports that the plant installed a thermal oxidizer in 2003, then removed it in 2006 (which DEQ did not find until 2011- a full five years after) that were supposed to mitigate the chemical emissions. And, now DEQ requires they do that again? And, DEQ will only monitor emissions every two years and have the company self-report using software that is outdated? This is crazy. And incredibly dangerous.

Please insist that the air pollution control measures APES uses are more like the Intel plant which takes out 99% of VOCs (three times more than the 97% APES takes out currently), that the emission software is updated to be more reliant, and that the monitoring happens more than every 2 years.

Please reassure this community that you will uphold our health and safety foremost, and reconsider the APES draft permit.

Thank you,

Diana Rempe, PhD.
Dr. Patrick O'Herron

12. EM F [erin@erinfrank.com]

I stand with Portland's North Harbor residents: no permit renewal for APES until all neighborhood concerns have been addressed!

DO BETTER.

-Erin Frank

Portland resident

13. Ethan Ogle [ethanogle@gmail.com]

I stand with Portland's North Harbor residents: NO permit renewal for APES until all neighborhood concerns have been addressed. Local residents feel like they live in a dangerous, unhealthy place. Do you want your voters to feel that way? Stop renewing and/or issuing new permits to polluting industries until they clean up their business practices.

I will be following up on this in the future and I do expect citizen voices to be heard -- and acted upon.

14. foerjones [jennifersharpejones@gmail.com]

Eastside

PortlandAirCoalition

4207SEWoodstockBlvd#900

Portland,OR97206

/

eastsideportlandair@gmail.com

July 3, 2017

To: Oregon DEQ

From: Eastside Portland Air Coalition and Beyond Toxics

re: Public Comment on permit renewal for American Petroleum Environmental Services (APES)

Eastside Portland Air Coalition and Beyond Toxics do not support the issuance of a permit to pollute to APES at this time. The facility has created a health hazard for downwind neighborhoods for a long time and the public has repeatedly decried the lack of regulatory oversight and adherence to the Clean Air Act. Thus, we ask that the DEQ absolutely deny the APES permit.

We have several concerns that comprise the basis of our recommendation:

We are stunned and yet not surprised that DEQ has failed to leverage its authority and allowed APES to continue poisoning its neighbors **without consequences of any kind** even as the agency has known that the facility at this site has been operating outside the parameters of its permit for at least ten years. To operate outside the requirements of the permit is the same as operating illegally.

This fact alone seems to us to be sufficient grounds to deny APES a permit at this time. We also think it places a particular onus on both the agency and the company to strive with all available resources and regulatory tools to adopt the most stringent protocols

available to protect the neighborhood and to restore public trust. The proposed permit does not meet this standard.

With the advent of the Cleaner Air Oregon rulemaking, we encourage both DEQ and APES to think ahead and to anticipate the new rules during this permit renewal process. The DEQ should require APES to meet benchmarks for human health risk levels. Both DEQ and APES should begin now to consider this facility's contribution to the local airshed from a cumulative and human health perspective and make immediate adjustments accordingly.

Sixteen known carcinogens, neurotoxins, endocrine disruptors - many affecting multiple organs and body systems, many bioaccumulative - have been identified as emissions from this facility, pouring uninterrupted into the local air shed for at least 10 years, including deadly PCBs, dioxin and hexavalent chromium.

In order to adequately protect public health and to make permitting requirements fit the actual emissions, independent source testing under real conditions must be required and paid for by the facility before any new permits are considered.

The TACT requirement in the new permit proposal is insufficient and also unnecessary, as BACT for oil refining exists to capture 99% of APES' toxic emissions.

There is no reason NOT to assume that all chromium burned at this site is converted to the deadly hexavalent kind and that condensable particulate must be accounted for when applying BACT.

EastsidePortlandAirCoalition
4207SEWoodstockBlvd#900
Portland,OR97206

/

eastsideportlandair@gmail.com

Any permit issued to this facility should explicitly prohibit the burning of oil containing PCBs.

Proper disposal of the PCB-tainted oil currently held on sight must occur before any permit is issued. There must be agency oversight of the disposal of this hazardous waste.

The company must be required to use state-of-the-art software in tandem with full materials balancing to calculate its emissions for reporting to DEQ. Every pound can and should be accounted for and, until public trust is restored, emissions reporting must occur every six months.

DEQ must retain and implement the right to unannounced inspections.

Most air quality and environmental advocates, as well as the residents of this particular neighborhood are not anti-business. However, we believe polluting industries should take responsibility and be accountable for the toxic emissions their processes generate. They should not be allowed poison their neighbors and local ecosystems. North Portland's harbor area is home to many vulnerable populations including elders, lower income folks, and we know of at least one school for developmentally challenged children less than half a mile from the facility.

Our protective agencies, DEQ and OHA, should not allow this permit for any reason. The proximity of a school serving developmentally delayed children is reason enough. These children are dozens of sensitive receptors. The consequences of their exposure to 16 known carcinogens, neurotoxins and endocrine disruptors should halt this permit. Their health is paramount.

We believe a robust economy is possible without compromising or endangering the lives of anyone. We know this is a challenging time for all involved, but it is past time for industry and agency to shoulder its share of the burden of this transition to healthy and sustainable business practices. The public has already been bearing the burden of unhealthy business practices and lenient regulation for many decades.

Sincerely,

Jessica Applegate and Katharine Salzmann, East Portland Air Coalition
Lisa Arkin, Beyond Toxics

EPAC and Beyond Toxics currently serving on the Governor's Cleaner Air Oregon Rules Advisory Committee. Together, our organizations represent over 13,500 members and a coalition of more than 20 neighborhood associations and air quality groups.

Jennifer Jones
East Side Portland Air Coalition
503 421 0323

15. JAMES RYAN [jryan1.jbmi@gmail.com]

Please delay permit consideration until new state air quality standards are approved.

16. Janet Anderson [catalina1748@gmail.com]

The State of Oregon is trying to pull the wool over our eyes again. For years, its reputation is one of clean, healthy air. Many have actually moved to our state because of this. It's so disappointing to realize our politicians do so little for us in this area. I'm tired of worrying about my health and potentially lower property values when people realize that we live in a "hot spot".

To that end, I would like the following to occur:

1) An immediate Cease and Desist. 2) DEQ Issues NO permit until there's an independent investigation of omissions. 3) An INDEPENDENT investigation into DEQ as to A) Why they are allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013. B) Who was responsible for removing the thermal oxidizers in 2006 4) DEQ issue a citation for those 11 years of violations.

I normally do not send emails like this but would seriously like to know WHAT ARE YOU THINKING!
It's your family's health, too. Set a good example that people will respect.

Thank you for your time,
Janet Anderson
Hayden Island Resident

17. JB Young [jbeayoung@gmail.com]

North Portland residents who live downwind of the APES (American Petroleum) are exposed to an oil refinery spewing out cancer-causing toxics, and operating without the proper permits and control equipment. DEQ/EPA has let this happen! You [DEQ] must deny new permits until APES stop poisoning the community with known carcinogens. North Portland residents who live downwind of the APES (American Petroleum) oil refinery are exposed to cancer-causing toxics by a firm that is operating without the proper permits and control equipment. DEQ must deny new permits until APES stop poisoning the community.

Furthermore, APES should be financially liable for providing up front costs for an up-to-date, full-on air quality monitoring equipment at its place of business and the technical firm charged with interpreting the data needs to be approved by Mary Lou Putnam. I no longer trust the Department of Environmental Quality to ensure the health of the tax paying public. This permit alone is evidence enough of its complete misunderstanding of its own function and the inability to protect the health of the public.

18. Jen Davis [weallneedbees@gmail.com]

Dear DEQ folks and Rep. Nosse, Sen. Taylor and Rep. Kotek,

It is shameful and horrifying that for 17 years the DEQ has ignored the very serious toxics produced in North Portland at the APES (American Petroleum) facility, telling families these emissions were just "odors." Further, this agency did not even bother to alert the families living in its proximity about these lead, chromium and other carcinogenic emissions, until an independent investigation was initiated, and did not share crucial video footage of emissions of VOCs with Portlanders until a Freedom of Information request was filed by reporter Paul Koberstein.

Meanwhile, Portlanders continue to breathe some of the worst air in the nation, while this inept agency too frequently allows polluters huge loopholes in regulations.

The DEQ has an appalling record in this matter, and I find it absolutely shocking that they are prepared to issue yet another permit to the APES facility which would allow toxics as serious as hexavalent chromium and dioxins to be emitted. These are two of the most seriously dangerous toxics on the planet!

I have a daughter who has been ill for years with Postural Orthostatic Tachycardia, a chronic debilitating heart disorder, which has been associated with heavy metals exposures. We have lived and eaten regularly from our garden for decades just blocks from BullsEye Glass, all the while uninformed about the lax regulations on this unfiltered toxic facility. Shame on the DEQ agency for continuing this dangerous legacy of polluter-over-citizen preference in their regulations process!

We breathers of Portland demand:

- 1) an immediate Cease and Desist of APES emissions until appropriate pollution controls are installed, tested and monitored.
- 2) DEQ Issue NO permit until there's an independent investigation of emissions.
- 3) An INDEPENDENT investigation into DEQ as to
 - A) Why they are allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013.
 - B) Who was responsible for removing the thermal oxidizers in 2006
- 4) DEQ issue a citation and heavy fine for those 11 years of federal violations.

Thank you for your time, and I look forward to your response.

Jen Davis
2332 SE Brooklyn
Portland, Oregon 97202

19. julie reardon [julierrdn@yahoo.com]

I stand with Portland's North Harbor residents!!!

People in North Portland are getting shit on by polluters and DEQ is doing a terrible job of protecting them. You are civil servants, in positions of power that determine the outcome of people's lives. They are breathing 26 different CARCINOGENS EVERYDAY because of APES emissions.

Do a quick check in with your humanity and do the right thing-- NO PERMIT RENEWAL FOR APES UNTIL ALL NEIGHBORHOOD CONCERNS HAVE BEEN ADDRESSED. All caps because I'm sick of this shit.

-Julie
South Portland Air Quality

20. Ken Dobson [landlaw.oregon@gmail.com]

Greetings:

I am a North Portland resident and have concerns regarding the proposed issuance of new discharge permit for the APES' refinery located at 11535 N. Force Avenue in Portland.

Apparently, the APES facility is responsible for the noxious odors that have plagued North Portland for years. In addition to concerns over toxins raised by other commentators, the noxious plant emissions and odors constitute a public nuisance. See OAR 340-208-0300 (prohibiting any regulated source to "cause a nuisance"). As the Department is well aware, residents of North Portland have lodged enumerable complaints about noxious odors over the past decade. These noxious odors have only recently been traced back to the APES facility. The problem of nuisance odors must be properly evaluated and addressed in the permitting process, ideally with a denial of the permit until the applicant can demonstrate that the odor problem will be corrected and a Best Work Practices Agreement between the Department and the applicant is implemented.

Additional monitoring should also be required. According to the US EPA, the type of computer software proposed for the monitoring is "outdated" and "not reliably functional." The proposed frequency of the monitoring is also not acceptable, especially considering how the foul emissions from the plant vary from day-to-day and hour-by-hour.

Thank you for your consideration of these comments and I look forward to a denial of the application until these concerns and the concerns of the other neighbors are fully addressed.

Kenneth P. Dobson
Attorney at Law
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Portland, Oregon 97239
Office: (971) 717-6582
Mobile: (503) 684-8198
landlaw.oregon@gmail.com
www.pdxlandlaw.com

21. Lisa powell [renpow1981@gmail.com]

Dear Quality Permit Coordinator,

I am not anti-business, but I do expect clean, responsible business's to operate in a matter that does not harm health by allowing toxic and/or unpleasant fumes to be emitted into the air that we breathe. For over 8 years, we have lived with unknown fumes emitted from APES that penetrate through our closed doors and windows and wake us up at night. My wife had a brief conversation with Mike Mazza at the APES facility after a particularly horrible night of fumes. She told him that she considered herself and good neighbor and expected that he be a good neighbor as well. She continued to explain that she knew that APES could control the fumes and toxins that were being emitted from their stacks by burning at the proper temperatures and by proper maintenance and asked why that was not happening. Mike asked her if she lived in the neighborhood and she said, yes. He then said, you choose to live in an industrial area, what do you expect? Mazza has shown that he is NOT committed to being a good neighbor or capable of self monitoring.

Allowing APES to continue operating without cleaning up the facility is not responsible and sacrifices the health of the public and the environment for the sake of individual profits. No company should be allowed to operate in in this matter. Assurance of an air quality permit does not sufficiently change the pollution problem, the language is still full of loopholes rendering provisions of the permit useless, and is contrary to Governor Kate Brown's policy supporting the Paris Agreement.

DEQ chose not to use its administrative authority to shut APES down (OAR [340-216-0082](#)) by making the subjective decision that there was no "serious danger to public health, safety or to the environment."

But, they based their decision on short-term measurements which made it appear that the effects to health were small and insignificant. They said nothing about long-term effects, such as cancer and other major illnesses. It is now time to move this up a notch – calling Governor Brown to issue a Cease and Desist Order (ORS 468.115) because there is "imminent and substantial endangerment to the health of persons." These deadly emissions have gone on for two years. It is now time to shut the facility down. There are so many things wrong with this proposed permit that the neighbors call for an investigation by an independent third party with no ties to Oregon government or to Association of Oregon Industries.

This permit must:

1. Reclassify APES as a Title V facility and subject them to greater regulations than just a simple Air Contaminant Discharge Permit. It meets the criteria for Title V by having the potential to emit sufficient dangerous air pollutants. It has operated without emission controls, stored PCB-oil on its property without a permit, and now wants to burn the PCB-oil. It has also conveniently lost the records it is supposed to keep, so DEQ does not know what was burned. APES must be subject to the higher standards in order to protect the public and the environment.
2. Require a greater degree of emission destruction than the 97% listed in the permit. Since the facility has been operating without emission controls and is still pumping dangerous toxics into the air, the permit should require a clean-up standard of almost 100%. This technology is available.
3. Not allow APES to burn PCB-oil at this facility. Based on past performance, there is no indication that APES could be trusted to handle these hazardous materials properly. APES, or its predecessor, stored full tanks of PCB-oil from ORRCO on site, probably burned the PCB-oil to get rid of it (suspected from other information sources), and after it became public, diluted the tanks (illegal) to cover up a lower level of PCB-oil. Testing of the tanks disclosed water (not there previously) and the presence of another hazardous substance, benzene. The burning of PCBs and benzene could create dioxin – and any burning and releasing of these toxics endangers the public and environment.
4. Require APES to use BACT (Best Available Control Technology), a higher standard for emission control that the permit requires (TACT/Typically Achievable Control Technology, or TACT). One of the pollutants that APES is allowed to process is chromium. Although DEQ says they don't know if it is hexavalent chromium, they should have learned this after the Bullseye Glass debacle – chromium when heated turns into hexavalent chromium – think Erin Brockovich. Technology meeting the BACT standard must be installed before chromium is allowed.

5. Require continuous source/stack monitoring. Air monitoring is insufficient to provide a complete picture; air, wind, temperature, height of the cooling tower, and location of monitors all skew the results obtained by air monitors, not to mention testing when the plant is "on holiday." Using a short, quick air grab to represent a full day of emissions does not give a true picture of the emissions. Because APES accepts many different used petroleum products for processing, continuous source/stack monitoring is the only way to determine what is actually being emitted. This technology is also available.
 6. Require more stringent enforcement methods because self-reporting is not adequate; APES cannot be trusted to self-police. It did not disclose the removal of the emission controls, the presence of PCB-oil, or keep proper records. Not only must an independent investigator be involved, DEQ must pledge to make surprise visits on a weekly basis. Since APES has not even received a slap on the wrist for previous violations, large fines must be imposed for violating any of the provisions of the permit and the imposition of those fines must be decided by the community.
 7. Specifically indicate that there is no "cap and trade" allowed and if there are changes to the state or EPA rules, the most stringent remains in effect.
 8. State that the Review Report is incorporated into the permit and becomes a part thereof.
 9. Not allow fugitive emissions to be exempted from visible emissions. 1.1
 10. Not allow any particulate matter to fall on other people's property, even the smaller size, under 250 microns. 1.4
 11. Eliminate odors, not minimize odors. 1.5b Use of the word "odors" minimizes the seriousness of the situation; "odors" may be a precursor to a toxic release.
 12. Require a processing temperature of 1600F and eliminate the sentence allowing the temperature to be lower if test shows it controls 97% of emissions. There is too much wiggle room here. 2.1b
 13. Require accurate measurement of PESL, plant site emission levels. This wording is too vague for actual measurement and calculations by hand are not accurate because no one knows what is being emitted. 3.1
 14. Require emissions to be monitored electronically, not visually. Visual inspections are not sufficient. 7.1
 15. Require immediate cessation of operations and notification of DEQ if there are excess emissions. 7.2
 16. Require semi-annual reporting, not annual. Late fees must be assessed in all cases. "as appropriate" should be removed.
 17. Allow DEQ and other inspection at all times; not just "reasonable" times.
 18. Not allow small Particulate Matter under 2.5 in size.
 19. Require Process/Production Records on a weekly basis, not a monthly basis. 14.0
- Looking forward to your response to these concerns.

John Powell
Sent from my iPad

22. mark thommen [outlook_F14F97D57BF707C7@outlook.com]; ncharlton@comcast.net

July 3rd, 2017

Air Quality Permit Coordinator
700 NE Multnomah Street, Suite 600
Portland, OR 97232

CC: Kate Brown, Governor, State of Oregon
Tina Kotek, House Speaker, Representative, District 44
Richard Whitman, Director, Oregon DEQ
Ed Armstrong, Commissioner, Environmental Quality
Ted Wheeler, Mayor, City of Portland, Oregon

Dan Saltzman, Commissioner, City of Portland
Nick Fish, Commissioner, City of Portland
Amanda Fritz, Commissioner, City of Portland and
Chloe Eudaly, Commissioner, City of Portland and
Bureau Chief, Office of Neighborhood Involvement
Tom Griffin-Valade, Executive Director, North Portland Neighborhood Services

Re: American Petroleum Environmental Services (APES)
Proposed Air Quality Permit Renewal and Proposed Solid Waste Permit.

To Whom It May Concern:

I write this as a citizen of the state of Oregon and a resident of Hayden Island. I write this also with disbelief and a great sorrow that this letter has to be written. Oregon, as witnessed by the defeat of the Cleaner Air Oregon act bill, is no longer a leader and a champion for the environment, rather a pawn of the oil and industry lobbyists. And the agency that is charged with protecting the people and the environment from violations of greed has failed to uphold the sanctity of their mission statement.

DEQ, in issuing this permit is asking the citizens of Oregon to:

1. **Believe** the toxic air issue is primarily a nuisance odor accompanied by minor, non-life threatening health concerns despite the abundant evidence documented by the EPA as to toxins associated with the combustion at high-temperatures of oil products and the considerable health risks. It is alarming that DEQ's testing consisted of toxins they are looking for. Apparently, they did not realize dioxins and hexavalent chromium are common in this process and should be included. Or worse, they knew and suppressed the facts since this information is clearly stated on the EPA website.
2. **Ignore** the fact that we have not been told the exact nature and the amount of the chemicals being emitted. DEQ has ruled out requests for stack testing and 24/7 monitoring periods to determine whether or not the air is safe for the citizens of Hayden Island to breathe. This would seem to be the very first decision point for an agency whose mission is to be a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water, especially given the track record of APES and the fact that the site sits on a former superfund site.
3. **Trust** instead, the results of flawed and incomplete monitoring and testing on their part, and the self-reported numbers from APES themselves. The same APES that did not report operating without thermal oxidizers increased processing without notifying DEQ and operating with an expired permit.
4. **Ignore** the very suspect 15-year relationship between APES and the DEQ, which consists of transgressions, violations and fines by Apes and blunders, excuses and exceptions made by DEQ to allow the status quo to continue.
5. **Believe** that by issuing the permit and enforcing the installation of thermal oxidizers, everything will be much better. APes will still self-report, will now expand into two new technologies that they have no real experience in, and as Mr. Mazza stated in the NOC dated

September 29, 2016, Sulphur Dioxide and Nitrogen Oxide are not reduced by thermal oxidation. Sulphur Dioxide emissions allowed by the new permit exceed national standards.

6. **Feel safe** that APES needs to meet a 97% emission destruction. It is documented that the difference between 97 and 99 percent is the reduction of three times more emissions. And more importantly, .01 % of some toxins can kill humans, and we are expected to accept a 3% tolerance, even though it has not been proven to us what that consists of. Why is the rate so low for APES?

For so many more reasons, **this permit is extremely flawed** and should not be considered. Additionally, the following steps need to be taken:

- a) Establish ALL of the facts before any further conversation.
- b) Taking action to rectify any and all wrong-doing established in light of the facts.
- c). Amend or reject the permit based on the results of a thorough analysis of the emissions.

This can be achieved by the following:

1. **Do not issue** this permit.
2. **Effective immediately, petition the governor for a Cease and Desist Order** (ORS 468.115) given there is "imminent and substantial endangerment to the health of persons".
3. **Determine qualitatively what chemicals are being emitted** and how much is being emitted.

Until accurate testing is done and the results known, a prudent course of action cannot be pursued. This will establish the health risks and also properly identify APES as a Title V facility finally. This testing should be done at the stack, with periods of 24/7 monitoring by an independent contractor with experience in oil combustion testing.

4. Engage the public anew when all the facts are known. If it is determined that APES could resume operations, the following need to be included:

- a). Require a greater degree of emission destruction than the 97% listed in the permit. Since the facility has been operating without emission controls and is still pumping dangerous toxics into the air, the permit should require a clean-up standard of almost 100%. The fact that the plant is sitting on a former super-fund site should also warrant more stringent controls, not less. The technology is available.
- b). Establish a protocol of regular visits and DEQ monitoring as opposed to self-reporting. APES has proven conclusively it does not subscribe to high ethical standards, and without accurate numbers how can DEQ make any valid assumption of compliance?
- C). Establish a consistent and continual testing and monitoring process at APES.
- d). Enforce more stringent monitoring and enforcement of APES.

Respectfully,
Nykolee A Charlton
President, JMBI Moorage – Floating Home Community
1805 N Jantzen Ave
Portland Oregon 97217
971-344-0121

23. Merrilee Spence [merrilee.wna@gmail.com]

I stand with Portland's North Harbor residents: no permit renewal for APES until all neighborhood concerns have been addressed!

Merrilee Spence

24. Nina Vaught [ninarvaught@gmail.com]

I have been a resident of Oregon since I was 3 years old and was always proud to live in the clean state of Oregon. It is shameful the way our politicians have sold us out. I have lived on Hayden Island since 2008 and have been subjected to the stench APES spews out (illegally without filters with absolutely no consequences). I have called over and over. I have attended meetings. I have written letters, yet DEQ still intends to extend and expand their permit. My granddaughter (almost 3) has been inhaling this stuff since she was 3 months old. Would you let your babies and grandbabies live with this? This is shameful. Please:

-Do not approve a new or expanded permit
-Shut the place down and do a proper assessment of what we are breathing
PLEASE: Do the right thing for the people of Oregon.

Nina Vaught 11616 N Island Cove Lane Portland 97217 503 475 1445

25. Randy Roy [aa737pilot@hotmail.com]

I am a huge supporter of responsible business. However, in it's current form, the permit renewal for APES is insufficient in protecting neighbors and insuring safe air to breath! DEQ, do the right thing and place known, safe pollution limitations IN the permit, along with ongoing testing to insure the safe air standards every human should be assured they will have! This is not a difficult complicated situation. ANY business that want's to operate should be free to do so, AS LONG AS they do not interfere with quality of life of the people living near by. APES has for to long now caused horrific odors accompanied by pollutants causing residents to be sick! That is unacceptable. Do the right thing, change the permit to place strict limits on pollutants and include ONGOING testing.

Randy Roy

(360) 281-3282

26. Susan Millhauser [susanm@spiretech.com]

To the DEQ,

As a Portland resident, I respectfully ask the DEQ to NOT renew the APES air quality permit.

I can't believe that DEQ would even consider renewing the permit for APES. Your job is to protect public health by regulating air emissions. APES operated with an expired air quality permit for several years, putting many Portlanders at risk. This is inexcusable.

On top of that, recent findings published in the Portland Tribune are of grave concern to me, my family, and friends and neighbors who live across N and inner NE Portland. Our health should not be put at risk for corporate profits. It is my understanding that the draft permit for APES would allow as many as 11 pollutants that could cause cancer when emitted into North Portland's air.

I demand the following:

- 1) That DEQ immediately issue a Cease and Desist order to APES.
- 2) That DEQ Issues NO permit until there's an independent investigation of emissions.
- 3) An INDEPENDENT investigation into DEQ as to:
 - A) Why DEQ is allowing dioxin and hexavalent chromium to be emitted into a residential area.

- B) Who was responsible for removing the thermal oxidizers from the facility in 2006.
4) That DEQ issue a citation for those 11 years of federal violations.
5) In the future, that self-reporting not be allowed for APES.

Thank you,

Susan Millhauser

5834 NE 23rd Ave. Portland, OR 97211

27. Tanis Kleckler [tanisnd@gmail.com]

Dear Air Quality Permit Coordinator of Portland,

I am writing to inquire about the failure of APES and ORRCCO to properly utilize filters and have their emissions monitored. Please explain why this has been allowed, and why this has occurred. It has come to my attention that a filter was removed in 2006 with no repercussions, and now 10 years later it is being investigated and required to be replaced!? This is an unacceptable turn around time and response. Please explain why the filter was removed, why this was allowed, and why the response has taken so long.

Please explain why the new permit issued by July 25th allows APES to emit more than 10 times the typical concentration of SO₂ emitted by oil refineries across the country, according to the EPA. Please also explain what is being done to control the emission of each chemical determined to be released into the air which is suspected or known to be harmful to humans or the environment.

Please let North Portland residents know how to support DEQ in their efforts to protect air quality. What happens to all of the calls which are made to DEQ regarding odors? What will be done with the results of the recent study that was conducted on air quality. What follow up testing will be done to assure change? What third party besides the company(s) involved in pollution will be involved in the monitoring and regulatory process? How reliable are the monitoring and filtering and regulatory process that are being chosen?

It was brought to my attention that the new permit allows self-regulation via computer software that the EPA considers outdated and not reliable. What is being done to remedy this situation and why was this even allowed in the first place?

What monitoring is happening for other industries in the area such as the roofing company (Malarkey) on Columbia that is a known polluter?

I look forward to your responses.

Sincerely,
Tanis Kleckler

28. Theodora Tsongas [ttsongas@gmail.com]

To: Air Quality Permit Coordinator

Oregon Department of Environmental Quality

July 3, 2017

Comments on the draft Air Quality Permit for American Petroleum Environmental Services (APES)

I am Dr. Theodora Tsongas, an environmental health scientist/epidemiologist with 40 years' experience with State and Federal public health agencies (Oregon Health Division, Colorado Department of Health, USEPA, USDOL/OSHA) as well as teaching appointments at Portland State University, Washington State University, and the University of Colorado. I am a member of the Environmental Health Working Group of Oregon Physicians for Social Responsibility and Emeritus Member of the American Public Health Association.

I have read the draft air permit for APES and am dismayed that DEQ did not consider control or prevention of releases of toxic air pollutants. With all the recent concern and controversy about Portland's and Oregon's air quality and industrial releases of toxic pollutants, one would think that DEQ would be particularly alert to these concerns from other emission sources. Apparently, odor complaints from the public have been going on for years, but this seems to have been treated like "just an odor problem, just a nuisance". This is an inappropriate response on the part of our air quality control agency. The human sense of smell is an excellent warning system designed to alert people that they are exposed to hazardous materials, and to motivate them to move away from the polluted air. For DEQ to minimize concerns of the public about their health risks seems to abrogate DEQ's responsibility.

Furthermore, for DEQ to say that there is no immediate health risk in response to public concerns is to ignore the weight of scientific data indicating that there is no safe level of exposure to carcinogens, and that the category VOCs (volatile organic compounds) includes numerous cancer causing chemicals. Thus, there IS an immediate health risk, in that very short term or single exposures to cancer causing chemicals, especially to infants and children, can have an immediate impact on their risk of developing cancer in the not too distant future.

Furthermore, VOCs combine with nitrogen oxides and sunlight to form ozone, a serious lung irritant known to exacerbate asthma and chronic obstructive pulmonary disease. The draft permit does not address these potential health impacts nor does it give any indication that the permitted concentrations of emissions from this facility will not continue to put the public at risk of adverse health outcomes. Are these permitted emissions in the public interest?

Moreover, there is no discussion in the permit or accompanying permit review, of toxic air contaminants that are known to be emitted by oil recycling operations. It does not matter if the staff of DEQ do not know whether the chromium emitted is hexavalent or not; it does matter that a good portion of it will be in the hexavalent form, and extremely toxic and carcinogenic, even at very low levels; thus, putting the public at risk of serious health impacts.

It is incumbent upon DEQ to do everything in its power to prevent exposures to toxic and hazardous pollutants. This means demanding compliance with the most stringent requirements and technical standards. Prevention is the most cost effective method of pollution control. If pollution controls make the cost of doing business too high for a company, perhaps it is not worth it to society to continue that business. The health of the community may be too high a price to pay.

Please deny the air permit for American Petroleum Environmental Services as it is inadequate and does not protect the public.

Thank you for considering my comments and concerns.

Theodora Tsongas, PhD, MS

Portland, OR 97215

29. Jan Zweerts [jmzweerts@gmail.com]

Dear DEQ,

I live at 1859 N. Jantzen Ave. inside the Jantzen Beach Moorage. I have experienced the warm weather inversion that concentrates the pollution that comes out of APES and the other oil re-refining site nearby. Permit this facility as clean as possible and test much more often than every two years.

I have inhaled SO₂ before. I went to a hospital for treatment. I do not want to be living near a site that is allowed to put SO₂ into the air higher than anywhere else in the USA.

Fix this properly or I will join with my neighbors fighting this in the courts.

Jan Zweerts-
Jan & Rae near the
Oregon Slough Bridge
MP 8.8 BNSF Fallbridge Div.

30. Sue Dell [s.c.dell@comcast.net]

Regarding the draft air pollution permit for American Petroleum Environmental Services (APES):

The pollution control measures proposed in the APES permit are inadequate for protecting air quality and public health for the following reasons:

- The requirement that the thermal oxidizers remove only 97% of volatile organic compounds is subpar when compared with standard industry practices.
- The permit allows for the annual release of 225g of chromium, which is much too high given the cancer-causing nature of this chemical element in its hexavalent form.
- The permit also allows for the release of sulphur dioxide in amounts far exceeding those of oil refineries across the country.

These are unacceptable levels of toxins for an established residential area that's been here since before APES started operations.

The monitoring requirements outlined in the draft permit are also inadequate:

- Conducting monitoring of APES emissions only once every two years is too infrequent.
- The supplemental computer software designed to calculate emissions has been described as outdated and not reliably functional by the federal Environmental Protection Agency.
- Given APES's history of deception and disregard for community health, much more stringent monitoring standards must be implemented.

The issues outlined above render the proposed air pollution permit for APES lacking and unacceptable from a public health standpoint. Given DEQ's stated mission to be a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water, the residents of Portland deserve much better.

Susanna Dell
2520 N. Halleck St.
Portland, OR 97217

31. Katy Wolf [katyewolf@gmail.com]

Attention Air Quality Permit Coordinator; I join my North Portland neighbors deeply concerned about the new permit allowing APES to emit more than 10 times the typical concentration of SO2 emitted by oil refineries across the country, according to the EPA, and their lack of effective air pollution control devices. Please enforce more restrictive permits and air pollution control devices on this company and others like it so that human health and the environment are protected!!

Katy Wolf
North Portland resident

32. Keith R. [emeraldman1973@msn.com]

I demand a Cease and Desist order for the APES Oil Re-refinery. It has been illegally polluting my neighborhood for too long. I demand that DEQ issues NO permit until there's an independent investigation of emissions. I also demand an INDEPENDENT investigation into DEQ as to:

- 1) Why they are allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013.
- 2) Who was responsible for removing the thermal oxidizers in 2006
- 3) Demand that DEQ issue a citation for those 11 years of federal violations.

33. Carmel Karni [mailto:mel.karni@gmail.com]

To whom it may concern,

I have come to understand that APES permit is up for renewal. APES is a known polluter. I smell the toxic fumes from their factory every day. The fine print of the permit allows APES to continue polluting our air with dioxins, sulfur dioxide and hexavalent chromium that will be emitted at least until 2022. I demand immediate Cease and Desist of this plant. I demand that DEQ Issues NO permit until there's an independent investigation of emissions. In addition, I demand an INDEPENDENT investigation into DEQ as to why you are allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013? and second, who was responsible for removing the thermal oxidizers in 2006? I also demand that DEQ issue a citation for those 11 years of federal violations.

Thanks so much,
carmel Karni, Kenton resident.

34. ineke deruyter [mailto:ideruyter@hotmail.com]

To whom it may concern, As someone who lives in N Portland and has attended meetings with neighbors, U of P staff and DEQ staff, I have been continuously appalled at your lack of concern for

public health issues brought up during those meetings, as well as your extreme disregard for your own rules and regulations pertaining to industry polluters. Now I hear that you have no problems issuing another permit to APES, even though they have broken DEQ safety rules. They have unlawfully removed thermal oxidizers, with your knowledge. This has resulted in even more serious carcinogenic air pollution exposure for the people of Portland. Especially in the neighborhoods bordering this polluter.

I strongly suggest the following:

A: No permits are issued to APES at this time, due to their past cheating and frankly criminal behavior towards regulations protecting Public Health.

B: industry be monitored closely and not self-regulate or self-report, since they have been untrustworthy in the past (to say the least.) Since DEQ has allowed them to practice unsafely, I suggest

C: an independent agency check out both DEQ's and APES' unsavory practices. And last but not least:

D: A CEASE and DESIST order be issued by the governor, to protect Public Health.

DEQ needs to have a firm plan in place to closely monitor and report the amounts of carcinogenic toxins released by APES, and act according to those findings.

At this time we have no idea what is being discharged into our air and lungs.

PEOPLE OVER PROFITS! PUBLIC HEALTH OVER INDUSTRY WEALTH! Thank you,

Ineke Deruyter, Portland, OR 97203.

35. Sunny Petit [sunnynpetit@gmail.com]

Every day I smell the fumes in my front yard, at my kid's school, walking my dog. And every day I hope I can rely that the DEQ is carefully monitoring the emissions causing the odors. Is it cancer causing? Will they cause health hazards? And we know the answers are yes- so what is being done to protect us?

I see the draft APES permit will allow 11 known chemicals to be dispersed in the air that have been PROVEN health hazards. The permit also allows APES to emit more than 10 times the typical concentration of SO₂ emitted by oil refineries across the country, according to the EPA. And, it will only monitor emissions every two years. This is after the plant had taken out the controls in 2006 (which DEQ did not find until 2011- a full five years after) that were supposed to mitigate the chemical emissions. While I understand there was a change in ownership during this time, it does not absolve the company from having a responsibility and obligation to emit known cancer causing chemicals responsibly.

The permit specifies that APES can use a certain type of computer software to calculate emissions, which it must self-report annually. But the EPA says on its website that this software is "outdated" and "not reliably functional," and predicts "additional problems" will surface in the future.

Please insist that the air pollution control measures APES uses are more like the Intel plant which takes out 99% of VOCs (three times less than the 97% APES takes out currently), that the emission software is updated to be more reliant, and that the monitoring happens more than every 2 years.

Air toxics are amazing because they don't just stay in one area. They travel. And you should be worried about your family and friends too, even if you don't live in this area. If I was dealing with dangerous chemicals in my work, I certainly would expect there to be oversight. That is why we have agencies such as DEQ and EPA.

Please reassure this community that you will uphold our health and safety foremost, and reconsider the APES draft permit.

Yours Sincerely,
Sunny Petit
1833 N Webster
Portland, OR 97217

36. Patti Fulcher [patti2portland@gmail.com]

Graham Perkins
1907 North Jantzen Avenue,
Portland, OR 97217
Email: graham.b.perkins@gmail.com
Mobile: 571-224-7514

28th June 2017

NWR Air Quality Permit Coordinator,
Department of Environmental Quality,
700 NE Multnomah St.,
Portland, OR 97232

Subject: Comments regarding the Proposed Air Quality Permit for American
Petroleum Environmental Services

Dear Sir or Madam:

I have been a resident at Jantzen Beach Moorage ("JBMI") for the past three years and a member of the Board of Directors of the homeowners' association since February 2016. I have been aware of the toxic emissions from the APES' facility on North Force Avenue since August 2015.

JBMI is a floating home community comprising 175 single family homes, located in the North Portland Harbor, directly across the southern channel of the Columbia from the APES facility. Depending on the prevailing winds, our community appears to bear the brunt of the toxic emissions from the facility.

Before you make your final decision regarding APES' application for an air quality permit, I request that you respond to the following comments.

Impact of public comment

At the public hearing on 21st June 2017, your representative stated that DEQ has and will consider public comment in its final deliberations regarding the permit. I have no reason to believe that DEQ has ever made a significant change to an application by APES for air quality permit resulting from public comment. Therefore, please list the changes made by DEQ in the application by APES resulting from DEQ's careful consideration of public comment.

Removal of thermal oxidizers in 2006

It is now a matter of public record that the DEQ became aware in 2011 of the removal of thermal oxidizers from the APES' facility in 2006. Please explain why the DEQ has permitted the facility to operate without these critical components in place since the date that you became aware of their removal,

and what enforcement action that you have taken to penalize APES or the owners at the time for this critical default in air quality control. What action has DEQ taken regarding its own organization and procedures to ensure that this failure to safeguard the public health will not happen again, and what action has the DEQ taken to rebuild the public trust following this catastrophic failure to monitor the previous air quality permit?

Independent investigation of emissions

The DEQ has admitted that it does not know with any reasonable level of confidence the full composition of the emissions from the APES' facility. This is especially critical given the company's plans to expand its business at that facility. We are entitled to rely on the DEQ to proactively work with industry to ensure that the full range of potential emissions from a given facility are understood and considered before an air quality permit is approved. Self-monitoring by the applicant is a clear abrogation of the DEQ's responsibility to perform its mission. Please confirm that you will not finalize the air quality permit or allow APES to operate without the completion of a comprehensive and independent evaluation of actual and potential emissions from the facility.

Proposed new pollution control equipment

DEQ has made many references to the voluntary agreement negotiated with APES to install new thermal oxidizers by 25th July 2017. However, the terms of the proposed permit fall far short of standards applied to other oil processing facilities around the country. Please explain why the proposed permit will allow for the new oxidizers to remove only 97% of VOCs when other facilities in the North West are held to a higher standard; please also comment on why the facility will be allowed to emit ten times the level of SO₂ found at oil refineries elsewhere in the USA. Please address the risk of hexavalent chromium being contained in the emissions from APES and what steps DEQ will take to protect the public from exposure to this and similar toxic substances. The fact that we live in a so-called "industrial area" is no excuse for the DEQ to give up its public responsibilities and fail its mission.

DEQ's responsibilities

The DEQ describes itself as "a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water". Kindly explain how this proposed air quality permit conforms to your own published responsibilities. If you cannot be sure that this facility will operate in such a manner as to avoid causing short term aggravation or long term harm to the surrounding residents, then you have no responsible course of action other than to demand its immediate cessation of operations. Trusting that APES will self-monitor and take voluntary action to curb its toxic emissions is extraordinarily naïve. Please confirm that you will consider your public priorities as a state organization and

act in the interest of the citizens of the State of Oregon rather than in the interests of a private company which has a clear record of violating past air quality requirements. I look forward to receiving your responses to these comments.

Yours truly Graham Perkins

37. Michael D. Scott [mscott@soonerhoops.com]

E: Written comments regarding permit application for:

- **American Petroleum Environmental Services (11535 N. Force Ave)**

DEQ Air Quality Permit Coordinator –

I live in Hayden Island's manufactured home community, which is just north of the APES facility. When the wind blows from the south, my neighbors and I are forced to endure the air quality issues (and subsequent impacts to our health) created by one or both of these facilities.

Acute Impacts of Pollution

I personally have respiratory problems (asthma and allergies) – and receive injections every two weeks to help alleviate my symptoms. My symptoms are markedly worse when we get the fumes coming out of those plants. I'm forced to stay inside and avoid most outdoor activities, like using the walking paths that surround our beautiful river.

I'm not alone. As an important source of affordable housing to Portland, our community is home to a disproportionate number of older/elderly people. Both my neighbors are retired, and I'd venture to say that 6 out of the 8 nearest homes on my street are occupied by people over 60. A good number of these folks also have respiratory problems – in fact, I regularly see oxygen delivery trucks on my street!

I'm lucky – I have AC and can stay inside on the worst days. Most of my neighbors don't, and with their oxygen tanks, aren't terribly mobile and have no choice but to breath whatever APES is spewing that day.

Long-term Health Concerns

Paul Kobsertein, an investigative reporter with the Portland Tribune, has consulted an independent environmental analyst to review the proposed APES permit. The analyst, John P. Williams, says the permit allows the emission of up to 16 carcinogens. That laundry list of hazardous compounds is long (see his story in the Tribune), and includes some of the same chemicals that caused neighbors such grave concern around Bullseye Glass. The permit even allows for the emission of pollutants (SO₂) in greater concentrations than regular oil refineries.

Does the DEQ know definitively what chemicals will be emitted? In what concentrations? What their impacts to health are – not just theoretically, but practically?

People Impacted

In the past, DEQ has suggested that APES exists in an industrial part of Portland, implying that it's acceptable for them to emit more pollution given their location. As you surely

know, air pollution doesn't stay where it was created – the wind takes it wherever mother nature sees fit.

Has DEQ completed a census of the those impacted – not just vulnerable populations (children, elderly, disabled), but also “otherwise healthy” residents would suffer longer-term, life-ending health impairments? Does the DEQ use appropriate meteorological factors in their conclusions, such as the air stagnation that happens at certain times of the year (which can make concentrations dangerously higher)?

Inter-state Pollution, Impact on Future Development

I live on the very north side of Hayden Island – literally on the riverbank of the main channel. Sitting in my living room on my sofa, every day I watch the construction work on Vancouver's \$1.5 billion waterfront redevelopment. The first phase of the project is construction of a one-of-a-kind pier and a new park, set to open next summer. According to the city of Vancouver, this redevelopment will eventually include up to 3,300 residential units, 1 million square feet of office space, and new space for retail/shopping.

If I'm impacted from APES' pollution, all the people living, playing, and working on the Washington side of the riverbank will have to deal with some of it as well. They don't live/work/and play there yet... but they will before the new APES permit expires in 2022. And unlike a lot of the vulnerable and disadvantaged folks who live in my manufactured home community, all the new waterfront residents and shop owners will have money, clout, and high degree of visibility.

Has the DEQ quantified any liability the State of Oregon may have in permitting a plant that creates inter-state pollution? More generally, does DEQ understand how APES' pollution will impact future residents and business owners on the Washington and Oregon riverfronts?

Rebuilding Trust

During the cold war, Russia had a history of lies, deception, and broken promises – giving rise to the phrase Ronald Regan made famous: “trust, but verify.” Our community must take the same approach with APES and DEQ. Although Mike Mazza has made recent (and commendable!) efforts to remedy APES' past transgressions, more work is needed to ensure a relationship of trust is rebuilt. To recap:

- 1) The plant's previous emissions control equipment was removed unlawfully in 2006. Although it was removed under a previous owner, the current ownership didn't perform the necessary due diligence to ensure the plant was operating lawfully – something any responsible business owner would undertake before making that investment.
- 2) Between taking possession of the plant in 2009 until the DEQ inspection in 2011, current ownership either didn't know the plant was operating unlawfully, or knew and took no action (such as self reporting).

3) After knowing the emission control equipment was missing, APES talked down the potential for VOC and odor emissions, only recently admitting that the plant was at least partially responsible.

If self-reporting and lax inspections have been insufficient in the past, why is saying "this time will be different!" acceptable today? If the emission control equipment stops working and it goes undetected or unreported for two years – the time between required DEQ inspections – what health risk does that mean to the public?

Conclusion

If DEQ undertakes a careful and thorough evaluation of all the points listed above, I believe you'll reach only one conclusion: **more answers are needed, and ultimately, you can do better than what's reflected in the proposed permit. You must do better!**

Thank you for your consideration.

Michael Scott 2331 N. Menzies Ct,

Portland, OR 97217

38. Raelyn Hovig

My name is Raelyn Hovig. I strongly request an expansion permit request by American Petroleum Environmental Service, Inc. (APES) be denied.

I demand an immediate Cease and Desist.

I demand that DEQ Issues NO permit until there's an independent investigation of omissions.

Thank you.

Raelyn

39. judy [judychapman@earthlink.net]

I am a resident of Hayden Island. We purchased our home here because we appreciate the natural environment in which we live. All except the noxious and dangerous fumes from the nearby APES facility.

We have been to meetings, we have emailed your department and provided a narrative as to how this facility negatively impacts our ability to lead normal, healthy lives. We have been yelling into a vacuum. For all intents and purposes, your people, your processes, and your politics appear to render myself and my neighbors invisible.

So, to be specific, we insist you issue an immediate CEASE AND DESIST to APES, who if you are accountable to the people of Oregon (and I find that, based on your agency's behavior, you feel you aren't) this should have been done years ago.

We also insist you DO NOT ISSUE ANY PERMITS to APES until an independent evaluation regarding emissions is completed and MADE PUBLIC.

We would also insist on an independent investigation into the DEQ for the following reasons:

Why is your agency allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013?

Who was responsible for removing the thermal oxidizers from the facility's stack in 2006?

APES has been a GROSS POLLUTER for 11 years, yet the DEQ have never issued a citation in 11 years. Why is that? I get it. You don't live here, so you don't care what happens to us. But our lives hang in the balance. Can you really look in our eyes and tell us there isn't any danger? Of course you can't and you won't.

People are fed up. If your agency doesn't have the wherewithal to stop companies like APES and ORRICO, then you should fold up your tent. The Government works FOR the people, not AGAINST them.

Frankly, you should all be ashamed of yourselves.

An unhappy resident, Judy Chapman

40. CHRIS LAWSON [christinelawson@me.com]

Hello,

My family and I live in North Portland overlooking Swan Island. There are days that I open my door to horrible foul odors to the point that I don't even want to walk my dog, let alone let the kids play outside. Sometimes we wake in the middle of the night choking on toxic smells. Even when the harsh smells subside, I worry about the chemicals being emitted that we can't smell. I understand that the likely source of these smells are APES and Oil Re-Refining Co. (ORRCO). I've complained before, still I fear nothing is being done. Instead, I hear that a new permit is being issued to one of the culprits I'm writing to you to plead for further review of the permit that allows the plant to release carcinogenic chemicals that we can't smell (arsenic, beryllium, cadmium, nickel, ethylbenzene, formaldehyde, naphthalene and hexavalent chromium) In addition to the potential discharge of the carcinogens dioxin, PCBs and benzene!

Before issuing this permit, there needs to be higher standards for the pollution control equipment and strict testing.

Please help us.
Sincerely,
Chris Lawson
North Portland Resident
503.784.4760

41. Aaron Allen LMT [aaronallenlmt@gmail.com]
To whom it may concern,

I am writing as a North Portland resident who has been directly effected by the air quality, as my wife developed asthma shortly after moving to North Portland.

We regularly smell the sulfurous discharges which have now been traced to the APES facility as per this article in the Portland Tribune;

<http://portlandtribune.com/pt/9-news/364466-244751-oil-recycler-permit-shows-it-emits-more-than-foul-odors>

We are deeply angered to learn that APES has been allowed to pollute highly toxic and known carcinogenic chemicals into our neighborhood for many years, but were incensed to learn that for their malfeasance they are being offered a permit to continue emitting carcinogenic chemicals at levels 10 times the national average.

It was even further insult to learn that this leniency is being granted though the DEQ found that the company has flouted existing regulation by illegally removing required air quality safety equipment and not maintaining existing permitting requirements.

I am asking that the city/state revoke any/all permits for this reckless business operation and deny the concept of "self regulation" that this new permit would allow. The EPA says on its website that the software this new permit would allow the company to use to test air quality is "outdated" and "not reliably functional," and predicts "additional problems" will surface in the future."

Please deny the issue of any further permits to this company until the public safety has been ensured.

Sincerely Aaron Allen 2544 N Killingsworth Ave Pdx 97217 503 206 6356

42. Cheri Calvert [<mailto:cheri@chericalvert.com>]

I am a property owner on Hayden Island and have been experiencing toxic air for a number of years now. Allowing the APES plant to continue to burn waste oil that emits toxic chromium, arsenic, lead, cadmium, PCBs and a category of chlorinated chemicals know as halogens into the air in Portland is dangerous and unconscionable. I expect better protection from our Environmental Protection Agency employees and from the State of Oregon.

This facility needs to be shut down immediately with an independent investigation. Obviously, the self-monitoring is not working.

Please help to prioritize our air quality and health above corporate profits.

Cheryl D Calvert
444 N Hayden Bay Drive
Portland, OR 97217

43. Adair Chappell [<mailto:adairchappell@hotmail.com>]

Dear Permit Gods,

My name is Adair Tamblyn and along with The Bridgeton Neighborhood Association (BNA) board and all the residents including many school children we are strongly requesting an expansion permit request by American Petroleum Environmental Service, Inc. (APES) be denied.

1. **We demand an immediate Cease and Desist.**
2. **We demand that DEQ Issues NO permit until there's an independent investigation of omissions.**
3. **We demand an INDEPENDENT investigation into DEQ as to:**

A) Why they are allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013?

B) Who was responsible for removing the thermal oxidizers in 2006?

4. **We demand that DEQ issue a citation for those 11 years of violations.**

The BNA Board is recommending the permit be denied based on these facts:

- APES is out of compliance and in default on most of their operating permits including air, water discharge, and wastewater discharge.
- DEQ recently entered into a Mutual Agreement and Final Order (MAO) with APES/Clearlube that allows an experimental sulfonation process, that has not be used before, putting the public at further risk.
- In 2006, APES illegally removed emission control devices, although their permit requires it. Citizens have been subjected to oil refining toxic emissions despite making thousands of complaints.
- In 2011, DEQ learned of the illegal emission control device removal but did nothing about it.
- DEQ chose not to reveal that information to the public until August 2016!
- APES uses dirty diesel oil as a source of fuel to process their used oil.
- APES stores unsecured, vulnerable tanks of illegal PCBs.

Plus, the fact that people are sick from breathing these toxic fumes.

I expect and look forward to your denying the permits and your response.

Thank you.

Adair Tamblyn 322 N Bridgeton Road Pdx 97217

44. [\[mailto:suzanneclarke@gmail.com\]](mailto:suzanneclarke@gmail.com)

It is the DEQ's duty to not issue the APES permit.

The DEQ's mission statement: "To be a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water."

Knowing that APES puts 11 carcinogens into my neighborhood air, how can the DEQ approve the company's permit. The permit allows the plant to release as many as eight other carcinogenic chemicals, including arsenic, beryllium, cadmium, nickel, ethylbenzene, formaldehyde, naphthalene and possibly hexavalent chromium?

Please stop allowing companies to poison our neighborhoods. I ask you this: If you lived next door to the Suzanne Clarke

North Portland Resident

503-442-7823

45. Deborah Solheim [\[deborahsolheim@gmail.com\]](mailto:deborahsolheim@gmail.com)

Come on!!

The word is getting out and neighbors are done asking nicely.

Next is lawsuits. Do you care????

Deborah Solheim

Portland, Oregon

46. Breanna Romer [\[mailto:breannar@outsidein.org\]](mailto:breannar@outsidein.org)

Hello -

My family, neighbors and I have serious concerns about the operation at APES and the public health impact it is having on North Portland.

I am demanding an immediate cease and desist, and I am requesting that no permit be given to APES until an independent investigation into the questions of criminality on the part of APES be thoroughly investigated.

Why were the thermal oxidizers removed? Who was responsible?

Why did DEQ allow them to operate after removal for 11 years with no citation?

Why is the DEQ allowing dioxin and hexavalent chromium to be emitted into a residential neighborhood?

The following article in the Portland Tribune raises a number of questions and possible illegalities conducted on the part of APES at the expense of public health.

<http://portlandtribune.com/pt/9-news/364466-244751-oil-recycler-permit-shows-it-emits-more-than-foul-odors>

I am very concerned about this matter and will be staying abreast of the decisions being made.

Sincerely,

Breanna Romer, Kenton

47. seclarkepx . [suzanneclarke@gmail.com]

APES plant, would you still renew its permit?

It is the DEQ's duty to not issue the APES permit.

The DEQ's mission statement: "To be a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water."

Knowing that APES puts 11 carcinogens into my neighborhood air, how can the DEQ approve the company's permit. The permit allows the plant to release as many as eight other carcinogenic chemicals, including arsenic, beryllium, cadmium, nickel, ethylbenzene, formaldehyde, naphthalene and possibly hexavalent chromium?

Please stop allowing companies to poison our neighborhoods. I ask you this: If you lived next door to the APES plant, would you still renew its permit?

48. Bridget Towles [mailto:bridget.info@gmail.com]

As a resident of north Portland and owner of a preschool with 40 kids in attendance (and their families in the community) - I urge you to shut down APES or at least require better pollutant control.

I'm appalled that the pollution has gone unhindered by DEQ for so many years. Please think of our environment and the all Of the people and creatures who live in the area.

I cannot fathom why this toxic pollution would continue to be allowed.

Sincerely,

Bridget Towles, Director

B's Preschool

49. Ann Neuenschwander [annaroo82@gmail.com]

Dear Permit Gods,

My name is Ann Neuenschwander and along with The Bridgeton Neighborhood Association (BNA) board and all the residents including many school children we are strongly requesting an expansion permit request by American Petroleum Environmental Service, Inc. (APES) be denied.

1. **We** demand an immediate Cease and Desist.
2. **We** demand that DEQ Issues NO permit until there's an independent investigation of omissions.
3. **We** demand an INDEPENDENT investigation into DEQ as to:

A) Why they are allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013?

B) Who was responsible for removing the thermal oxidizers in 2006?

4. **We demand that DEQ issue a citation for those 11 years of violations.**

The BNA Board is recommending the permit be denied based on these facts:

- APES is out of compliance and in default on most of their operating permits including air, water discharge, and wastewater discharge.
- DEQ recently entered into a Mutual Agreement and Final Order (MAO) with APES/Clearlube that allows an experimental sulfonation process, that has not be used before, putting the public at further risk.
- In 2006, APES illegally removed emission control devices, although their permit requires it. Citizens have been subjected to oil refining toxic emissions despite making thousands of complaints.
- In 2011, DEQ learned of the illegal emission control device removal but did nothing about it.
- DEQ chose not to reveal that information to the public until August 2016!
- APES uses dirty diesel oil as a source of fuel to process their used oil.
- APES stores unsecured, vulnerable tanks of illegal PCBs.

Plus, the fact that people are sick from breathing these toxic fumes.

I expect and look forward to your denying the permits and your response.

Thank you.

Ann Neuenschwander
104 NE Bridgeton Road
Portland, OR 97217

50. Heather Torain [hdtorain@yahoo.com]

To Whom It May Concern:

I have lived in the Overlook neighborhood in North Portland since 2005. Since moving here, on many occasions, I have smelled a strong sulfuric odor that makes it difficult to breathe. This morning, I was awoken from my sleep by such an odor. It usually lasts several hours, and during this entire time I am reluctant to take a full breath because my body does not want this air...but there is no other air! This issue is especially noticeable in the summertime, when windows are open and no filter exists between the outside air and my family. I am raising two children in this neighborhood, and there are lots of other families here, as well. I often wonder if we can smell these noxious fumes, what else is in the air that we cannot smell?

I have recently learned that the DEQ has determined that APES and another nearby used-oil refinery, Oil Re-Refining Co. (ORRCO), have been the likely sources of these odors, and that the emissions include up to 11 known carcinogens. I also recently learned that the DEQ has issued a draft permit to APES, but that this permit does nothing to quell the air pollution caused by this business. As a taxpayer and homeowner whose family's health is directly affected by this situation, I am deeply disturbed that these companies may continue polluting the air of my community. According to a Portland Tribune article, "the new permit (issued by 7/25) allows APES to emit more than 10 times the typical concentration of SO2 emitted by oil refineries across the country, according to the EPA." This is unacceptable, and needs to be addressed.

I appreciate your time and attention to this matter, and look forward to news of stricter air quality standards being enforced. The health of our community depends on it.

Thank you for your time.
Sincerely,
Heather Torain

51. Jan Roxburgh [hummingbirdzoo@yahoo.com]

Open Letter Concerning Air Contamination Permit 26-3021-ST-01,
Solid Waste Disposal Site Permit SWDP 1591,
The DEQ and Portland Oil Re-Refining Facilities.

Portland residents, especially those on and near Hayden Island, are asking for help concerning a serious oil pollution/air contamination problem which has been traced to oil re-refineries, in particular American Petroleum Environmental Services (APES), operating within the Portland city boundaries. Overpowering toxic oil re-refinery emissions contaminating the air have been happening for years, at any time of day or night, any time of year, and sometimes lasting for hours.

DEQ has been involved in trying to resolve this air pollution situation, but years have come and gone and there has been no resolution. Residents have repeatedly reached out to DEQ, to APES and another nearby, Oil Re-Refining Company, Inc (ORRCO), and pleaded with DEQ and the oil re-refinery company owners without success. There has been repeated rule-breaking by these companies, including operating with very expired permits. (Incredibly it appears that DEQ is poised to issue DEQ permits to these companies in spite of all the air quality problems, and basically allow the companies to self report on how well they are doing.) A huge concern has been that APES have not been using a thermal oxidizer that would have helped deal with some of the toxic air pollution. An oil re-refinery representative told me on June 21st this year that it had never been installed, and had gone to another facility! APES also apparently want to expand their business here in town. This is a frightening thought since it would result in even more toxic chemicals being emitted into the air even with some of the changes the facilities are being forced or asked to make. Sadly industry profits have been coming before the health of the people.

I understand that although oil comes from the ground, it is not good for the environment to simply put dirty oil into landfills. However, emitting these toxic chemicals into the air that we all breathe is far worse! These airborne waste oil emissions have been causing severe respiratory distress, headaches, nose-bleeds, nausea, difficulty concentrating, and other health issues for residents. There are really serious community concerns about the increased cancer risks.

To try to help describe what can happen to residents and visitors here, several times my husband and I have been at the busy local Jantzen Beach Shopping Center when the oil emissions suddenly arrived on a southerly breeze and the fumes just hung around. When we discussed this disturbing occurrence with other people, we were informed that there have even been evacuations from commercial buildings here on Hayden Island because of this. Extremely concerning was hearing about parents and children playing team sports at nearby Delta Park feeling sickened by these powerful toxic fumes that arrived without warning in the air. Our local Hayden Island fire station gets numerous calls because of residents/visitors worried about these strong oil fumes asking if there is a chemical leak or some possibility of an explosion. It is frustrating for our overworked firemen because they can't fix the problem. What the oil re-refineries are doing to the air is affecting the quality of life for a lot of people. Personally I feel we are being poisoned, and it is known that the effects of these toxins on the body are accumulative.

Sadly what these Portland oil re-refineries are doing is hiding behind a green mask. They are not running a GREEN environmentally-friendly business by recycling, as they like to believe they are. They are negatively impacting the health of whole communities and damaging the environment.

Our society is currently oil dependent, and we are learning from our mistakes about consequences. We all need to be much more environmentally responsible regarding how we manage the whole chain of fossil fuels or else it will come back and haunt us. Some industry permits may need to be denied. Some companies may need to move away from populated or sensitive areas.

With health care being firmly on so many minds right now, prevention of illness and disease needs to be looked at very closely. It is known that cleaner air will prevent a lot of illness, and therefore cleaner air should help keep medical costs down. We need to do all that can possibly be done to safeguard the quality of the air we breathe and the health of Portland residents. What can be done to stop the toxic air pollution that comes from the oil re-refineries here and is making people sick? Do they need to be and could they be shut down? Thank you for reading these comments.

Sincerely,

Janet Roxburgh
1503 North Hayden Island Drive, #860
Portland, OR 97217

6/30/2017

52. Hymansmith, Matthew P [matthew.p.hymansmith@intel.com]

I am writing in response to the draft air pollution permit for American Petroleum Environmental Services in Portland. Upon review of the drafter permit, it is clear that the requirements are much too loose to effectively protect residents of North Portland – including myself, my partner, and my 15 month old daughter - from damage to their health. Further, the draft permit holds American Petroleum Environmental Services to much weaker emissions requirements than industry standards. For instance, VOC emission reduction should be enforced at 99%, not 97% as per the draft permit. Additionally, SO2 allowable emissions should be reduced 10-fold. Finally, the lack of requirement of limiting hexavalent chromium emissions is extremely troubling. American Petroleum Environmental Services should be required to reach state of the art control limits for chromium, and hexavalent chromium, in particular. As it is drafted now, the permit places no limits on hexavalent chromium. Finally, given the harm that the pollutants emitted by American Petroleum Environmental Services can cause, testing frequency must be improved – 2 years is far too long to go between testing. A testing frequency of 3 months is much more appropriate, although monthly is desired to provide more complete data.

I appreciate your time.

Sincerely,

Matthew Hymansmith, PhD

53. Mulya Melco [asylum@mulya.org]

Dear Air Quality Permit Coordinator,

I'm writing to express my concern about pollution in North Portland and to demand an immediate end to toxic emissions until robust pollution control measures can be put in place. I am also concerned about the lack of public notice about carcinogens allowed in the new permit.

The air pollution permits for oil recyclers like APES and ORRCO and other industries need to be protective of human health and the environment. The current drafts are unacceptable. I echo other citizen's calls to the governor to issue a cease and desist order for APES and an investigation of their emissions and DEQ's history of inaction on this issue.

As a parent and citizen of Portland, improving our air quality is of great importance to me, my family and neighbors.

Thank you for your time,

Mulya Melco,

North Portland, Overlook Neighborhood

54. Heather Torain [hdtorain@yahoo.com]

To Whom It May Concern:

I have lived in the Overlook neighborhood in North Portland since 2005. Since moving here, on many occasions, I have smelled a strong sulfuric odor that makes it difficult to breathe. This morning, I was awoken from my sleep by such an odor. It usually lasts several hours, and during this entire time I am reluctant to take a full breath because my body does not want this air...but there is no other air! This issue is especially noticeable in the summertime, when windows are open and no filter exists between the outside air and my family. I am raising two children in this neighborhood, and there are lots of other families here, as well. I often wonder if we can smell these noxious fumes, what else is in the air that we cannot smell?

I have recently learned that the DEQ has determined that APES and another nearby used-oil refinery, Oil Refining Co. (ORRCO), have been the likely sources of these odors, and that the emissions include up to 11 known carcinogens. I also recently learned that the DEQ has issued a draft permit to APES, but that this permit does nothing to quell the air pollution caused by this business. As a taxpayer and homeowner whose family's health is directly affected by this situation, I am deeply disturbed that these companies may continue polluting the air of my community. According to a Portland Tribune article, "the new permit (issued by 7/25) allows APES to emit more than 10 times the typical concentration of SO2 emitted by oil refineries across the country, according to the EPA." This is unacceptable, and needs to be addressed.

I appreciate your time and attention to this matter, and look forward to news of stricter air quality standards being enforced. The health of our community depends on it.

Thank you for your time.

Sincerely,

Heather Torain

55. Linda Kadas [lindakadas@gmail.com]

Having read the article from the Portland Tribune, "Oil Recycler Permit Shows It Emits More Than Foul Odors", I feel I have lost confidence in the DEQs ability to protect Oregonians from toxins in our air. Residents should not have to inhale the emissions from APES. The health as well as the quality of life of Oregonians should be of the greatest importance to DEQ. My alarm and disgust is divided between businesses that appear to not care about what they are putting into the air...and DEQ with its seemingly ineptness to protect Oregonians.

In the case of APES, there has been a history of complaints of foul air in the area, and DEQ has just recently discovered one source (are there others?). APES shocking disregard for the law when they removed thermal oxidizers in 2006 is only surpassed by DEQs woeful lack of awareness until 2011 and then subsequent lack of action until recently.

The recent (what I feel is ill-conceived) draft permit issued for APES apparently allows 8+ possible cancer-causing pollutants (arsenic, beryllium, cadmium, nickel, ethylbenzene, formaldehyde, naphthalene and possibly hexavalent chromium) along with dioxin, PCBs and benzene which reportedly may be formed during the burning of waste oils as a result of incomplete combustion. Requirements put forward from DEQ to APES are substandard, requiring removal of only 97 percent volatile organic compounds as compared to 99 percent required for devices of other plants (e.g. Intel's Ronler Acres). Also the new permit allows APES to emit more than 10 times the typical concentration of SO2 emitted by oil refineries across the country, according to EPA. None of this should be acceptable to the well-being of Oregonians. And, why-oh-why, with APES history, would monitoring only be required every 2 years??? The EPA apparently believes that computer software DEQ deems adequate for self-monitoring would not be accurate or reliable.

If you cannot guarantee the cleanest possible air for Oregonians, then the only option should be shutting down the facility from which the emissions come.

Sincerely,

Linda Kadas

56. Katherine N [songkat48@gmail.com] June 30, 2017

Air Quality Permit Coordinator

700 NE Multnomah Street, Suite 600

Portland, OR 97232

RE: Public Comment for APES Permit

Since protecting the public IS or SHOULD BE DEQ's highest priority, a permit should NOT be extended to American Petroleum (APES) due to the permit language's loopholes and lack of public protection against the heavy pollution issues. Stating that there was "no serious danger to public health, safety or to the environment" is in direct opposition to Governor Kate Brown's policy supporting the Paris Agreement.

DEQ needs to look at long term effects rather than short term haphazard measurements. In investigative writer Paul Koberstein's Tribune article front this week "Oil Recycler permit shows it emits more than foul odors" <http://portlandtribune.com/pt/9-news/364466-244751-oil-recycler-permit-shows-it-emits-more-than-foul-odors> it is revealed that APES software calculations of emissions are out of date. "Companies that rely on this tool for calculating emissions no longer have an accurate reliable way of doing so" states John P Williams, expert consultant on industrial pollution. He states further than more than 11 pollutants allowed under this permit could be a cancer cause in North Portland.

There is "imminent and substantial endangerment to the health of persons" and Gov. Brown needs to issue a Cease and Desist Order (ORS 468.115). New data showing the combining of certain chemicals such as benzene and PCBs when not burned at a high enough temperature can create one of the most toxic chemicals of all: dioxin.

"The EPA considers dioxin to be the most carcinogenic substance in the environment, dangerous even in extremely small quantities. "A peanut butter jar full of dioxin would be enough to kill the entire planet," per J. Williams.

An independent investigation needs to be in place to measure the data without the lobby efforts of Association of Oregon Industries. APES should be reclassified and held to higher emission control standards as a Title V facility rather than a simple permit for Air Contaminant Discharge. Since technology is now available, APES should be required to clean up almost 100%; waste oil processing temperature settings need to be 1600F and self reporting is not adequate (ie the fox guarding the hen house) but weekly random visits by DEQ should be done along with real fines for violation of the provisions. Stack monitoring at the source must be done rather than random air gathering by community members since that gives a very small slice of what's being emitted. Use your DEQ authority (OAR 340-216-0082) to issue a CEASE & DESIST order (ORS 468.115) when there is *"imminent and substantial endangerment to the health of persons."*

APES must be held to business standards that do not harm the community's health. Given the information on 16 carcinogens previously undisclosed, including hexavalent chromium and dioxin, a permit should NOT be issued.

Respectfully submitted

Katherine Nitsch

15706 NE 28th Court Vancouver WA

57. Karla Davis [cnkonriver@q.com]

Please care about us, the air, the environment, water quality and all the animals and other wildlife that live in the vicinity of North Portland. Cease and desist until it's proven to all that the noxious and deadly emitted gases are mitigated. We have put up with these smoke screens too long. It's time to get serious and get with the program of doing your job. We are suffering and who knows what the long term effects are. Scary.

Karla Davis
503 252-2324
1973 N. Jantzen Ave
Portland, Oregon

58. Julie Turner-Spellman [Jaztral@msn.com]

Along with my neighbors on Bridgeton Rd.

1) We demand that DEQ issue no permit until there's an independent investigation of omissions.

2) Demand an immediate cease and desist

3) Demand an independent investigation into DEQ as

A) why they are allowing dioxin and hexavalent chromium to be emitted into a Residential area that's been there before (APES) started operating in 2013

B) who was responsible for removing the thermal oxidizers in 2006

4) demand that DEQ issue a citation for the years of violations

The disgusting smell of these wastes was brought to our attention on TV as people were sickened with headaches and taken to the hospital. I have smelled these horrible odors for years.

Thank you for your attention to this serious matter.

Julie Turner-Spellman

59. Jared Peacock [jaredcpeacock@gmail.com]

As a North Portland resident and father of a 4 month old girl, I have more questions and concerns than have been addressed regarding this permit, which I'll address below:

1) I request an immediate Cease and Desist for all petroleum product refinery processes by APE until it can be reasonably assessed that there are controls in place to severely limit, if not completely stop, any and all air pollution toxic to the North Portland community.

2) I request that DEQ DOES NOT issue a permit to APES until there's an independent investigation of emissions.

3) This independent review should examine:

A) Why APES and DEQ are allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there long before APES started operating.

B) Who was responsible for removing the thermal oxidizers in 2006.

4) I also request that DEQ issue a citation for the 11 years of violations that APES has committed, causing unimaginable damage to the health and safety of our community, especially our children, elderly and sick

61. Scott Huff [scotthuff29@gmail.com]

Oregon DEQ,

Regarding American Petroleum Environmental Services (APES), I urge you to take the following steps.

- Shut down the operation until a full investigation of its air pollution impact is completed and satisfactory steps are taken to insure the health and safety of the public.
- Retain an outside firm or organization to conduct that investigation so that it is independent of the DEQ.
- Issue no new permit until that investigation is complete and recommended emission treatment improvements are in place.

- Explain why high levels of hexavalent chromium and dioxins were allowed to be emitted for years.
- Release the names of those at APES or its predecessor company who were responsible for removing thermal oxidizers a decade ago, along with names of those at DEQ who allowed the operation to continue once the removal was discovered.
- Issue citations for emission violations through the years that were never cited.

The health and safety of the public must be first and foremost in the actions of the DEQ.

Regards,

Scott Huff
619 N Tomahawk Island Dr, Portland, OR 97217

61. Jeff Oswald [jeffos2000@hotmail.com]

My wife and I have been residents of Hayden Island since 2016. We frequently suffer through the terrible odors that American Petroleum Environmental Services and Oil Re-refining Company are responsible for. <http://www.oregon.gov/deq/Programs/Pages/NP-Odor-Investigation.aspx>

These odors cause difficulty breathing, headaches, and make it simply unbearable to be outside. I am even more concerned with the large amount of VOCs released and the impact on our long term health.

Based on the unauthorized removal of the thermal oxidizers from the APES facility in 2006 and the owner's denial of the source of the odors, APES has demonstrated a flippant attitude toward DEQ, the environment, and the public. We have a chance to set things right with the new Air Quality permit. We need to ensure that the most stringent restrictions are in place in the Air Quality Permit. We need to ensure that air quality testing is done at the source by DEQ. We cannot trust APES to be completely truthful or report everything that is not in their best interest. We need to ensure that testing is done more frequently than every 24 months. We simply can't have ~2 years of pollutants silently making us sick waiting on the next test.

I hope that DEQ will work to solve this issue once and for all and hold APES accountable. This is our time to show that Oregon really does care about the environment and our health.

Thank you, Jeff Oswald

62. Sheryl Eaton [muffingolf@gmail.com] Please, please, please deny the permit to this company which is poisoning our air with cancer causing chemicals. Besides the stench & nose burning headaches, You are killing us here in North Portland! Thank you & will appreciate a response Sheryl Eaton 1877 N Jantzen Av Pdx 97217

63. Michelle Harper [harpermichelle.m@gmail.com]

I am a homeowner at the Mews at North Harbour Condominiums. I am very much opposed to the DEQ giving a permit to APES and ORCCO companies. The toxicity emitted is a hazard for the neighborhood and wildlife. Living near the river is a wonderful treasure because of the natural environment. It is everyone's responsibility to be the protector and stewards of the environment now and the future. I urge you to not approve their requests for permit. Thank you.

Michelle M. Harper Mews at North Harbour Condominiums #12Portland, Oregon 97217

64. Eric Sloan [Eric.Sloan@sbco.com]

My name is Eric Sloan. I live on Montana ave in North Portland.

In the evenings in the summer, I have been woken up countless times by a foul odor that is so strong it makes my eyes burn, and makes me feel sick. My bedroom is on the third floor of my house, and I suspect that light evening breezes from the NW are bringing dangerous fumes directly from the stack at Apes into my bedroom window.

There have been circumstances in which the oily pungent odor is so strong that I cannot enjoy the comfort of my own home. Once the odor is in the house, it can take hours to remove (assuming the smell is gone from the neighborhood). The smell pools in areas in the house with stale air. When I first moved in to the house, I thought there was a gas leak in the neighborhood. It was really scary. Since the smell comes in the night time, there is nothing I can do to stop it. Most houses in Portland do not have AC, and as the summers have been getting hotter, it is necessary to open windows at night to cool them off. Over the years I have come to realize that I am not the only one dealing with this. I have been following the reporting regarding the APES pollution discoveries, and DEQs inability or unwillingness to help citizens identify and solve the problem. I am aware the NW Natural began their own investigation because they were tired of getting calls about a gas leak, and their conclusion was that the source of the smell was APES.

I have been walking my dog at the PIR dog park, and smelled the same odor so strong I had to leave – again wind from the North. That is when I realized that the smell at my house was coming from APES.

I work in oil refineries for a living. I understand the dangers of exposure to VOCs. In all of the refineries I have been to, they are required to flare, or burn these harmful gasses, because they cause cancer and reproductive harm, and likely a lot of other issues. These chemicals are killers, and it can be years before they cause death. Those deaths are usually horrible and painful. Because I live in this area, I may face that fate.

DEQ is responsible for regulating these industries. If I die from exposure to these toxic chemicals, I hold DEQ partially responsible. You are asleep, (or drunk) at the wheel.

The proposed permit amounts that are under review are not sufficient to protect the health and safety of the community.

APES and ORRCO are gassing us. It is a crime. We will not be silent. Do the right thing, or face the consequences.

I will be sending this letter to the Governor as well. Whether DEQ is just incompetent or is actually corrupt is yet to be determined, but it is my hope that she gets you sorted out.

Sincerely,
Eric Sloan

65. Jessica [pdxjess@gmail.com]

This is in regards to the upcoming APES permit and future permits for ORRCO or APES. I am concerned for the health of our North Portland community and our livability. These refineries should not exist so close to residential areas. You need to not renew their permits and have them shut down.

It is awful to live exposed to any disgusting industrial odors. It ruins the livability of our neighborhood and we are unable to enjoy our own yards and beautiful parks. These industries are not abiding by the odor nuisance laws.

Of an even bigger concern, it is maddening that these odors are likely causing cancers. This is unlawful and we are expecting you, our government, to protect us from this type of violation, not allowing it!!

Every aspect involved in refining petroleum is inherently dangerous, carcinogenic and poisonous, whether you can smell it or not
Put a stop to this!
Concerned citizen,
Jessica Niggemann

66. Ron Schmidt [ronspdxus@gmail.com]

As a long term resident of Oregon, Portland and Hayden Island and one committed to and involved in the betterment of our state, city and local area (I am President of the Waterfront Organizations of Oregon, past Chair and current Director of the City of Portland recognized and supported Neighborhood Association HINooN, Portland City Council appointed member of Citizens' Noise Advisory Committee and more), I request that you focus hard on protecting our environment and our people in your decision making processes erring on the side of safety and health. I attached a recent neighbor's request to you which I support and ask that you refuse any permit - new or renewal - from those who contaminate our air, water and land. This includes APES, American Recyclers and others.

Granting a license to American Petroleum Services, Inc., (APES) to expand their operation goes counter to Portland (Oregon) City Council's resolution No. 37168, passed in a unanimous vote, which opposed the expansion of fossil fuel infrastructure in the city and its adjacent waterways. This resolution (Binding City Policy BCP-ENN-10.02) was adopted by Portland (Oregon) City Council November 12, 2015.

Granting of this license would also play into APES' intentions to continue running their Force Avenue facility in flagrant violation of industry best practices, and on expired permits, while we, the ever-searching-for-breathable-air public must continue to suffer whenever APES' suffocating plume, a toxic freshly-prepared cocktail of VOCs, and potentially toxic dust, is blown our way by prevailing winds. A southerly wind brings this toxic soup to Hayden Island, resulting in residents trying to shelter indoors, and sometimes resulting in evacuation of Jantzen Beach Shopping Center stores who have more than once identified the stench as a gas leak. In addition, more than a few times residents of Hayden Island have awoken in the early morning to symptoms such as bleeding nose, respiratory distress, nausea, vomiting, loss of concentration, head aches, and panic attacks. These are not good things to have happen within Portland City limits, a city which perhaps in light of these reports, apparently does not take care of its citizens nearly as well as it would like to think it does.

APES' continued spewing of unfiltered and un-oxidized emissions caused by their unilateral removal of emission control equipment is an egregious offense to the health and wellbeing of the residents of North Portland. Mike Mazza of APES (same person as Mike Mazza of previous company, American Recycler, that operated the same facility, and soon to be Mike Mazza of Clear Lube?) wants to expand his business using an untested technology for sulfur removal. Any expansion would be in clear violation of BCP-ENN-10.02.

Moreover, given that APES has been unable to run a closed system, or even revert back to their previously somewhat closed configuration, and despite their huge volume of lip-service to the concept, and because national oil production has peaked at levels far above our national needs, the economic driving force for the re-refining of oil products has arguably largely disappeared, and would, I believe, completely disappear, if the cost of effective emission control, and the cost to the community of consequent medical care were taken into account.

Better for the health of the planet and its citizens, that spent oil is returned to the oil fields from whence it came, rather than have a significant portion of the fraction that is not wanted, sent "away" by spewing it into the air for all to breathe, causing ill health and who knows how many asthmas, heart problems, and cancers. Our overcrowded planet is now more finite than ever, and there is no away any more. There actually never has been an "away", but just a delay while we continued to pollute our eco-system to the limit of what it was able to absorb, and this limit is something that the planet is now experiencing on a global scale. To illustrate, I read in the news today that an

estimated 37 million pieces of plastic litter (created by the fossil fuel industry) have been found on one of the world's remotest islands, uninhabited and 5,000 km from the nearest major population center.

The only way to honor Portland's desire to become clean and Green is to start decreasing fossil fuel infrastructure, by at the very least denying permits for any new operations. That way we encourage these polluters to move on. Driven by a profit motive, rather than true concern for the environment, they will continue to operate the way that they have done and do if we permit them to do so, and if we continue making it economically feasible for them by following a relaxed approach to rules and regulations. As soon as we prevent them from cutting corners in order to make a profit, they will go away. Please deny APES their current and any future expansion permit applications. However, we air-breathers of North Portland do not have the time to wait for that. Therefore, the time has come for the APES air pollution-causing facility to be moved well outside city limits or shutdown.

APES, and their "twin" Oil Re-Refining Company, Inc. (ORRICO) are the air pollution "elephants in the room" in North Portland. While they remain within Portland's air-shed, Portland cannot claim to be a leader in the restoration of urban environments to make them livable again, and North Portland's residents will continue to face serious polluted-air-induced health challenges.

Many industries in the Portland Metro area are operating under permits that admittedly allow a degree of harm to the resident population, albeit "regulated". In the cases of ORRICO and APES, the degree of "harm" which has occurred is far above what was intended by the relevant laws and regulations, and is far above what is nowadays acceptable. This has apparently resulted from insufficient and in many cases admitted non-existent enforcement of rules and regulations, including in some cases, operating on expired permits. As Portland has expanded over the years, the operative rule for polluting industries has been either "clean-up" or "shut-down". One polluting glass manufacturer in Portland recently chose to move away rather than clean-up.

Therefore, in whatever you decide, on this new license application, and in all future such cases, please consider the potential ramifications on all levels, including air and water quality, and also the burden of enforcement, and resources to ensure that happens.

Thank you for your protection and oversight of our wonderful state.

Sincerely,

Ron Schmidt

1983 N Jantzen Avenue Portland, OR 97217

67. Dan Packard [dan.packard@gmail.com]

I would like to comment on the adverse air quality coming from the American Petroleum Environmental Services (APES) plant in North Portland near the Expo center, I-5 and Hayden Island. I understand this plant recycles used oil and sludge from generally unreliable sources. Numerous times I have traveled thru this area and experienced the hideous and toxic smell coming from APES. The heavy petroleum smelling caustic stench gives me an instant headache and a general feeling of unhealthy malaise.

I understand from reading the Portland Tribune article of June 29, 2017, that the plant removed important pollution control devices (thermal oxidizers) in 2006 without permission and has been operating without them since then.

Please follow the primary DEQ mission to enhance the quality of Oregon's air and restrict this plant from fouling the atmosphere of North Portland and surrounding communities. I recommend a complete cessation of any permit for this plant to operate until they can demonstrate that absolutely no caustic chemicals will be emitted into the air we all breathe. That includes hazardous and cancerous toxins like sulfur dioxide, chromium, arsenic, lead, cadmium, pcb's, and the detrimental effects of one, or a combination of these.

In reviewing the permit renewal literature it appears that DEQ proposes to allow the plant to continue with the same amount of maximum pollution emission limits as in the current permit. This can not be allowed and is clearly detrimental to the health of anyone that lives, works and travels in the area near this business.

Thank-you, --Dan Packard

68. NANCY [nvardanega@comcast.net]

The time is now.

Please DO something about protecting our health and well being, and the environment.

Don't be yet another government agency that does NOT give a damn about the job before you.

Apes should be held to the highest standards of air quality.

It's the right thing to do.

I have to have my car checked every two years, why are you not demanding the toxic chemicals released into the air by Apes be checked carefully and often.... and stopped?

Please call for an immediate Cease and Desist order. Stop Apes until you are sure they are not destroying our air shed. Which they are.

We need an independent investigation of omissions.

Why are they allowed to spew dioxin and hexavalent chromium into the air?

DO NOT DO BUSINESS AS USUAL AND ISSUE A PERMIT WHILE LOOKING THE OTHER WAY. PUT TEETH IN THE PERMIT. ALL WE WANT IS CLEAN AIR.

The head of the DEQ said Clean Air Oregon would help this situation...now it's been killed by Lobbyists.

It's the "forgotten people" who have put Trump in office, because they were frustrated and angry. That can happen here in Oregon as well. People are tired of the "run around" and no accountability. Saying "sorry" a zillion times in public hearings DOES NOTHING.

Please stop this.

Bullseye Glass was shut down and is now reopening because it has demonstrated it has solved the clean air problems involved with its business.

Why shouldn't Apes be held to the same standard? Don't we North Portland residents matter as much as the ones in Southeast?

Don't the children playing at Delta Park under a cloud of toxins matter? How about shoppers fueling the economy at Jantzen Beach? Don't they matter? They should all know what they are breathing.

Our great former Governor, Tom McCall, is rolling in his grave right now. Clean air mattered during his era... now money is all that matters.

I know this is probably a waste of my time, but I don't want Cancer and I don't want to die.... so please help me out.

Nancy Vardanega

Hayden Island Resident

69. Lee Pike [leepike@gmail.com]

Please do not allow APES to release carcinogens into the air.

<http://portlandtribune.com/pt/9-news/364466-244751-oil-recycler-permit-shows-it-emits-more-than-foul-odors>

70. Scott Niesen [scottniesen@gmail.com]

I have lived in the Bridgeton neighborhood for 13 years. We have experienced toxic emissions from American Petroleum Environmental Services since we moved here in 2004. The company has continuously failed to take responsibility for the toxins they pump into the air and for the irresponsible storage of dangerous materials including illegal PCBs at their facility.

The owners and managers of APES have continuously shirked responsibility and thwarted efforts to filter pollutants by illegally removing emission control devices. They are bad hombres who need to be held accountable for their actions.

We need an immediate halt to APES emissions. APES is emitting carcinogenic dioxin and hexavalent chromium into a residential areas.

Deny the permit for expansion and start an independent investigation to determine who is responsible fro removing thermal oxidizers at the APES facility in 2006.

DEQ needs to do its job and **issue a citation for 11 years of illegally dumping toxins into the air.**

Sincerely,

Scott Niesen
205 N. Bridgeton Rd.Slip 7
Portland, OR 97217

71. Guy Berliner [guy.berliner@gmail.com]

To whom it may concern,

The permit that DEQ proposes to grant to American Petroleum Environmental Services (APES) through 2022 raises profound public integrity concerns. Why did the Department knowingly remain silent while this plant illegally operated without required emissions controls equipment for the past six years? Why is the Department continuing to turn a blind eye to these actions that endangered public health and safety and allowing the company to behave with impunity? Why is the Department knowingly proposing to expose the public to highly toxic heavy metals and dioxins under the terms of its proposed new permit? People are being exposed to dangerous poisons who lived in this neighborhood long before the plant started operating. Who is the Department protecting, members of the public who expect a public agency to protect their health and the public interest, or a profitable big polluter?If DEQ hopes to restore any measure of public confidence in its performance, it should immediately:Issue a Cease and Desist order to the applicant, APES, and,Suspend processing any operating permit applications from the plant operators in question until the public's questions can be answered regarding:

Who was responsible for removal of the thermal oxidizer equipment? Why did DEQ fail to impose any sanctions in the six long years the operator was operating illegally? Why is DEQ proposing new emissions of toxic heavy metals and dioxins far in excess of those emitted by similar facilities? Why is DEQ failing to require state-of-the-art emissions controls?

Thank you for your attention.

Guy Berliner
Portland, OR
503-941-0101

72. Cheryl Myers [oregon.myers@gmail.com]

We appreciate the difficulty DEQ faces in addressing the multitude of issues it is responsible for. We moved to Hayden Island in early 2016. Last spring, we attended a DEQ meeting regarding APES/ORRICO's request to expand their operations and were shocked to learn how odd timing and ownership changes appear to have allowed a business to operate out of compliance and continue to pour harmful airborne toxins into nearby residential areas under extended permits. That they have the audacity to apply for an expansion before correcting these apparent violations is incredulous. I read with extreme concern today's article in the Tribune about the current state of these pending permits and felt compelled to reach out.

As the state agency charged with protecting the public, please consider:

- immediately pulling existing permits and suspending operations.
- proceed with an independent investigation of emissions.
- determine why dioxin and hexavalent chromium were allowed to discharge into a residential area that existed prior to APES 2013 operation and responsibility for the 2006 thermal oxidizer removal; if violations indeed occurred, consider assessing appropriate fines for the past 11 years of violations.
- do not approve an expansion request until full compliance is achieved, **and** the appropriate full/adequate monitoring controls are in place before allowing operations to resume.

Thank you for taking time to hear our concerns and your willingness to take appropriate and swift action.

Cheryl & Jim Myers
Hayden Island (Island Cove) residents
(503) 519-9690

73. Bill Patterson [patterson3638@comcast.net]

RE: APES/ORRICO

I am a resident of the Bridgeton Community which has nearly 10,000 residents. We have been aware of the toxic pollution from really the only two obvious locations at **APES/ORRICO**.

If you drive down Victory Lane several times a week going to Heron Lakes Golf course it is obvious where the odor and toxicity is coming from and you don't need a study to figure it out either!!! It's a travesty and has

been going on just too long. Let's do something for our neighborhood and get this properly regulated by issuing a **cease and desist order** on these two companies.

Portland Parks and Recreation says: **"HEALTH PARKS/HEALTHY PORTLAND"** LETS MAKE IT SO!!!!

Bill Patterson
NORTH HARBOUR WAY
PORTLAND, OREGON

74. Vicki Simon [bumblebee@mac.com]

I am a resident of Kenton in North Portland. I am convinced that my health is directly impacted negatively by the toxins that are present in the air in my neighborhood. I suffer from a constant cough and irritated throat which feels like congestion. Also, I get dizzy from simple exercise like walking in the neighborhood. The evidence is the result of an accidental experiment recently conducted. I left the country on a three week pleasure trip. I had zero respiratory symptoms while away on the trip. My symptoms re-appeared when I got back. No doctor has been able to come up with any other reasons for my symptoms including food allergies, lung or heart problems, ear/nose/throat issues, GERD. Nothing has been labeled the culprit for my symptoms.

I have lived in North Portland for 7 years and my symptoms are worsening. I demand an immediate Cease and Desist of proven polluters in our area until they can be effectively monitored.

I demand that DEQ issue no permit until there is an independent investigation of the toxins such as dioxin and hexavalent chromium, that APES and ORRCO are emitting, unchecked and unmonitored in an efficient way.

I demand an independent investigation as to who was responsible for removing the thermal oxidizers in 2006.

I demand that DEQ issue a citation for 11 years of federal violations.

Vicki Simon

North Portland resident

75. Charles Hof [ckhof@icloud.com]

Having experienced the fowl odor in the night, and now finding out that they have been going on for years and the DEQ doing nothing to monitor/find the source for these things. It would appear to me that there are some very questionable if not down right unethical activities going on. And asking by way of a "permit" to continue on. Despite proof of all the wrong doing.

Exposure to carcinogens is no laughing matter. The timing of the toxic cloud indicates to me that APES is fully aware that 1) it is noxious 2) covert in it's timing 3) the fact that is harming the public and that DEQ has done nothing about it even after 1) the permit had expired years ago 2) received complaints for years

and 3) does nothing to address the issue. Tells me this activity should be **stopped now**. Not in a few years after exposure and no way to provide a trail of evidence to show the cause.

Now I find the option to install equipment to correct much of the pollutants in a matter of days after the whole exposure to be way too late, and way too little. A company that knowingly subjects the public to carcinogens, and then for the DEQ to allow it to occur and continue calls for an investigation. Just what is the purpose of the DEQ if not to protect the public?

In that the DEQ is unwilling/unable to investigate an independent investigation of the matter is in order. Not at some future date decided by ...DEQ. While they are at it look into "Political Contributions".

Charles K Hof
11700 N. Island Cove Ln
Portland, OR 97217

76. Tomas [t1omega@earthlink.net]

I respectfully demand the following regarding the above APES Permit:

- 1) An immediate Cease and Desist order
- 2) DEQ Issues NO permit until there's an independent investigation of emissions
- 3) Begin an INDEPENDENT investigation into DEQ as to;
 - A) Why is DEQ allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013?
 - B) Who was responsible for removing the thermal oxidizers in 2006?
- 4) That DEQ issue a citation for the previous 11 years of federal violations.

Regards,
Thomas McCausland, PE

77. Bridget Towles [bridget.info@gmail.com]

s a resident of north Portland and owner of a preschool with 40 kids in attendance (and their families in the community) - I urge you to shut down APES or at least require better pollutant control. I'm appalled that the pollution has gone unhindered by DEQ for so many years. Please think of our environment and the all Of the people and creatures who live in the area. I cannot fathom why this toxic pollution would continue to be allowed. Sincerely,
Bridget Towles, Director
B's Preschool

78. ncharlton@comcast.net

RE: Public Comment for APES Permit

This appalling permit should not be issued to APES. Issuance of an air quality permit does not sufficiently change the pollution problem, the language is still full of loopholes and weasel words rendering provisions of the permit useless, and is contrary to Governor Kate Brown's policy supporting the Paris Agreement. This draft permit demonstrates DEQ's unwillingness to protect the public and the environment from these dangerous emissions.

DEQ chose not to use its administrative authority to shut APES down (OAR 340-216-0082) by making the subjective decision that there was no "serious danger to public health, safety or to the environment." But, they based their decision on short-term measurements which made it appear that the effects to health were small and insignificant. They said nothing about long-term effects, such as cancer and other major illnesses. It is now time to move this up a notch - calling Governor Brown to issue a Cease and Desist Order (ORS 468.115) because there is "imminent and substantial endangerment to the health of persons." These deadly emissions have gone on for two years. It is now time to shut the facility down.

There are so many things wrong with this proposed permit that the neighbors call for an investigation by an independent third party with no ties to Oregon government or to Association of Oregon Industries.

This permit must:

1. Reclassify APES as a Title V facility and subject them to greater regulations than just a simple Air Contaminant Discharge Permit. It meets the criteria for Title V by having the potential to emit sufficient dangerous air pollutants. It has operated without emission controls, stored PCB-oil on its property without a permit, and now wants to burn the PCB-oil. It has also conveniently lost the records it is supposed to keep, so DEQ does not know what was burned. APES must be subject to the higher standards in order to protect the public and the environment.
2. Require a greater degree of emission destruction than the 97% listed in the permit. Since the facility has been operating without emission controls and is still pumping dangerous toxics into the air, the permit should require a clean-up standard of almost 100%. This technology is available.
3. Not allow APES to burn PCB-oil at this facility. Based on past performance, there is no indication that APES could be trusted to handle these hazardous materials properly. APES, or its predecessor, stored full tanks of PCB-oil from ORRCCO on site, probably burned the PCB-oil to get rid of it (suspected from other information sources), and after it became public, diluted the tanks (illegal) to cover up a lower level of PCB-oil. Testing of the tanks disclosed water (not there previously) and the presence of another hazardous substance, benzene. The burning of PCBs and benzene could create dioxin - and any burning and releasing of these toxics endangers the public and environment.
4. Require APES to use BACT (Best Available Control Technology), a higher standard for emission control that the permit requires (TACT/Typically Achievable Control Technology, or TACT). One of the pollutants that APES is allowed to process is chromium. Although DEQ says they don't know if it is hexavalent chromium, they should have learned this after the Bullseye Glass debacle - chromium when heated turns into hexavalent chromium - think Erin Brockovich. Technology meeting the BACT standard must be installed before chromium is allowed.

5. Require continuous source/stack monitoring. Air monitoring is insufficient to provide a complete picture; air, wind, temperature, height of the cooling tower, and location of monitors all skew the results obtained by air monitors, not to mention testing when the plant is "on holiday." Using a short, quick air grab to represent a full day of emissions does not give a true picture of the emissions. Because APES accepts many different used petroleum products for processing, continuous source/stack monitoring is the only way to determine what is actually being emitted. This technology is also available.
 6. Require more stringent enforcement methods because self-reporting is not adequate; APES cannot be trusted to self-police. It did not disclose the removal of the emission controls, the presence of PCB-oil, or keep proper records. Not only must an independent investigator be involved, DEQ must pledge to make surprise visits on a weekly basis. Since APES has not even received a slap on the wrist for previous violations, large fines must be imposed for violating any of the provisions of the permit and the imposition of those fines must be decided by the community.
 7. Specifically indicate that there is no "cap and trade" allowed and if there are changes to the state or EPA rules, the most stringent remains in effect.
 8. State that the Review Report is incorporated into the permit and becomes a part thereof.
 9. Not allow fugitive emissions to be exempted from visible emissions. 1.1
 10. Not allow any particulate matter to fall on other people's property, even the smaller size, under 250 microns. 1.4
 11. Eliminate odors, not minimize odors. 1.5b Use of the word "odors" minimizes the seriousness of the situation; "odors" may be a precursor to a toxic release.
 12. Require a processing temperature of 1600F and eliminate the sentence allowing the temperature to be lower if test shows it controls 97% of emissions. There is too much wiggle room here. 2.1b
 13. Require accurate measurement of PESL, plant site emission levels. This wording is too vague for actual measurement and calculations by hand are not accurate because no one knows what is being emitted. 3.1
 14. Require emissions to be monitored electronically, not visually. Visual inspections are not sufficient. 7.1
 15. Require immediate cessation of operations and notification of DEQ if there are excess emissions. 7.2
 16. Require semi-annual reporting, not annual. Late fees must be assessed in all cases. "as appropriate" should be removed.
 17. Allow DEQ and other inspection at all times; not just "reasonable" times.
 18. Not allow small Particulate Matter under 2.5 in size.
 19. Require Process/Production Records on a weekly basis, not a monthly basis. 14.0
- The neighbors are not anti-business; they are for clean, responsible business that does not harm their health. Allowing APES to continue operating without cleaning up the facility is not responsible and sacrifices the health of the public and the environment for the sake of individual profits. No company should be allowed to operate in this manner. No permit should be issued.

Nykolee A. Charlton-President, JBMI (a Floating Home Community)
 971-344-0121
 1805 N. Jantzen Ave

79. Kimberly Kosa [kimberlykosa@gmail.com]
 Hello,

I am a resident of North Portland and very concerned about the proposed renewal of the APES refinery permit.

As a resident I request an immediate cease and desist of the permit's issuance, in the interest of public health and proper due diligence.

I also request that the APES permit is not issued until there is an independent investigation into the projected emissions and additional research on potential impacts on public health.

I also believe we need to investigate DEQs approval of the emission of harmful compounds including chromium-6 and dioxin into a residential area for the past several years. If you lack the legal framework to enforce protection of our neighborhoods, this is helpful to know.

Lastly, please cite APES for these harmful releases during the period of illegal thermal oxidizer removal.

Why this permit would be renewed in light of this facilities' illegal behavior is inappropriate.

Thank you in advance for doing your job and protecting Portland neighborhoods from damaging industrial emissions.

Kim Kosa

80. Mark Thommen [mark.thommen1@gmail.com]
 June 30, 2017

Air Quality Permit Coordinator

700 NE Multnomah Street, Suite 600

Portland, OR 97232

CC: Kate Brown, Governor, State of Oregon
Tina Kotek, House Speaker, Representative, District 44
Richard Whitman, Director, Oregon DEQ
Ed Armstrong, Commissioner, Environmental Quality
Ted Wheeler, Mayor, City of Portland, Oregon
Dan Saltzman, Commissioner, City of Portland
Nick Fish, Commissioner, City of Portland
Amanda Fritz, Commissioner, City of Portland and
Chloe Eudaly, Commissioner, City of Portland and
Bureau Chief, Office of Neighborhood Involvement
Tom Griffin-Valade, Executive Director, North Portland Neighborhood Services

Re: American Petroleum Environmental Services (APES)

Proposed Air Quality Permit Renewal and Proposed Solid Waste Permit.

To Whom It May Concern:

I write this as a citizen of the state of Oregon and a resident of Hayden Island. I write this also with disbelief and a great sorrow that this letter has to be written. Oregon, as witnessed by the defeat of the Cleaner Air Oregon act bill, is no longer a leader and a champion for the environment, rather a pawn of the oil and industry lobbyists. And the agency that is charged with protecting the people and the environment from violations of greed has failed to uphold the sanctity of their mission statement.

DEQ, in issuing this permit is asking the citizens of Oregon to:

1. **Believe** the toxic air issue is primarily a nuisance odor accompanied by minor, non-life threatening health concerns despite the abundant evidence documented by the EPA as to toxins associated with the combustion at high-temperatures of oil products and the considerable health risks. It is alarming that DEQ's testing consisted of toxins they are looking for. Apparently, they did not realize dioxins and hexavalent chromium are common in this process and should be included. Or worse, they knew and suppressed the facts since this information is clearly stated on the EPA website.
2. **Ignore** the fact that we have not been told the exact nature and the amount of the chemicals being emitted. DEQ has ruled out requests for stack testing and 24/7 monitoring periods to determine whether or not the air is safe for the citizens of Hayden Island to breathe. This would seem to be the very first decision point for an agency whose mission is to be a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water, especially given the track record of APES and the fact that the site sits on a former superfund site.
3. **Trust** instead, the results of flawed and incomplete monitoring and testing on their part, and the self-reported numbers from APES themselves. The same APES that did not report operating without thermal oxidizers increased processing without notifying DEQ and operating with an expired permit.
4. **Ignore** the very suspect 15-year relationship between APES and the DEQ, which consists of transgressions, violations and fines by Apes and blunders, excuses and exceptions made by DEQ to allow the status quo to continue.
5. **Believe** that by issuing the permit and enforcing the installation of thermal oxidizers, everything will be much better. APEs will still self-report, will now expand into two new technologies that they have no real experience in, and as Mr. Mazza stated in the NOC dated September 29, 2016, Sulphur Dioxide and Nitrogen

Oxide are not reduced by thermal oxidation. Sulphur Dioxide emissions allowed by the new permit exceed national standards.

6. **Feel safe** that APES needs to meet a 97% emission destruction. It is documented that the difference between 97 and 99 percent is the reduction of three times more emissions. And more importantly, .01 % of some toxins can kill humans, and we are expected to accept a 3% tolerance, even though it has not been proven to us what that consists of. Why is the rate so low for APES?

For so many more reasons, **this permit is extremely flawed** and should not be considered. Additionally, the following steps need to be taken:

- a) Establish ALL of the facts before any further conversation.
- b) Taking action to rectify any and all wrong-doing established in light of the facts.
- c) Amend or reject the permit based on the results of a thorough analysis of the emissions.

This can be achieved by the following:

1. **Do not issue** this permit.
2. **Effective immediately, petition the governor for a Cease and Desist Order** (ORS 468.115) given there is “imminent and substantial endangerment to the health of persons”.
3. **Determine qualitatively what chemicals are being emitted** and how much is being emitted.

Until accurate testing is done and the results known, a prudent course of action cannot be pursued. This will establish the health risks and also properly identify APES as a Title V facility finally. This testing should be done at the stack, with periods of 24/7 monitoring by an independent contractor with experience in oil combustion testing.

4. Engage the public anew when all the facts are known. If it is determined that APES could resume operations, the following need to be included:
 - a). Require a greater degree of emission destruction than the 97% listed in the permit. Since the facility has been operating without emission controls and is still pumping dangerous toxics into the air, the permit should require a clean-up standard of almost 100%. The fact that the plant is sitting on a former super-fund site should also warrant more stringent controls, not less. The technology is available.
 - b). Establish a protocol of regular visits and DEQ monitoring as opposed to self-reporting. APES has proven conclusively it does not subscribe to high ethical standards, and without accurate numbers how can DEQ make any valid assumption of compliance?
 - C). Establish a consistent and continual testing and monitoring process at APES.
 - d). Enforce more stringent monitoring and enforcement of APES.

Respectfully, Mark Thommen 1805 N Jantzen Ave Pdx 97217 503 367 4045

81. Erik Molander [epmolander@gmail.com]

Dear Regulator,

I'm writing to voice my strong opposition to American Petroleum Environmental Services (APES) permit to pollute request. It is clear that the permit would allow the discharge of known carcinogens. <http://portlandtribune.com/pt/9-news/364466-244751-oil-recycler-permit-shows-it-emits-more-than-foul-odors>

APES is a scofflaw that defied DEQ's orders for more than 11 years. Therefore my request is that DEQ immediately:

- 1.) Issue an immediate cease and desist order
- 2.) Issue no permits until an independent investigation is conducted
- 3.) Issue a citation and fine for the 11 years they have been in violation.

APES is a clear and present danger to public health. They must stop their activity immediately.

Sincerely

Erik Molander
340 NE Bridgeton Road
Portland OR 97211

82. Ann Given [agiven@icomproductions.ca]

I am a resident of Hayden Island. We purchased our home here because we appreciate the natural environment in which we live. All except the noxious and dangerous fumes from the nearby APES facility.

We have been to meetings, we have emailed your department and provided a narrative as to how this facility negatively impacts our ability to lead normal, healthy lives. We have been yelling into a vacuum. For all intents and purposes, your people, your processes, and your politics appear to render myself and my neighbors invisible.

So, to be specific, we insist you issue an immediate CEASE AND DESIST to APES, who if you are accountable to the people of Oregon (and I find that, based on your agency's behavior, you feel you aren't) this should have been done years ago.

We also insist you DO NOT ISSUE ANY PERMITS to APES until an independent evaluation regarding emissions is completed and MADE PUBLIC.

We would also insist on an independent investigation into the DEQ for the following reasons:

- Why is your agency allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013?
- Who was responsible for removing the thermal oxidizers from the facility's stack in 2006?

APES has been a GROSS POLLUTER for 11 years, yet the DEQ have never issued a citation in 11 years. Why is that?

I get it. You don't live here, so you don't care what happens to us. But our lives hang in the balance. Can you really look in our eyes and tell us there isn't any danger? Of course you can't and you won't.

People are fed up. If your agency doesn't have the wherewithal to stop companies like APES and ORRICO, then you should fold up your tent. The Government works FOR the people, not AGAINST them.

Frankly, you should all be ashamed of yourselves.

Ann Given 464 N Hayden Bay Drive Pdx 97217 403 399 0549

83. wetski3@aol.com

Dear Permit Issuers,

My name is Dan McGee and along with The Bridgeton Neighborhood Association (BNA) board and all the residents including many school children we are strongly requesting an expansion permit request by American Petroleum Environmental Service, Inc. (APES) be denied.

2. **We** demand an immediate Cease and Desist. **We** demand that DEQ Issues NO permit until there's an independent investigation of omissions.
3. **We** demand an INDEPENDENT investigation into DEQ as to:

A) Why they are allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013?
B) Who was responsible for removing the thermal oxidizers in 2006?

4. **We** demand that DEQ issue a citation for those 11 years of violations.

The BNA Board is recommending the permit be denied based on these facts:

- APES is out of compliance and in default on most of their operating permits including air, water discharge, and wastewater discharge.
- DEQ recently entered into a Mutual Agreement and Final Order (MAO) with APES/Clearlube that allows an experimental sulfonation process, that has not be used before, putting the public at further risk.
- In 2006, APES illegally removed emission control devices, although their permit requires it. Citizens have been subjected to oil refining toxic emissions despite making thousands of complaints.
- In 2011, DEQ learned of the illegal emission control device removal but did nothing about it.
- DEQ chose not to reveal that information to the public until August 2016!
- APES uses dirty diesel oil as a source of fuel to process their used oil.
- APES stores unsecured, vulnerable tanks of illegal PCBs.

Plus, the fact that people are sick from breathing these toxic fumes.

I expect and look forward to your denying the permits and your response.

Thank you.
Dan McGee
322 N. Bridgeton Road
Portland, OR 97217

84. Stuart Goldstien [stuartgoldstien1@gmail.com]

This is a response to the Permitting of the APES Plant in North Portland. I am a resident on the river directly opposite the Plant. I have been experiencing the toxic smell emanating from this plant for the years I have been living here and the time has come to shut it down. I'm fed up with the bureaucracy allowing this plant to affect our lives here and something needs to be done immediately. 1. I call on you to immediately to cease and desist this plant from functioning.

2. I demand that DEQ Issues NO permit until there's an independent investigation of omissions.

3. I demand an INDEPENDENT investigation into DEQ as to A) Why they are allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013. B) Who was responsible for removing the thermal oxidizers in 2006.

4. I demand that DEQ issue a citation for those 11 years of violations.

Stuart Goldstien 1959 N Jantzen Ave Pdx 97217 503 964 3064

85. Susan Carley Oliver [ohbejoyful@gmail.com]

i have been complaining to the DEQ about foul smells ever since I moved into Kenton in 2004. I'm absolutely appalled that it has taken 13 years for someone to finally take us seriously and investigate the source of this material. Imagine my surprise when I find that APES has not just been releasing smelly gases but toxins as well.

As a member of the low-income community that primarily comprises the area affect by the APES discharge, I am calling on you to treat us equitably. Force APES to decrease the discharge to zero over the next several years. I would also request they put funds into a municipal escrow that can be used to treat illnesses that manifest later attributable to their pollutants.

Sincerely,
Susan Carley Oliver

1260 N Winchell
Portland, OR 97217
510-520-8078

86. Cheryl Myers [oregon.myers@gmail.com]
Richard:

Congratulations on your permanent appointment as DEQ Director. From our time together on Governor Kitzhaber's cabinet, I know you to be an honorable leader. I appreciate the difficulty DEQ faces in addressing the multitude of issues it is responsible for. We moved to Hayden Island in early 2016. Last spring, we attended a DEQ meeting regarding APES/ORRCO's request to expand their operations and was shocked to learn how odd timing and ownership changes appear to have allowed a business to operate out of compliance and continue to pour harmful airborne toxins into nearby residential areas under extended permits. That they have the audacity to apply for an expansion before correcting these apparent violations is incredulous. I read with extreme concern today's article in the Tribune about the current state of these pending permits and felt compelled to reach out.

I hope as the director responsible for the state agency charged with protecting the public, you will consider:

- **immediately pulling existing permits and suspending operations**
- proceed with an independent investigation of emissions
- determine why dioxin and hexavalent chromium were allowed to discharge into a residential area that existed prior to APES 2013 operation and responsibility for the 2006 thermal oxidizer removal; if violations indeed occurred, consider assessing appropriate fines for the past 11 years of violations.
- do not approve an expansion request until full compliance is achieved, **and** the appropriate full/adequate monitoring controls are in place before allowing operations to resume.

Thank you for taking time to hear our concerns and your willingness to take appropriate and swift action. Please let me know if you'd like to discuss any aspect of this further.

With much appreciation,

Cheryl and Jim Myers
Hayden Island (Island Cove) residents
(503) 519-9690

87. Michelle Knight [mknight113071@gmail.com]

Granting a license to American Petroleum Services, Inc., (APES) to expand their operation goes counter to Portland (Oregon) City Council's resolution No. 37168, passed in a unanimous vote, which opposed the expansion of fossil fuel infrastructure in the city and its adjacent waterways. This resolution (Binding City Policy BCP-ENN-10.02) was adopted by Portland (Oregon) City Council November 12, 2015.

Granting of this license would also play into APES' intentions to continue running their Force Avenue facility in flagrant violation of industry best practices, and on expired permits, while we, the ever-searching-for-breathable-air public must continue to suffer whenever APES' suffocating plume, a toxic freshly-prepared cocktail of VOCs, and potentially toxic dust, is blown our way by prevailing winds. A southerly wind brings this toxic soup to Hayden Island, resulting in residents trying to shelter indoors, and sometimes resulting in evacuation of Jantzen Beach Shopping Center stores who have more than once identified the stench as a gas leak. In addition, more than a few times residents of Hayden Island have awoken in the early morning to symptoms such as bleeding nose, respiratory distress, nausea, vomiting, loss of concentration, head aches, and panic attacks. These are not good things to have happen within Portland City limits, a city which perhaps in light of these reports, apparently does not take care of its citizens nearly as well as it would like to think it does.

APES' continued spewing of unfiltered and un-oxidized emissions caused by their unilateral removal of emission control equipment is an egregious offense to the health and wellbeing of the residents of North Portland. Mike Mazza of APES (same person as Mike Mazza of previous company, American Recycler, that operated the same facility, and soon to be Mike Mazza of Clear Lube?) wants to expand his business using an untested technology for sulfur removal. Any expansion would be in clear violation of BCP-ENN-10.02.

Moreover, given that APES has been unable to run a closed system, or even revert back to their previously somewhat closed configuration, and despite their huge volume of lip-service to the concept, and because national oil production has peaked at levels far above our national needs, the economic driving force for the re-refining of oil products has arguably largely disappeared, and would, I believe, completely disappear, if the cost of effective emission control, and the cost to the community of consequent medical care were taken into account.

Better for the health of the planet and its citizens, that spent oil is returned to the oil fields from whence it came, rather than have a significant portion of the fraction that is not wanted, sent "away" by spewing it into the air for all to breathe, causing ill health and who knows how many astmas, heart problems, and cancers. Our overcrowded planet is now more finite than ever, and there is no away any more. There actually never has been an "away", but just a delay while we continued to pollute our eco-system to the limit of what it was able to absorb, and this limit is something that the planet is now experiencing on a global scale. To illustrate, I read in the news today that an estimated 37 million pieces of plastic litter (created by the fossil fuel industry) have been found on one of the world's remotest islands, uninhabited and 5,000 km from the nearest major population center.

The only way to honor Portland's desire to become clean and Green is to start decreasing fossil fuel infrastructure, by at the very least denying permits for any new operations. That way we encourage these polluters to move on. Driven by a profit motive, rather than true concern for the environment, they will continue to operate the way that they have done and do if we permit them to do so, and if we continue making it economically feasible for them by following a relaxed approach to rules and regulations. As soon as we prevent them from cutting corners in order to make a profit, they will go away. Please deny APES their current and any future expansion permit applications. However, we air-

breathers of North Portland do not have the time to wait for that. Therefore, the time has come for the APES air pollution-causing facility to be moved well outside city limits or shutdown.

APES, and their “twin” Oil Re-Refining Company, Inc. (ORRCO) are the air pollution “elephants in the room” in North Portland. While they remain within Portland’s air-shed, Portland cannot claim to be a leader in the restoration of urban environments to make them livable again, and North Portland’s residents will continue to face serious polluted-air-induced health challenges.

Many industries in the Portland Metro area are operating under permits that admittedly allow a degree of harm to the resident population, albeit “regulated”. In the cases of ORCCO and APES, the degree of “harm” which has occurred is far above what was intended by the relevant laws and regulations, and is far above what is nowadays acceptable. This has apparently resulted from insufficient and in many cases admitted non-existent enforcement of rules and regulations, including in some cases, operating on expired permits. As Portland has expanded over the years, the operative rule for polluting industries has been either “clean-up” or “shut-down”. One polluting glass manufacturer in Portland recently chose to move way rather than clean-up.

Therefore, in whatever you decide, on this new license application, and in all future such cases, please consider the potential ramifications on all levels, including air and water quality, and also the burden of enforcement, and resources to ensure that happens.

Sincerely Michelle Knight 53-345 4350 or 971 998 9084

88. Chris Lopez [xristerlo@gmail.com]

CNA responds to draft air pollution permit for American Petroleum Environmental Services (APES)



Concordia Neighborhood Association
P.O. Box 11194
Portland, OR 97211
chair@concordiapdx.org

RE: Draft air pollution permit for American Petroleum Environmental Services (APES)

DATE: June 29, 2017

TO:
Air Quality Permit Coordinator
700 NE Multnomah Street
Suite 600
Portland, OR 97232
nwraqpermits@deq.state.or.us

Dear DEQ Air Quality Permit Coordinator,

The Concordia Neighborhood Association is deeply concerned about toxic air emissions from oil recycling operations near the Expo Center. We have received a request for assistance from our neighbors regarding this draft permit, following the publication of an article in the Portland Tribune regarding this issue ("Oil recycler permit shows it emits more than foul odors", June 27, 2017).

While recycling used motor oil is certainly a worthy cause, the operation of an industrial facility for this purpose cannot come at the expense of public health, regardless of the economic impact of the facility, or the number of jobs that it sustains. Businesses and jobs are replaceable; individual human lives are not.

According to the aforementioned Tribune article, this draft permit may allow the emission into the air shed of our neighborhood of as many as 11 pollutants that could cause cancer, including: arsenic, beryllium, cadmium, nickel, ethylbenzene, formaldehyde, naphthalene and possibly hexavalent chromium. The draft permit apparently would allow the burning of waste oil containing small amounts of chromium, arsenic, lead, cadmium, PCBs, and a category of chlorinated chemicals known as halogens; when PCBs and halogens are burned together at certain temperatures, a catalytic reaction can occur that could potentially result in the release of dioxin (and/or dioxin-like compounds), PCBs, and benzene. According to a source quoted by the Tribune article, "A peanut butter jar full of dioxin would be enough to kill the entire planet."

Further, the draft permit would apparently allow the emission of SO₂ at more than 10 times the typical concentration emitted by oil refineries across the country. It would also allow the release of up to 255 grams of chromium per year, of which roughly half is estimated to be in the form of hexavalent chromium. The California Air Resources Board has calculated that annual release of just 2 grams of hexavalent chromium can cause an extra 10 cancers per million people over 70 years. The over 125 grams of hexavalent chromium that the permit would allow to be emitted per year, multiplied by the five year period of this permit, would result in the emission of up to 625 grams of hexavalent chromium, which could thus be expected to result in over 3,125 additional cases of cancer in our community over 70 years.

For these reasons, we find it unacceptable that the DEQ would allow the continued operation of this facility until the year 2022.

We urge the denial of this permit until such time that the DEQ and the applicant can develop an operations plan and air quality control protocol that will ensure there is absolutely no potential for ill

health-related side effects within our community. In order to guarantee this outcome, we demand that no permit be issued until an independent investigation into emissions from APES is completed, the results are analyzed, and an analysis is shared with our community.

The Concordia Neighborhood Association Board of Directors thanks you for your important work for the protection of the environment of our state, and we appreciate your serious consideration of our comments.

Signed,
Chris Lopez
Chair, Board of Directors
Concordia Neighborhood Association
P.O. Box 11194
Portland, OR 97211
chair@concordiapdx.org
g

89.

Paul.koberstein@gmail.
com; on behalf of; Paul
Koberstein
[paul@times.org]

To: DEQ Director Whitman:
From: Paul Koberstein

Subject: Comment on American Petroleum Environmental Services draft Air Contaminant Discharge Permit

Sir:

On page 9 of the review report for the APES drat ACDP, you list a summary of the HAP emissions. You break down the 0.11 discharges of individual HAPS from fuel combustion. You also show 0.2 tons discharged from storage tanks and 4.4 tons as the Total from Condenser Vent-cookers, but you do not breakdown the individual HAPS discharged from storage tanks or condenser vent-cookers. Why is that? Please provide a breakdown of individual HAPS discharged from the storage tanks and vent-cookers.

Thank you,
Paul Koberstein

90. Charlotte MacDonald [roundaround@mac.com]

Dear Air Quality Permit Coordinator,

Please include my comment in your public record and add my objection to your allowance of a new permit for the APES Oil Recycler at 11535 N Force Ave, Portland OR 97203. I am a neighbor living less than three miles away in the George Park neighborhood of St; Johns. This is a neighborhood with many young families. I am raising 2 children here, ages 12 and 9. We are all at risk of negative health consequences including cancer because of the carcinogenic emissions from the APES plant.

The new permit that is proposed to be issued will allow the plant to continue to burnallows the APES plant to burn chromium, arsenic, lead, cadmium, PCBs and halogens when it burns waste oil. The permit will allow the release of "ethylbenzene, formaldehyde, naphthalene and possibly hexavalent chromium" according to independent environmental analyst, Williams.

The new permit falls far short of requiring safe air emissions. The required air emissions filter device allowed in the new permit only requires 97% of VOCs to be removed - that is not enough. Simply requiring a filter that is 99% efficient, vs a 97% efficient filter will remove THREE TIMES the contaminants.

Please stop the permitting process, publicize the facts to the local community and hold another meeting with full information. Continuing along this path to allow a known polluter to continue to emit toxins into our air is a crime. Stop.

Sincerely,
Anne Charlotte MacDonald
10035 N Macrum Ave
Portland, OR 97203

91. Rod Swanson [rods11163@gmail.com]

The lack of enforcement by DEQ undermines the public trust in government. Permits should not allow foul odors, much less discharges of toxic materials into a residential area of lower income demographics. I do not believe such a situation would be tolerated in West Linn or Lake Oswego.

92. Anthony Teso [anthony.p.teso@gmail.com]

- 1) I Demand an immediate Cease and Desist.
- 2) I Demand that DEQ Issues NO permit until there's an independent investigation of omissions.
- 3) I Demand an INDEPENDENT investigation into DEQ as to
 - A) Why they are allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013.
 - B) Who was responsible for removing the thermal oxidizers in 2006
- 4) I Demand that DEQ issue a citation for those 11 years of violations.

Anthony P. Teso

93. Graham Perkins [graham.b.perkins@gmail.com]

I attach my letter regarding the proposed air quality permit for American Petroleum Environmental Services. I look forward to your written response.

Graham Perkins
1907 North Jantzen Avenue,
Portland, OR 97217

Email: graham.b.perkins(a)gmail.com
Mobile: 571-224-7514

28th June 2017

NWR Air Quality Permit Coordinator,
Department of Environmental Quality,
700 NE Multnomah St.,
Portland, OR 97232

Subject: Comments regarding the Proposed Air Quality Permit for American
Petroleum Environmental Services

Dear Sir or Madam:

I have been a resident at Jantzen Beach Moorage ("JBMI") for the past three years and a member of the Board of Directors of the homeowners' association since February 2016. I have been aware of the toxic emissions from the APES' facility on North Force Avenue since August 2015.

JBMI is a floating home community comprising 175 single family homes, located in the North Portland Harbor, directly across the southern channel of the Columbia from the APES facility. Depending on the prevailing winds, our community appears to bear the brunt of the toxic emissions from the facility.

Before you make your final decision regarding APES' application for an air quality permit, I request that you respond to the following comments.

Impact of public comment

At the public hearing on 21st June 2017, your representative stated that DEQ has and will consider public comment in its final deliberations regarding the permit. I have no reason to believe that DEQ has ever made a significant change to an application by APES for air quality permit resulting from public comment. Therefore, please list the changes made by DEQ in the application by APES resulting from DEQ's careful consideration of public comment.

Removal of thermal oxidizers in 2006

It is now a matter of public record that the DEQ became aware in 2011 of the removal of thermal oxidizers from the APES' facility in 2006. Please explain why the DEQ has permitted the facility to operate without these critical components in place since the date that you became aware of their removal,

and what enforcement action that you have taken to penalize APES or the owners at the time for this critical default in air quality control. What action has DEQ taken regarding its own organization and procedures to ensure that this failure to safeguard the public health will not happen again, and what action has the DEQ taken to rebuild the public trust following this catastrophic failure to monitor the previous air quality permit?

Independent investigation of emissions

The DEQ has admitted that it does not know with any reasonable level of confidence the full composition of the emissions from the APES' facility. This is especially critical given the company's plans to expand its business at that facility. We are entitled to rely on the DEQ to proactively work with industry to ensure that the full range of potential emissions from a given facility are understood and considered before an air quality permit is approved. Self-monitoring by the applicant is a clear abrogation of the DEQ's responsibility to perform its mission. Please confirm that you will not finalize the air quality permit or allow APES to operate without the completion of a comprehensive and independent evaluation of actual and potential emissions from the facility.

Proposed new pollution control equipment

DEQ has made many references to the voluntary agreement negotiated with APES to install new thermal oxidizers by 25th July 2017. However, the terms of the proposed permit fall far short of standards applied to other oil processing facilities around the country. Please explain why the proposed permit will allow for the new oxidizers to remove only 97% of VOCs when other facilities in the North West are held to a higher standard; please also comment on why the facility will be allowed to emit ten times the level of SO₂ found at oil refineries elsewhere in the USA. Please address the risk of hexavalent chromium being contained in the emissions from APES and what steps DEQ will take to protect the public from exposure to this and similar toxic substances. The fact that we live in a so-called "industrial area" is no excuse for the DEQ to give up its public responsibilities and fail its mission.

DEQ's responsibilities

The DEQ describes itself as "a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water". Kindly explain how this proposed air quality permit conforms to your own published responsibilities. If you cannot be sure that this facility will operate in such a manner as to avoid causing short term aggravation or long term harm to the surrounding residents, then you have no responsible course of action other than to demand its immediate cessation of operations. Trusting that APES will self-monitor and take voluntary action to curb its toxic emissions is extraordinarily naive. Please confirm that you will consider your public priorities as a state organization and

act in the interest of the citizens of the State of Oregon rather than in the interests of a private company which has a clear record of violating past air quality requirements.

I look forward to receiving your responses to these comments.

Yours truly, G

raham Perkins

94. Margaret Gardner [reed67@gmail.com] Hi there,

I've recently seen this article: <http://portlandtribune.com/pt/9-news/364466-244751-oil-recycler-permit-shows-it-emits-more-than-foul-odors>

I had no idea there was a public hearing on a topic that has a direct impact on my quality of life and health in my home and community. I've been smelling the awful stench for the last couple years, reporting it to DEQ when able on at least 4 occasions. I've gotten just one response in all that time and no action was taken.

I am completely against this APES plant's permit being renewed. We don't want carcinogens in our community. Please tell me that you'll stand up for our safety and well-being.

Margaret Gardner
7223 N Mississippi Ave
97217
503-754-6387

95. Lili Sander [lilirose9@gmail.com]

As a Kenton neighborhood resident with a small child on the way, I am greatly concerned with the APES permit that is currently in draft.

The toxins being produced by this refinery put **our entire community at risk**.

This neighborhood, the fifth quadrant, is a staple of the Portland community and should be treated with the respect it deserves.

I must request an immediate cease and desist.

I must request that DEQ does not issue a permit until there's been an independent investigation of emissions. I must request that DEQ be investigated by an external, independent source to determine:

- why dioxin and hexavalent chromium have been allowed to be emitted into a pre-established residential area
- how the removal of thermal oxidizers was not discovered prior to 2011
- why addressing the missing thermal oxidizers was not a requirement prior to APES' purchase of the site/facility

I must request that DEQ issue citations to ALL relevant parties who showed neglect during the 11 years without the thermal oxidizers.

Thank you,
Lilian Sander
lilirose9@gmail.com

96. Lyz Stewart [itslyzzi@gmail.com]

Dear Sirs,

Our air quality is of grave concern and the chemical smells on the Columbia river are often overpowering and negatively impact our enjoyment of our home on the river front. Please **deny DEQ permits for APES & ORCCO unless and until they can find a way to stop releasing toxic chemicals in the air.**

Thank you!

Liz Stewart

905 N Harbour Dr., Unit 3
Portland, OR 97217
itslyzzi@gmail.com

97. Mlputman [mlputman@gmail.com]

Hey DEQ, here's an idea: Be bold!

Don't pander to polluter APES any longer. They do not deserve the very special treatment you have bestowed on them for years. Your alliance with them is misguided and it borders on negligence of your duties to enhance the environment.

Instead, protect the people who pay your wages, yet suffer from APES' harmful emissions. Do not grant APES an air contamination permit. Shut them down without notice.

Be heroes not patsies. You'd feel better about yourself and the organization you spend your time with.



Thanks.

Mary Lou Putman

98. sharondrew [sharondrew@sharondrewmorgen.com]

My name is Sharon Drew Morgen and along with The Bridgeton Neighborhood Association (BNA) board and all the residents including many school children we are strongly requesting an expansion permit request by American Petroleum Environmental Service, Inc. (APES) be denied.

1. **We** demand an immediate Cease and Desist.

2. **We** demand that DEQ Issues NO permit until there's an independent investigation of omissions.

3. **We** demand an INDEPENDENT investigation into DEQ as to:

A) Why they are allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013?

B) Who was responsible for removing the thermal oxidizers in 2006?

4. **We** demand that DEQ issue a citation for those 11 years of violations.

The BNA Board is recommending the permit be denied based on these facts:

- APES is out of compliance and in default on most of their operating permits including air, water discharge, and wastewater discharge.
- DEQ recently entered into a Mutual Agreement and Final Order (MAO) with APES/Clearlube that allows an experimental sulfonation process, that has not be used before, putting the public at further risk.
- In 2006, APES illegally removed emission control devices, although their permit requires it. Citizens have been subjected to oil refining toxic emissions despite making thousands of complaints.
- In 2011, DEQ learned of the illegal emission control device removal but did nothing about it.
- DEQ chose not to reveal that information to the public until August 2016!

- APES uses dirty diesel oil as a source of fuel to process their used oil.
- APES stores unsecured, vulnerable tanks of illegal PCBs.

Plus, the fact that people are sick from breathing these toxic fumes.

I expect and look forward to your denying the permits and your response.

Thank you.

Sharon Drew Morgen
205 N. Bridgeton Road
Portland, OR 97217

99. WILLIAM [cathwillie@comcast.net]

I am writing to demand that DEQ deny permits to ORRSCO and APES and shut down their operations immediately due to the health hazard caused by their emissions into my neighborhood as reported in the Portland Tribune, June 30, 2017.

I also demand that DEQ due their diligence in monitoring the activity and emission quality if they are allowed to continue operations.

Thank you,

Bill Coffman

905 N. Harbour Dr. #13
Portland, OR

100. BRIDGET E BAYER [bridgetbayer@me.com]

July 2, 2017

DEQ Public Comment from Bridgeton Neighborhood Association

RE: Bridgeton Neighborhood Association requests Cease and Desist order and No Permit issued for American Petroleum Environmental Services, Inc. (APES) solid waste facility license and Oil Re-Refining Company, Inc. (ORRSCO) solid waste facility license renewal. To DEQ permit administrators, Most of the polluters in North and NE Portland are hard to monitor. DEQ currently permits two known polluters to spew cancer-causing toxins into our air. APES and ORRSCO have no intention to abide by the restrictions placed on them by law and therefore the only remedy is to shut them down. DEQ knows that the amount of poison emitted from APES and ORRSCO, are two of the worst air quality offenders. In reprocessing used oil, these two companies emit more than 300 hazardous agents that threaten human health as well as the natural environment. Emission reports for these companies are continually not available to the public but your draft air pollution permit indicates just how much DEQ disregards the risk to our health from these plant emissions. DEQ's culpability is clear. DEQ actively allows these two firms to release known carcinogens into the air we breathe. Politicians may cave to pressure from industry, but the law requires DEQ staff to follow air quality requirements as stated in the permits issued. We ask that DEQ not only deny the expansion permit request by APES and the continued operation by ORRSCO, but to initiate a Cease and Desist order for both companies until there's an independent investigation of omissions. The mutual agreement between DEQ and APES for its expansion plans are flawed and need to include technological improvements that can be monitored as well as more detailed plans to store and transport this waste.

DEQ is our only hope. At the very least, deny the permit requests from APES and ORRSCO.

Sincerely,

Bridgeton Neighborhood Association Board

Bill Coffman
Bridget Bayer
Jon Peterson
Karen Kane
Erik Molander

Gorgy Gonzales
Tom Hickey
Kim Swenson
Susan Johnston-Wright
Matt Whitney
Leslie Sawyer
Nancy MacGregor
Scott Niesen
Walter Valente

101. cynthia sulaski [csulaski@comcast.net]

Considering that DEQ has determined that the APES plant has been the likely source of toxic discharges into North Portland neighborhoods, I request that APES *not* be given a permit to continue doing business resulting in emissions more than 10 times those coming from oil refineries in the U.S. They certainly should not be allowed to self regulate and self report, but instead be regulated by an independent body that uses up-to-date software and other technology to monitor emissions.

Thank you for your consideration,
Cynthia Sulaski
Portland, Oregon

102. Dorothy Elmore [dorothyelmore53@gmail.com]

To Whom It May Concern,

I live at 905 N Harbour Drive, Portland, Oregon which is directly in the range of two plants that spread pollutants into the very air that my family, friends, neighbors, and I breath on a daily basis. I am sure that you are well aware that these toxins are a danger to our health and well being and I formally object to these plants continuing this practice. I strongly request that DEQ deny their permits until serious toxic elements, that are currently being emitted indiscriminately around North Portland, will be significantly reduced.

Thank you for your time and consideration regarding this matter.

Sincerely,
Dorothy Elmore
Assistant Chief, Retired
Portland Police Bureau
503-593-8714
503-512-7014 (fax)

103. BRIDGET E BAYER [bridgetbayer@me.com]

DEQ Public Comment from Bridget Bayer:

Considering the high level of dioxin and hexavalent chromium that is emitted by American Petroleum Environmental Services, Inc. (APES) solid waste facility license and Oil Re-Refining Company, Inc. (ORRCO), I am shocked that DEQ would even consider an expansion request by APES and permit renewal by ORCCO. In reprocessing used oil, these two companies emit more than 300 hazardous agents that threaten our health and the natural environment. Your draft air pollution permit indicates just how much health risk there is from these plant emissions. DEQ admits knowing about the removal of the thermal oxidizers in 2006 that could have helped remove the worst of the toxins. No citation has ever been issued nor has DEQ required APES to improve their emission controls. DEQ should not only deny the expansion permit request by APES and the continued operation by ORRCO, but should instead order them to Cease and Desist until there's an independent investigation of omissions. The current mutual agreement between DEQ and APES for its expansion plans are flawed and

need to include technological improvements that can be monitored as well as specific detailed plans to store and transport this waste. More information and news media regarding this ongoing toxic issue follows this comment.

Thank you,
Bridget Bayer
173 NE Bridgeton Rd, slip 5
Portland, OR 97211

Media Information:

June 27, 2017 <http://portlandtribune.com/pt/9-news/364466-244751-oil-recycler-permit-shows-it-emits-more-than-foul-odors>

March 6, 2017 <http://pamplinmediagroup.com/pt/9-news/348568-227698-the-big-stink-on-hayden-island>

2017 <http://katu.com/news/local/hayden-island-residents-face-off-with-deq-over-air-quality-concerns>

March 10, 2016 <http://katu.com/news/local/hayden-island-residents-concerned-over-air-from-oil-refinery>

More information: PDX North Portland Neighbors (PDXNHN) <http://pdxnhn.org>

DEQ's Draft permit does not allow the use of gasses or the use of certain light ends as a fuel source and requires a temperature for processing of 1560 F. According to the owner, Mike Mazza, the fuel is burned at 1200 F. These practices are also in direct violation of the permit.

Many other violations are outlined in a fully annotated permit we delivered to DEQ during a public meeting in Feb 2016. I'm aware that was before your time, so if you haven't been provided a copy by your manager, I'll be happy to send one to you.

DEQ uses a facility wide emission cap for pollutants known as a Plant Site Emission Limits (PSELs). DEQ counts on facilities to demonstrate compliance with PSL's using *self-monitoring* and that these emission levels are accounted for in permit review. We challenge that without the verifiable facts, DEQ's assumption that they are providing you (and the public) accurate info is incongruous.

- Since 2006, the facility has had no emission control devices, although their permit says they are supposed to.
- Apparently DEQ didn't learn of the illegal emission control device removal until 2011.
- Although there were many public opportunities/ meetings for DEQ to acknowledge the that emission control devices had been removed and their system had been improperly redesigned to bypass permit safety measures, DEQ chose not to reveal that information to the public until **August 2016**.
- Since 2006, citizens have been subjected to oil refining toxic emissions, (some odiferous, some not) despite making thousands of complaints.
- Not only is that cover up insulting to citizens who trusted DEQ, it was negligent and it is "highly likely" that federal Clean Air Act (CAA) violations continue there every day.

It's a simple matter to verify the scientific evidence and DEQ has the authority to enter the plant to do full spectrum tests of the **two burners**, fuel materials, and right at the stacks. And again, **THAT** is what the citizens demand.

Over the past two years, neighbors did the homework to try to help DEQ solve serious emission issues from the oil refiners.

- **PDX North Portland Neighbors (PDXNHN)** suggested that you require APES to use a cleaner source of fuel to process their used oil which would solve most of the problem.
- **PDXNHN** revealed to DEQ the presence of an unsecured, vulnerable tankful of illegal PCBs (which you finally acknowledged last Fall) and asked you to wipe/test their stacks during maintenance to provide evidence that PCBs had been illegally burned, but you have failed to do so. Reports from other viable sources about differing tank sizes and amounts added to our suspicions that illegal PCB burning happened and levels most likely topped off.

- **PDXNHN** provided DEQ with the annotated permit ('smoking gun') over a year ago. Many of those known violations have not been enforced by DEQ.
 - **PDXNHN** provided DEQ with a plant schematic/diagram indicating the exact escape points of the toxic emissions.
 - **PDXNHN** suggested that you dig deeper into the name change loophole that caused you to back out of the August 2016 PEN.
 - **PDXNHN** requested that DEQ use part of its \$320 million budget (ie emergency fund?) to provide the public with full-spectrum, emission facts taken from ongoing, true, source testing.
- APES is out of compliance and in default on most of their operating permits including air, water discharge, and wastewater discharge. That DEQ recently entered into an MAO with APES/ Clearlube that allows an experimental sulfonation process, putting the public at further risk, is absurd. It is also absurd to consider issuing them a new permit to expand when they didn't comply with the old one.
- DEQ or the Governor should shut them down until they comply.

104. CAAT [gsotir@cullycleanair.org]

To: Air Quality Permit Coordinator
700 NE Multnomah Street, Suite 600
Portland, OR 97232

The Cully Air Action Team is a group that represents the people of the Cully neighborhood in Portland and seeks to improve air quality for the health and well-being of the community, and the larger Portland environs as well. We in Cully are subject to toxic and nuisance emissions from multiple sources, and given unfavorable wind conditions, those sources include the American Petroleum Environmental Services (APES) dangerous toxin releases.

The Cully Air Action Team is very concerned that the re-permitting of APES will allow for the release of dioxins, benzenes, xylene, and other carcinogens, and unfiltered pollutants into the Portland airshed. The location of the APES facility, and its proximity to densely populated neighborhoods, simply requires a zero-emission strategy for filtering if the company wants to protect our air and community health. Given the inability of the APES to responsibly practice their industry and control their emissions the Cully Air Action Team insist that Oregon DEQ issue an immediate Cease and Desist Order for APES production inventories and pollutant releases. If this company is unwilling to stop endangering the health of the Portland community then no permit should be issued or renewed.

The Cully Air Action Team also further demands DEQ facilitate an independent investigation of emissions from APES, and issue citations for violations of Federal Statutes and Clean Air Act violations. If APES refuses to pay or challenges these violations then no operating permit should be issued. APES deciding to flaunt regulations in the past has placed an undue burden of toxic emissions, and resultant dangerous health effects and maladies, on the public and the local airspeed and environs.

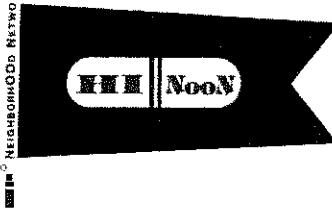
The Cully Air Action Team is also very concerned, given the fact that we are subject to multiple sources, of the DEQ's lack of investigation into synergistic health effects of VOCs and heavy metal pollutants, and endocrine disruptors, and of how they affect local invertebrates, and humans. If DEQ is permitting industries that release endocrine disruptors and chemical pollutants that interact with one another, then DEQ must begin to regulate them.

Gregory Sotir for The Cully Air Action Team (CAAT)
4726 NE 66th Ave.
310-467-8053
cullycleanair.org

105. Martin Sslapikas [slapikasm@gmail.com]

At the request of Oregon DEQ are, attached, HINooN's comments on American Petroleum Environmental Services request for an Air Quality Permit Renewal and Proposed Solid Waste Permit.

Our community does not believe it to be in the best interest of the air breathing public or in the best interest of good governance to grant these permits at this time.



The purpose of the Hayden Island Neighborhood Network (HINooN) is, "To enhance the livability of the Hayden Island neighborhood by establishing and maintaining an open line of communications and liaison between members of HINooN, other neighborhood associations and government agencies."
(HINooN Bylaws, Effective June 9, 2011)

June 30, 2017

Air Quality Permit Coordinator
700 NE Multnomah Street, Suite 600
Portland, OR 97232

Re: American Petroleum Environmental Services (APES) –
Proposed Air Quality Permit Renewal and Proposed
Solid Waste Permit.

To whom it May Concern:

INTRODUCTION

Since 2001, American Petroleum Environmental Services (APES) located in the City of Portland, Multnomah County, has been recycling used motor oil, a process recognized as an important environmental objective.

American Petroleum now proposes to modify their existing air quality permit to add an oil sulfonation process and an oil polishing process along with a thermal oxidizer. The purpose is to control volatile organic compound emissions from used oil and processing them into reusable oil and fuel. This would be under the supervision of the Oregon Department of Environmental Quality (ODEQ).

Additionally, at the request of ODEQ, American Petroleum is applying for a solid waste permit for processing used oil filters and other oily solids.

PLEADINGS

The Hayden Island residents, businesses and visitors along with the surrounding communities have concerns that include, but are not necessarily limited to, the following facts revealed in ODEQ records:

1. That APES, in 2006, unlawfully scrapped thermal oxidizers installed to destroy hazardous pollutants, devised an alternative for controlling pollution, but never informed the ODEQ;
2. That APES has been operating without thermal oxidizers since 2006;
3. It was illegal for APES to remove the pollution-control equipment;
4. That ODEQ did not discover the pollution-control equipment had been removed until a 2011 inspection;
5. That ODEQ decided to forgo prosecution for the illegal pollution-control equipment removal ;
6. That air pollution permits for APES expired in 2013;
7. That ODEQ allowed APES to continue operation with an expired permit;
8. That Hayden Island and surrounding North Portland residents have reported, to ODEQ, pungent odors and illnesses involving various respiratory episodes and bloody noses occurring at various times since at least February 2000;
9. That the complaints intensified about the time the APES plant unlawfully removed the thermal oxidizers in 2006;

10. That on September 24, 2015, engineers from the U.S. Environmental Protection Agency (EPA) using an infrared thermal imaging video camera (FUR GF320) captured video pictures of clouds of pollution, that cannot be seen by the naked eye, coming out of APES and ORRCO's smokestacks;
11. The U.S. Environmental Protection Agency (EPA) inspection team also deployed a photo-ionization detector that measures volatile organic compounds (VOCs) detecting "a distinctive petroleum-like odor" from several points within the boundaries of APES;
12. The ODEQ determined the odors were coming from facilities that "processes a product containing petroleum-based compounds" concluding that APES and another re-refinery were, in all likelihood, the source of the odors;
13. The ODEQ, after receiving respiratory complaints since 2000, and the results of the infrared thermal imaging video camera and photo-ionization detector, did not issue a "Cease and Desist" order to protect the public health and air quality of North Portland residents; and,
14. That ODEQ describes the reported air pollution problems experienced by Hayden Island and other North Portland residents as an "odor" issue, exhorting the residents at one public meeting to just "close their windows."

Additionally, in a June 29th Portland Tribune article by Paul Koberstein entitled, "*Oil recycler permit shows it emits more than foul odors,*" it was further reported that on Wednesday, June 21st DEQ held a public hearing on the APES draft air pollution permit, yet no one from the ODEQ briefed the public about the carcinogenic discharges allowed by the permit. The draft permit, reviewed by a 30-year workplace safety consultant, Mr. John Williams, at the request of the Portland Tribune, exposed that "*...the permit DEQ proposes for the APES plant will result in numerous toxic emissions.*"

Quoted from the Tribune article, "*In his independent review of the permit, Williams said it allows the APES plant to burn waste oil containing small amounts of chromium, arsenic, lead, cadmium, PCBs and a category of chlorinated chemicals known as halogens.*"

"When you burn PCBs and halogens together at certain temperatures, you can get a catalytic reaction that could potentially create small amounts of dioxin-like compounds," said Williams, a member of Intel Corporation's Air Quality Advisory Committee.

Mr. Williams "*...cited a 1996 report published on the US EPA's website noting that the carcinogens dioxin, PCB's and benzene "may be formed" during the burning of waste oils as a result of incomplete combustions. The EPA considers dioxin to be the most carcinogenic substance in the environment, dangerous in even small quantities.*" "*The permit does not mention or discuss the plant's potential to emit dioxin, but would allow the plant to release as many as eight other carcinogenic chemicals, including arsenic, beryllium, cadmium, nickel, ethylbenzene, formaldehyde, naphthalene and possibly hexavalent chromium.*"

Finally, at several ODEQ hosted public meetings, a question asked of DEQ agency representatives and attending panelists was, "Has any air quality permit been turned down or a request for renewal been denied?" No one seated at the table could recall anything other than the granting of permits.

HINON RECOMMENDATIONS

American Petroleum Environmental Services, Inc. is seeking the renewal of the company's air quality permit and issuance of a new solid waste permit from ODEQ, the agency responsible for regulating APES.

APES has a lengthy history of manufacturing and delivering an uncontrolled, toxic, odorous, substance to the air breathed by the general public, essentially creating an ODEQ sanctioned public health risk. APES does this by operating with expired ODEQ permits, under a cloud of recorded respiratory complaints, while unlawfully removing pollution control equipment—all this while submitting periodic self-reports to ODEQ.

On the other side of the coin, In June, ODEQ invites the public to attend a public hearing and to comment on the proposed modification and renewal of APES standard air containment discharge permit and proposed new solid waste

material recovery facility permit, yet no one from the ODEQ briefs the public about the carcinogenic discharges allowed by the permit.

ODEQ is supposedly responsible for administering laws regulating air, water, and land pollution. The agency practices a policy of administrative inaction to administer those laws regulating the air that APES and other used oil re-refineries are delivering to the public by never turning down a permit request. Accepting the self-reports of APES, the ODEQ ignored the years of recorded respiratory complaints, apparently did not know of the illegal removal of pollution control equipment, choose not to prosecute when such removal was discovered, and sanctioned the operation of APES allowing them to operate with expired permits. The September 2015 EPA video pictures show clouds of pollution coming out of APES smokestacks.

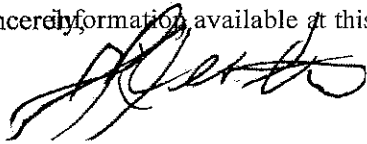
All of this is carried out by the state agency (ODEQ) that accepts infrequent self-reports from a company (APES) that is supposed to be regulated by the state agency (ODEQ) that casts a blind eye on the company (APES) they are to regulate. This does not indicate an institutional will for ODEQ to be a leader in restoring, maintaining and enhancing the quality of Hayden Island 's, North Portland's or Oregon 's air on behalf of the public.

Until this situation is remedied, for the benefit of the breathing public, HINooN recommends:

- APES not be issued a renewal Air Quality Permit and denied the proposed Solid Waste Permit.
- ODEQ issue APES a Cease and Desist order to take

effect immediately. HINooN's comments on this issue are based on

Sincerely, information available at this time.



6-30-2017

Jeff .

Isler, Chair

Hayden Island Neighborhood

Network (HINooN) JRG:MGS

CC: Kate Brown, Governor, State of Oregon
Tina Kotek, House Speaker, Representative, District 44
Richard Whitman, Director, Oregon DEQ
Ted Wheeler, Mayor, City of
Portland, Oregon Dan
Saltzman, Commissioner, City
of Portland Nick Fish,
Commissioner, City of Portland
Amanda Fritz, Commissioner,
City of Portland
Chloe Eudaly, Commissioner, City of Portland and Bureau Chief, Office of Neighborhood
Involvement
Tom Griffin-Valade, Executive Director, North Portland Neighborhood Services (NPNS)

Sincerely,

Martin G. Slapikas, Vice Chair Hayden Island Neighborhood Network (HINooN)
(503) 201-6460

106. Keith R. [emeraldman1973@msn.com]

I demand a Cease and Desist order for the APES Oil Re-refinery. It has been illegally polluting my neighborhood for too long. I demand that DEQ issue NO permit until there's an independent investigation of emissions. I also demand an INDEPENDENT investigation into DEQ as to:

- 1) Why they are allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013.
- 2) Who was responsible for removing the thermal oxidizers in 2006
- 3) Demand that DEQ issue a citation for those 11 years of federal violations.

Keith Regelin 7808 N EMERALD AVE PORTLAND, OR 97217

107. Judy Patterson [mailto:birdies4judy@yahoo.com]

PLEASE DENY DEQ PERMITS TO APES AND ORRICO.

I live in the area and can SMELL oil all the time and so can my guests!!
How do they get away with this!!

Judy Patterson
Mews at North Harbour Unit 19

108. ron1portland@gmail.com

I have had numerous headaches and sore throats and nasal issues over the years from what DEQ calls only an odor issue. At one of your local meetings we were told to just close our windows when we smell it. Well that just don't get it!! Please do not issue a permit for APES to operate. I request an immediate Cease and Desist!

Aim requesting an independent investigation of omissions in the process and an independent investigation into DEQ for not protecting the Public health.

Why are you allowing dioxin and hexavalent chromium to be emitted in our air near residential areas?

Who was responsible for removing the required thermal oxidizers in the 2006 permit?

Why did it take DEQ 11 years to discover that?

I demand DEQ issue a citation for those 11 years of violations and to start protecting the public not businesses.

Ron Fulcher, 1741N Jantzen Ave, Portland Or 97217

109. H & R WALDROP [hrmmtpleas@bellsouth.net]

We, the residents of North Portland, whose health is in danger, DEMAND the following--
an immediate Cease and Desist.

that DEQ issue NO permit until there's an independent investigation of omissions.
an INDEPENDENT investigation into DEQ as to

A) Why they are allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013.

B) Who was responsible for removing the thermal oxidizers in 2006
that DEQ issue a citation for those 11 years of violations.

Harold & Rhonda Waldrop
Hayden Island

110. Nancy [tenwa@jps.net]

Please do not renew the permit for the American Petroleum Environmental Services !! They must not spew anymore dangerous carcinogenic chemicals in our air. Nancy Cushwa

111. Duplicate

112. **From:** Donna Murphy [mailto:pennyputupon@yahoo.com]

Allowing APES to continue operating without cleaning up the facility is not responsible and sacrifices the health of the public and the environment for the sake of individual profits. No company should be allowed to operate in this manner. No permit should be issued. APES must be subject to the higher standards in order to protect the public and the environment.

It is unconscionable that DEQ is not doing their federal and state mandated job. Is there corruption in the DEQ offices? We have to think so if we are not being protected from the polluters.

Again, No permit should be issued.

Donna Murphy
former Hayden Island resident

113. Duplicate

114. tmchikbe@gmail.com [tmchikbe@gmail.com]

STOP the release of carcinogens into our neighborhood air immediately.

Lung cancer is not pleasant. I watched as my husband declined each day for 5 months and passed away.

Marilyn Fujiyoshi

115. Donna Murphy [pennyputupon@yahoo.com]

Stop renewing permits to these companies until they clean up their business.

I used to live on Hayden Island from 2009-2013 and thought that that was my last home as I loved living there. We had to move after only three years and one of the biggest reasons was health issues.

I was tired of coughing, terrible headaches, burning eyes / throat and the terrible odors that were all too frequent. Going out at night to enjoy the evening out on our deck overlooking the Columbia river was impossible due to the noxious and choking odors. Even with air conditioning the odors would make living normally very difficult.

After years of battling the DEQ to do their job it still hasn't happened. Stop the permits and shut APES and ORRCO down.

Donna Murphy
Former Co-President of HILP
(Hayden Island Livability Project)

116. Collin Romer [collinromer@gmail.com]

Hello -

My family, neighbors and I have serious concerns about the operation at APES and the public health impact it is having on North Portland.

I am demanding an immediate cease and desist, and I am requesting that no permit be given to APES until an independent investigation into the questions of criminality on the part of APES be thoroughly investigated.

Why were the thermal oxidizers removed? Who was responsible?

Why did DEQ allow them to operate after removal for 11 years with no citation?

Why is the DEQ allowing dioxin and hexavalent chromium to be emitted into a residential neighborhood?

The following article in the Portland Tribune raises a number of questions and possible illegalities conducted on the part of APES at the expense of public health.

<http://portlandtribune.com/pt/9-news/364466-244751-oil-recycler-permit-shows-it-emits-more-than-foul-odors>

I am very concerned about this matter and will be staying abreast of the decisions being made.

Sincerely,

Collin Romer, Kenton

117. Michael@SMG [michael@stewartmarketinggroup.com]

Please deny both these oil refineries permits and an investigation is done as to what they are doing to the air we breath.

This is nuts.

No permits until we know.

118. Rental Account [damonyale@gmail.com]

I have complained and experienced odors from this polluting and toxic business which processed oil that was contaminated with PCBs. Please hold them to the standards set by the clean air act! Get them to into compliance or out of the business

Thanks,

Damon

119. coffman68@comcast.net

I am writing to demand that DEQ deny permits to ORRGO and APES and shut down their operations immediately due to the health hazard caused by their emissions into my neighborhood as reported in the Portland Tribune, June 30, 2017. The health of those of us who are residents in this neighborhood should be the top priority of the DEQ.

I also demand that DEQ due their diligence in monitoring the activity and emission quality if they are allowed to continue operations. Thank you.

Cathie Coffman

905 N. Harbour Dr. #13

Portland, OR 97217

120. Nancy Phillips [nancy@nancyphillipsdesigns.com]

Dear Permit Gods,

My name is Nancy Phillips and along with The Bridgeton Neighborhood Association (BNA) board and all the residents including many school children we are strongly requesting an expansion permit request by American Petroleum Environmental Service, Inc. (APES) be denied.

1. **We** demand an immediate Cease and Desist.
2. **We** demand that DEQ Issues NO permit until there's an independent investigation of omissions.
3. **We** demand an INDEPENDENT investigation into DEQ as to:

A) Why they are allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013?

B) Who was responsible for removing the thermal oxidizers in 2006?

4. **We** demand that DEQ issue a citation for those 11 years of violations.

The BNA Board is recommending the permit be denied based on these facts:

- APES is out of compliance and in default on most of their operating permits including air, water discharge, and wastewater discharge.
- DEQ recently entered into a Mutual Agreement and Final Order (MAO) with APES/Clearlube that allows an experimental sulfonation process, that has not be used before, putting the public at further risk.
- In 2006, APES illegally removed emission control devices, although their permit requires it. Citizens have been subjected to oil refining toxic emissions despite making thousands of complaints.
- In 2011, DEQ learned of the illegal emission control device removal but did nothing about it.
- DEQ chose not to reveal that information to the public until August 2016!
- APES uses dirty diesel oil as a source of fuel to process their used oil.
- APES stores unsecured, vulnerable tanks of illegal PCBs.

Plus, the fact that people are sick from breathing these toxic fumes.

I expect and look forward to your denying the permits and your response.

Thank you.

Nancy Phillips
318 N. Bridgeton Road
Portland, OR 97217

121. Richard Blue [richardblue@earthlink.net]

I am an owner and part time resident of 905 N. Harbour Drive #23, Portland, Oregon 97217, otherwise known as "The Mews".

The Portland Tribune article on potential toxic materials coming from these plants deserves serious investigation by an independent body of experts. Until such a study is conducted and reviewed by authorities and the affected public, no further permits should be issued to either of these industries

Richard Blue

#23

905 N. Harbour Drive #23
Portland, Oregon 97217

122. Laura Miller [lauramiller1@comcast.net]

Dear Permit Gods,

My name is Laura Miller and along with The Bridgeton Neighborhood Association (BNA) board and all the residents including many school children we are strongly requesting an expansion permit request by American Petroleum Environmental Service, Inc. (APES) be denied.

1. **We** demand an immediate Cease and Desist.
2. **We** demand that DEQ Issues NO permit until there's an independent investigation of omissions.
3. **We** demand an INDEPENDENT investigation into DEQ as to:
 - A) Why they are allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013?
 - B) Who was responsible for removing the thermal oxidizers in 2006?
4. **We** demand that DEQ issue a citation for those 11 years of violations.

The BNA Board is recommending the permit be denied based on these facts:

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- DEQ recently entered into a Mutual Agreement and Final Order (MAO) with APES/Clearlube that allows an experimental sulfonation process, that has not be used before, putting the public at further risk.
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- In 2011, DEQ learned of the illegal emission control device removal but did nothing about it.
- DEQ chose not to reveal that information to the public until August 2016!
- APES uses dirty diesel oil as a source of fuel to process their used oil.
- APES stores unsecured, vulnerable tanks of illegal PCBs.

Plus, the fact that people are sick from breathing these toxic fumes.
I expect and look forward to your denying the permits and your response.

Thank you.
Laura Miller
424 N. Bridgeton Road
Portland, OR 97217

123. Sharon Sirois [siroiss@hotmail.com]

Hello my name is Sharon Sirois and I reside at 2305 N Sumner Street, Portland OR 97217. I have been a resident here since 2002. I am writing to say that I would like DEQ to please scrutinize the permit before approving it for the APES complex on Hayden Island. Naturally I am concerned by a recent newspaper article citing that as many as 11 pollutants are allowable under the permit. I am also concerned about the veracity of DEQ's claims that the current emissions pose no serious health threat when they have been aware of the issues and monitoring the problem for years even allowing the plant to operate without equipment to filter dangerous emissions for much of that time. Why was the company never cited? I would also request that APES identify better self-reporting emissions than the software they are planning to use, as it has poor accuracy in the emission readings.

Sincerely, Sharon Sirois

124. Alison Weeks [alison_weeks@yahoo.com]

Dear DEQ,

Thank you in advance for considering my comments during the official public comment period.

DEQ should be doing its job to protect citizens by keeping our environment safe from dangerous toxins. Given

how APES is being allowed to operate, I am left questioning how well you are doing your job.

As it pertains APES, it seems reasonable that a Cease and Desist should be issued. There should be NO permit made available until there is an *independent investigation of omissions at APES*.

Why is DEQ allowing dioxin and hexavalent chromium to be emitted into a residential area that existed before APES began operating in 2013? That does not look like reasonable protection.

Why were thermal oxidizers removed in 2006 and by whom? And wouldn't the reasonable action be to issue a citation for that?

As a resident of Hayden Island, I am very concerned for my health and the health of this community.

I look forward to hearing from you.
All my best, Alison Weeks 1875 N. Jantzen Avenue 97217

125. Sue Teso [sueteso@gmail.com]

Hello

I write in regard to the APES and ORRCO Permit

I am a resident of Hayden Island dealing with the obtrusive odors and very harmful emissions from the above mentioned companies.

I am also a grandmother of a child who plays sports at Delta Park in Portland, where I can attest to the fact the odors and harmful chemicals are very much there. Sit through a sports game when the wind is blowing that way and watch the children struggle for air. That might open your eyes, I hope.

I demand that you consider very carefully what you are about to do in this regard.

As the state agency charged with protecting the public, please consider:

- immediately pulling existing permits and suspending operations.
- proceed with an independent investigation of emissions.
- determine why dioxin and hexavalent chromium were allowed to discharge into a residential area that existed prior to APES 2013 operation and responsibility for the 2006 thermal oxidizer removal; if violations indeed occurred, consider assessing appropriate fines for the past 11 years of violations.
- do not approve an expansion request until full compliance is achieved, **and** the appropriate full/adequate monitoring controls are in place before allowing operations to resume.

Thank you

Susan Teso

Island Cove, Hayden Island, Portland

971.282.6898

Sueteso@gmail.com

126. ineke deruyter [ideruyter@hotmail.com]

To whom it may concern, As someone who lives in N Portland and has attended meetings with neighbors, U of P staff and DEQ staff, I have been continuously appalled at your lack of concern for public health issues brought up during those meetings, as well as your extreme disregard for your own rules and regulations pertaining to industry polluters. Now I hear that you have no problems issuing another permit to APES, even though they have broken DEQ safety rules. They have unlawfully removed thermal oxidizers, with your knowledge. This has resulted in even more serious carcinogenic air pollution exposure for the people of Portland. Especially in the neighborhoods bordering this polluter. I strongly suggest the following:

A: No permits are issued to APES at this time, due to their past cheating and frankly criminal behavior towards regulations protecting Public Health.

B: industry be monitored closely and not self-regulate or self-report, since they have been untrustworthy in the past (to say the least.) Since DEQ has allowed them to practice unsafely, I suggest

C: an independent agency check out both DEQ's and APES' unsavory practices. And last but not least:

D: A CEASE and DESIST order be issued by the governor, to protect Public Health.

DEQ needs to have a firm plan in place to closely monitor and report the amounts of carcinogenic toxins released by APES, and act according to those findings.

At this time we have no idea what is being discharged into our air and lungs.

PEOPLE OVER PROFITS! PUBLIC HEALTH OVER INDUSTRY WEALTH! Thank you,

Ineke Deruyter, Portland, OR 97203.

127. Cecilia Youngs [cyoungs@yoakum.com]

This appalling permit should not be issued to APES. Issuance of an air quality permit does not sufficiently change the pollution problem, the language is still full of loopholes and weasel words rendering provisions of the permit useless, and is contrary to Governor Kate Brown's policy supporting the Paris Agreement. This draft permit demonstrates DEQ's unwillingness to protect the public and the environment from these dangerous emissions.

DEQ chose not to use its administrative authority to shut APES down (OAR 340-216-0082) by making the subjective decision that there was no "serious danger to public health, safety or to the environment." But, they based their decision on short-term measurements which made it appear that the effects to health were small and insignificant. They said nothing about long-term effects, such as cancer and other major illnesses. It is now time to move this up a notch – calling Governor Brown to issue a Cease and Desist Order (ORS 468.115) because there is "imminent and substantial endangerment to the health of persons." These deadly emissions have gone on for two years. It is now time to shut the facility down. There are so many things wrong with this proposed permit that the neighbors call for an investigation by an independent third party with no ties to Oregon government or to Association of Oregon Industries.

This permit must:

1. Reclassify APES as a Title V facility and subject them to greater regulations than just a simple Air Contaminant Discharge Permit. It meets the criteria for Title V by having the potential to emit sufficient dangerous air pollutants. It has operated without emission controls, stored PCB-oil on its property without a permit, and now wants to burn the PCB-oil. It has also conveniently lost the records it is supposed to keep, so DEQ does not know what was burned. APES must be subject to the higher standards in order to protect the public and the environment.
2. Require a greater degree of emission destruction than the 97% listed in the permit. Since the facility has been operating without emission controls and is still pumping dangerous toxics into the air, the permit should require a clean-up standard of almost 100%. This technology is available.
3. Not allow APES to burn PCB-oil at this facility. Based on past performance, there is no indication that APES could be trusted to handle these hazardous materials properly. APES, or its predecessor, stored full tanks of PCB-oil from ORRICO on site, probably burned the PCB-oil to get rid of it (suspected from other information

sources), and after it became public, diluted the tanks (illegal) to cover up a lower level of PCB-oil. Testing of the tanks disclosed water (not there previously) and the presence of another hazardous substance, benzene. The burning of PCBs and benzene could create dioxin – and any burning and releasing of these toxics endangers the public and environment.

4. Require APES to use BACT (Best Available Control Technology), a higher standard for emission control that the permit requires (TACT/Typically Achievable Control Technology, or TACT). One of the pollutants that APES is allowed to process is chromium. Although DEQ says they don't know if it is hexavalent chromium, they should have learned this after the Bullseye Glass debacle – chromium when heated turns into hexavalent chromium – think Erin Brockovich. Technology meeting the BACT standard must be installed before chromium is allowed.
5. Require continuous source/stack monitoring. Air monitoring is insufficient to provide a complete picture; air, wind, temperature, height of the cooling tower, and location of monitors all skew the results obtained by air monitors, not to mention testing when the plant is “on holiday.” Using a short, quick air grab to represent a full day of emissions does not give a true picture of the emissions. Because APES accepts many different used petroleum products for processing, continuous source/stack monitoring is the only way to determine what is actually being emitted. This technology is also available.
6. Require more stringent enforcement methods because self-reporting is not adequate; APES cannot be trusted to self-police. It did not disclose the removal of the emission controls, the presence of PCB-oil, or keep proper records. Not only must an independent investigator be involved, DEQ must pledge to make surprise visits on a weekly basis. Since APES has not even received a slap on the wrist for previous violations, large fines must be imposed for violating any of the provisions of the permit and the imposition of those fines must be decided by the community.
7. Specifically indicate that there is no “cap and trade” allowed and if there are changes to the state or EPA rules, the most stringent remains in effect.
8. State that the Review Report is incorporated into the permit and becomes a part thereof.
9. Not allow fugitive emissions to be exempted from visible emissions. 1.1
10. Not allow any particulate matter to fall on other people's property, even the smaller size, under 250 microns. 1.4
11. Eliminate odors, not minimize odors. 1.5b Use of the word “odors” minimizes the seriousness of the situation; “odors” may be a precursor to a toxic release.
12. Require a processing temperature of 1600F and eliminate the sentence allowing the temperature to be lower if test shows it controls 97% of emissions. There is too much wiggle room here. 2.1b
13. Require accurate measurement of PESL, plant site emission levels. This wording is too vague for actual measurement and calculations by hand are not accurate because no one knows what is being emitted. 3.1

14. Require emissions to be monitored electronically, not visually. Visual inspections are not sufficient. 7.1
15. Require immediate cessation of operations and notification of DEQ if there are excess emissions. 7.2
16. Require semi-annual reporting, not annual. Late fees must be assessed in all cases. "as appropriate" should be removed.
17. Allow DEQ and other inspection at all times; not just "reasonable" times.
18. Not allow small Particulate Matter under 2.5 in size.
19. Require Process/Production Records on a weekly basis, not a monthly basis. 14.0

The neighbors are not anti-business; they are for clean, responsible business that does not harm their health. Allowing APES to continue operating without cleaning up the facility is not responsible and sacrifices the health of the public and the environment for the sake of individual profits. No company should be allowed to operate in this manner. No permit should be issued.

128. Genevieve DeGuzman [gvdeguzman@yahoo.com]

Re: The application by American Petroleum Environmental Services, Inc. (APES) for a new license to consolidate and re-load oily cleanup material.

Granting a license to American Petroleum Services, Inc., (APES) to expand their operation would go counter to Portland City Council's resolution No. 37168, passed in a unanimous vote, which opposed the expansion of fossil fuel infrastructure in the city and its adjacent waterways. This resolution (Binding City Policy BCP-ENN-10.02) was adopted by Portland (Oregon) City Council November 12, 2015. The draft permit right now demonstrates DEQ's unwillingness to protect the public and the environment. DEQ chose not to use its administrative authority to shut APES down (OAR 340-216-0082) by making the subjective decision that there was no "serious danger to public health, safety or to the environment." But, they based their decision on short-term measurements which made it appear that the effects to health were small and insignificant. They said nothing about long-term effects, such as cancer and other major illnesses. These deadly emissions have gone on for years. It is now time to shut the facility down.

A southerly wind brings this toxic soup to Hayden Island, resulting in residents trying to shelter indoors, and sometimes resulting in evacuation of Jantzen Beach Shopping Center stores who have more than once identified the stench as a gas leak. In addition, more than a few times residents of Hayden Island have awoken in the early morning to symptoms such as bleeding nose, respiratory distress, nausea, vomiting, loss of concentration, head aches, and panic attacks. These are not good things to have happen within Portland City limits, a city which perhaps in light of these reports, apparently does not take care of its citizens nearly as well as it would like to think it does.

APES, and their "twin" Oil Re-Refining Company, Inc. (ORRCO) are the air pollution "elephants in the room" in North Portland. While they remain within Portland's air-shed, Portland cannot claim to be a leader in the restoration of urban environments to make them livable again, and North Portland's residents will continue to face serious polluted-air-induced health challenges.

Allowing APES to continue operating without cleaning up the facility is not responsible and sacrifices the health of the public and the environment for the sake of individual profits. No company should be allowed to operate in this manner. No permit should be issued environmental concerns are addressed.

Please deny APES their current and any future expansion permit applications.

Thank you for taking my comment.

Sincerely,
Genevieve DeGuzman
Portland, OR 97203

129. harry kershner [hkershner35@yahoo.com]

I am against granting a permit for continuing operations at APES. A plant which has purposefully and with impunity disconnected safety equipment which was required to protect the public from inhaling toxins should not be allowed to operate.

I strongly support a Cease and Desist order for the time being because of above Public Health hazard.

I also support an independent investigation to find out if above regulations were broken with DEQ knowledge, as is alleged in the article in the Portland Tribune. Such practices to undermine Public Health are extremely serious and should be immediately addressed.

We need to be informed as to exactly which toxic and carcinogenic substances, and the amounts, are being emitted into our air. Until continuous monitoring is in place, by an agency whose TRUE mission is to protect Public Health from unsavory practices by industry, APES should not be allowed to operate. Nor should they ever be allowed to self-report or self-regulate!

I also support citations be issued to APES for the 11 years of pollution violations, as alleged in the tribune article

Thank you, Harry Kershner, 9322 N Oswego Ave, Portland, OR 97203hksf

130. Kaytie Gamble [noordijkp@gmail.com]

To Whom it May Concern,

As a Kenton resident of North Portland, I would like to submit a comment regarding The Oregon DEQ APES permit that is up for renewal.

First, I would like to demand an immediate Cease and Desist.

Second, I would like to demand that DEQ Issues NO permit until there's an independent investigation of emissions.

Third, I would like to demand an INDEPENDENT investigation into DEQ as to:

1. Why they are allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013.
2. Who was responsible for removing the thermal oxidizers in 2006?

Fourth, I would like to demand that DEQ issue a citation for those 11 years of federal violations. Please feel free to call or email me with any questions or comments.

Thank you,

~Kaytie Gamble

131. Peter Noordijk [noordijkp@gmail.com]

I apologize for the angry tone, but I am angry.

Living in North Portland is very nice. The kids can walk to school, ride their bikes to the park with their friends, we can walk or ride to several grocery stores, it is a wonderful, livable area with activity built into the neighborhood structure. Except for the air. Living South of the Port, East of Swan Island and West of I-5 we are surrounded by sources of deadly air pollution. We rely on DEQ to be OUR public advocates for cleaner and safer air. However, many days we can smell the fumes of sulfur from trains at Union Pacific and refineries on Marine Drive, solvent fumes from Swan Island, the stink of diesel from the highway. We know that these pollutants cause many health impacts- heart disease, cancer asthma, who really is our advocate in Salem? I had thought DEQ was on the job. Monitoring air pollution, enforcing strict controls on industry and making sure that the costs of pollution were internalized to industry and not spread to families and their employers. I just saw the draft APES permit (we have to watch this now, because DEQ hasn't protected us from Bullseye, Entek, Vigor, or many other free-riding polluters.) I see the draft APES permit will allow 11 chemicals with established health hazards to be pumped into the air our families need for life. The permit encourages APES to emit more than 10 times the typical concentration of SO2 emitted by oil refineries across the country, and despite APES record of willful violations, DEQ will only monitor emissions every two years. DEQ has not even fined APES for five years of spreading cancer and lung disease. This is unbelievable.

The permit specifies that APES can use a certain type of computer software to calculate emissions, which it must self-report annually. But the EPA says on its website that this software is "outdated" and "not reliably functional," and predicts "additional problems" will surface in the future. In light of its history of persistent violations- DEQ should require APES to use top-tier protection, not industry standard (which isn't even being required) and fund a real-time air monitoring station- not simulations.

Please insist that the air pollution control measures APES uses are more like the Intel plant which takes out 99% of VOCs (three times less than the 97% APES takes out currently), that the emission software is updated to be more reliant, and that the monitoring happens more than every 2 years.

Air toxics are amazing because they don't just stay in one area. They travel. And you should be worried about your family and friends too, even if you don't live in this area. If I was dealing with dangerous chemicals in my work, I certainly would expect there to be oversight. That is why we have agencies such as DEQ and EPA. Please act like representatives of the people who live in the air-shed of these companies, and not like the friends of their lobbyists. We are living and dying (my father has mysteriously developed lung tumors since moving to Portland three years ago), in the environment your are charged with protecting. Take that charge seriously and demand the maximum protection for Oregonians. de minimus standards that are not enforced do not meet that charge. Allowing Sulfur dioxide emissions of 300 ppm, equivalent chromium releases, cadmium and other metal releases does not meet that charge. The current draft must be rejected and re-drafted with the public interest at its center. Please reassure this community that you will uphold our health and safety foremost, and reconsider the APES draft permit. Thank-you, Peter Noordijk

132. **Not APES email**

133. Gabriel Farkas [farkasg2000@hotmail.com]

Regarding this article:

<http://portlandtribune.com/pt/9-news/364466-244751-oil-recycler-permit-shows-it-emits-more-than-foul-odors>

No doubt these substances are very toxic. No doubt the waste oil has the molecules to create them. But no doubt that the amount of these molecules, and the kind of process involved, does not promote the formation of them. Just ask any chemistry professor at PSU. Unquestionably the process can emit, if uncontrolled, some toxic substances, specially sulphur and phosphorous based. But good process engineering can handle them.

They can emit no more toxics than Mr John William's car. What does Mr William proposes? waste oil recycling is as indispensable to modern world as the car themselves. There can be no food without sewages.

Gabriel Farkas

134. Laurie [mcqueenl@comcast.net]

I am literally appalled by the recent article on toxins and N Portland. I am beginning to wonder if my grandchildren's dark circles and tiredness stem from living in St. John's across the way. I'm going to suggest that they be checked. How dare Portland allow this to go on ...these are people's lives and health. I think immediate action should be taken to shut this business down until they stop any further pollutants from coming from this business. They should only be allowed to re-open when all necessary measures have been taken to protect the public from any illnesses and cancer-causing pollutants caused by their company. We in Portland or counting on you to do the right thing

Regards,
Laurie McQueen
425-766-6889

135. Chris Fujiyoshi [fujmanchu@gmail.com]

I demand that the release of carcinogens into our neighborhood air from the facility at 11535 N. Force Ave. stop immediately. I understand that the American Petroleum Environmental Services re-refinery is permitted to poison my air with toxic, cancer-causing chemicals. I strongly oppose any air quality governance that permits airborne release of carcinogens in residential areas.

This is an urgent issue. The release of these chemicals must stop immediately while the City comes up with an approach to the problem. My house is in North Portland where I live with my wife and 18-month-old son. My mother lives a quarter-mile away. I play golf at a course that is within 300 feet of the toxic facility. I have smelled the foul smell emitted from it in person.

My father died of non-smokers lung cancer. When lung cancer is diagnosed, it is typically in stage 4. There are only 4 stages of cancer, so at the time a person is diagnosed, there is little the medical profession can do to help. If anyone in North Portland is diagnosed with lung cancer, I will immediately think about the permitted release of known carcinogens into neighborhood air from the facilities at 11535 N. Force Ave.

I have never written to the DEQ before, but his issue literally hits close to home for me. I have galvanized my neighbors and my family to write you as well. The level of motivation shown by my neighbors, my family, and me to ensure healthy breathing air is invigorating. Please stop American Petroleum Environmental Service from killing our air so that my son does not suffer the same fate as my father.

Sincerely,
Chris Fujiyoshi
6105 N Campbell Ave
Portland, OR 97217
503-545-8410
fujmanchu@gmail.com

136. Adair Chappell [adairchappell@hotmail.com]

My name is Adair Tamblyn and along with The Bridgeton Neighborhood Association (BNA) board and all the residents including many school children we are strongly requesting an expansion permit

request by American Petroleum Environmental Service, Inc. (APES) **be denied**.

1. **We** demand an immediate Cease and Desist.
2. **We** demand that DEQ Issues NO permit until there's an independent investigation of omissions.
3. **We** demand an INDEPENDENT investigation into DEQ as to:
A) Why they are allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013?
B) Who was responsible for removing the thermal oxidizers in 2006?

4. **We** demand that DEQ issue a citation for those 11 years of violations.

The BNA Board is recommending the permit be denied based on these facts:

- APES is out of compliance and in default on most of their operating permits including air, water discharge, and wastewater discharge.
- DEQ recently entered into a Mutual Agreement and Final Order (MAO) with APES/Clearlube that allows an experimental sulfonation process, that has not be used before, putting the public at further risk.
- In 2006, APES illegally removed emission control devices, although their permit requires it. Citizens have been subjected to oil refining toxic emissions despite making thousands of complaints.
- In 2011, DEQ learned of the illegal emission control device removal but did nothing about it.
- DEQ chose not to reveal that information to the public until August 2016!
- APES uses dirty diesel oil as a source of fuel to process their used oil.
- APES stores unsecured, vulnerable tanks of illegal PCBs.

Plus, the fact that people are sick from breathing these toxic fumes.

I expect and look forward to your denying the permits and your response.

Thank you.

Adair Tamblyn
322 N. Bridgeton Road
Portland, OR 97217

137. Nancy [tenwa@jps.net]

am a resident of Kenton neighborhood, which includes within its borders, in addition to the residential section, the entire Peninsula One Drainage District including the Heron Lakes Golf Club, PIR, the Expo property and 92 acres of restored wetlands. Having served for several years on the Harbor Oil Citizens Advisory Committee for Kenton, I realized the APES plant is the present occupant of the Harbor Oil site. This site's history and operation has been raggedly problematic to say the least. In fact it was, though small, a Superfund site, which gave cause for the formation of our committee. Recalling its history, my reading of the Portland Tribune article of June 29, perhaps if not unexpected, was a wake up call of "here we go again".

What Mr. John P. Williams discloses in the article is nothing short of hair raising. If just one portion of his assertions apply to my concerns there is something terribly wrong on public disclosure process- certain notification to every individual residing or working in Hayden Island and Kenton of the health threat posed by newly permitting APES operations.

How many people were aware of this issue against all who deserved to know is the question. Among those who found out about it, thanks to the Tribune article, we had a deadline of July 3rd to reply ?

It is sad when a once trusted DEQ evades its responsibility to protect health and the environment. If not the DEQ, then who does comprehensively and honestly assess threats to our safety?

The APES repermitting issue demands the widest and most open public disclosure possible so that every citizen affected by APES operations who breathe its toxic air is fully informed of pollution control equipment removal and inadequate pollution control procedures. It is possible that others might recall the Bulls Eye Glass episode because the concerns of both are similar – lack of disclosure was a common issue.

With regard to technical content, when we talk about dioxins and hexavalent chromium we are talking about the most potent of chemical toxins in the air we breathe. This is light years away from the inconvenience of enduring bad odors.

Peter Teneau

2715 N. Terry St.

Portland, Oregon

97217

503-978-0119

July 3, 2017

Cc: Portland Tribune and Kenton East Next Door Neighbor

138. Rebecca Smith [rebeccasmith@kw.com]

TO WHOM IT MAY CONCERN @ DEQ,

I am a resident of Hayden Island. We purchased our home here because we appreciate the natural environment in which we live. All except the noxious and dangerous fumes from the nearby APES facility.

We have been to meetings, we have emailed your department and provided a narrative as to how this facility negatively impacts our ability to lead normal, healthy lives. We have been yelling into a vacuum. For all intents and purposes, your people, your processes, and your politics appear to render myself and my neighbors invisible.

So, to be specific, we insist you issue an immediate CEASE AND DESIST to APES, who if you are accountable to the people of Oregon (and I find that, based on your agency's behavior, you feel you aren't) this should have been done years ago.

We also insist you DO NOT ISSUE ANY PERMITS to APES until an independent evaluation regarding emissions is completed and MADE PUBLIC.

We would also insist on an independent investigation into the DEQ for the following reasons:

Why is your agency allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013?

Who was responsible for removing the thermal oxidizers from the facility's stack in 2006?

APES has been a GROSS POLLUTER for 11 years, yet the DEQ have never issued a citation in 11 years. Why is that?

I get it. You don't live here, so you don't care what happens to us. But our lives hang in the balance. Can you really look in our eyes and tell us there isn't any danger? Of course you can't and you won't.

People are fed up. If your agency doesn't have the wherewithal to stop companies like APES and ORRCCO, then you should fold up your tent. The Government works FOR the people, not AGAINST them.

Frankly, you should all be ashamed of yourselves

!!!! Stop acting like infants.

Cheers,

Rebecca Smith

Oregon and Washington Licensed Real Estate Broker

Keller Williams Realty - Portland Central

919 NE 19th Ave, Suite 100 Portland, OR 97232

C: 503-567-1149 O: 503-548-4848

Keller Williams Realty - Premier Partners

139. Laura Lee Ogan [butterfliescandance@yahoo.com]

There have been many complaints through the years by residents in North Portland wondering and mystified about the foul and noxious smells. Now, it has become known that these are carcinogenic discharges coming from APES plant.

Los Angeles has come a long way in reducing air pollution since the 1960s and 1970s. When I was a child traveling from California with my family to the Seattle World's Fair, I was impressed with the numerous signs pleading "Keep Oregon Green". Let's not lose sight of that long ago goal. Now, as a resident in Portland for over 25 years, I plead with you.

Let's not succumb to economic pressures and instant gratification. Let's be on the cutting edge of reducing our environmental footprint in the present so we will leave a cleaner, safer environment for future generations. It may seem less expensive now to allow refineries to just add their pollutants to the air and physical environment, but at what cost to our present health and quality of life?

Please do your job as the Department of Environmental Quality. **Please live up to your name.** Please, Please, Please!!!

Laura Lee Ogan
N Montana Ave.
Overlook Neighborhood

140. Laura Campbell [hi.lauracampbell@gmail.com]

Attention Air Quality Permit Coordinator;

I join my North Portland neighbors deeply concerned about the new permit allowing APES to emit more than 10 times the typical concentration of SO2 emitted by oil refineries across the country, according to the EPA, and their lack of effective air pollution control devices. Please enforce more restrictive permits and air pollution control devices on this company and others like it so that human health and the environment are protected!!

141. Natalie Leavenworth [natleaven@gmail.com]

Please do your job and protect people from toxic fumes generated in north Portland.

Sincerely

Natalie Leavenworth

142. Mlputman [mlputman@gmail.com]

Please let yesterday's article in Portland Tribune serve as my 'official public comment' so that you'll be compelled to address the issues that were uncovered.

Specifically:

- Why are you allowing dioxin and hexavalent chromium to be emitted into a residential area that's been there before APES started operating in 2013?

- Who was responsible for removing the thermal oxidizers in 2006?

- Why has DEQ not issued a citation for those 11 years of federal violations?

- DEQ staff are currently discussing how many cancers per million is considered an "acceptable risk" and suggesting as many as 100 extra cancers per million as "ok." But APES could be causing as many as 500 extra cancers per million just from burning chromium (and that isn't even counting harm from deadly dioxin)

- Knowing what DEQ now **knows** (and will publicly acknowledge the harm their years of inaction has caused **downwinders**) DEQ cannot in good conscious or good science allow APES to continue to operate. **We demand an immediate Cease and Desist.**

- DEQ should NOT issue a permit until there's an independent investigation of all emission issues.

*****Fyi. Here's what today's Portland Tribune revealed about DEQ's ongoing APES (and ORRCO) cover up.

<http://portlandtribune.com/pt/9-news/364466-244751-oil-recycler-permit-shows-it-emits-more-than-foul-odors>

~Mary Lou Putman

143. Abbey Fujiyoshi [abbey.fujiyoshi@gmail.com]

To the Department of Environmental Quality:

I understand that this facility has numerous code and safety violations not related to air quality. If they have been so egregiously remiss in meeting those codes, I can't imagine that they are holding to required emissions levels as well. They are a dangerous and irresponsible presence in this area.

The release of carcinogens into nearby residential neighborhood air from the facility at 11535 N. Force Ave. should not be allowed. American Petroleum Environmental Services re-refinery is permitted to emit toxic, cancer-causing chemicals. I strongly oppose any air quality governance that permits airborne release of carcinogens in or near residential areas. Especially by a company that has shown such irresponsible practices.

Thank you for your consideration,
Abbey Fujiyoshi
6105 N Campbell Ave
Portland, OR 97217



EcoLube Recovery
A ClearLube Re-Refining Company, LLC

Clear Lube Re-Refining, LLC
40 Lake Bellevue Drive
Suite 100
Bellevue, WA 98005

July 3, 2017

Dave Kauth
Oregon Department of Environmental Quality
700 Multnomah Street, Suite 600
Portland, OR 97232-4100

RE: Written Comments to ACDP

Dear Mr. Kauth:

In coordination with the Public Comment period for the above referenced ACDP, Clear Lube Re-Refining (CLRR) and American Petroleum Environmental Services (APES) hereby submit their comments.

- Section 2.1(b): It is the established industry standard that 1500°F is the minimum operating temperature to achieve thermal oxidation. We ask the temperature requirement in this section be changed to reflect this. I have attached the quotation from our vendor clearly stating that the design of the Regenerative Thermal Oxidizer is based on a minimum 1500°F operating temperature.
- Section 5.1(c): The requirement for relief valves on all process and storage tanks will be a costly endeavor to complete all at once. We request a compliance schedule be established so the cost can be spread over a 12-month period. We request 10% completion within 3 months, 40% completion within 6 months, 70% completion within 9 months, and 100% completion within 12 months from the date of issuance of the ACDP.

Please let me know if there are any questions or concerns with the above Requests.

Sincerely, Colin A. Gregg
Operations and Technology Director, Clear Lube Re-Refining

Attachments: RTO Design Criteria.pdf

A handwritten signature in black ink, appearing to read 'Colin A. Gregg', with a horizontal line underneath.



Metro

600 NE Grand Ave.
Portland, OR 97232-2736
oregonmetro.gov

June 29, 2017

Nina DeConcini
Oregon Department of Environmental Quality
700 NE Multnomah St., Suite #600
Portland, OR 97232

RE: Public comments received by Metro regarding American Petroleum Environmental Services (APES)

Dear Ms. DeConcini:

I am writing to share with you the public comments solicited by Metro to inform our forthcoming decision on whether to issue a new solid waste license for American Petroleum Environmental Services (APES). Many of these comments pertain to matters that are within the purview of DEQ, and I want to make sure you and your staff have these comments available to you for your careful consideration.

In keeping with our standard practices, Metro recently undertook a public engagement process for a new solid waste facility license application submitted to Metro by APES on April 7, 2017. Metro's public engagement efforts included contact with the six neighborhood associations located near APES,¹ a mailing of more than 4,000 postcards to residences and businesses within a one-mile radius of the facility, and electronic notice to a list of interested parties that was established by DEQ at its March 7 informational meeting regarding APES. The electronic notice was also sent to Metro's standard list of solid waste interested parties.

During Metro's public comment period, which ended March 19, Metro received 46 written comments. Many of these comments referenced a similar nearby facility, Oil Re-Refining Company (ORRCO), which has applied to renew its current Metro solid waste facility license. This letter serves to summarize the comments received by Metro regarding APES. A separate letter covering those comments received during the public comment period for ORRCO's license renewal will be provided to DEQ at a later date.

Metro shares DEQ's interest in ensuring that facilities that manage the region's waste and recyclable materials do so in ways that protect the environment and public health, while minimizing conditions that can negatively impact the communities where the facilities are located. If Metro issues a solid waste facility license to APES, the scope of Metro's authority will be limited specifically to monitoring the consolidation and reloading of oily debris such as filters, rags, booms, and absorbents. Matters related to air quality, water quality, potential site expansion, and other solid waste activities fall under the purview of DEQ.

While Metro's role at this site will be focused on the consolidation and reloading of solid waste, it is important to note that Metro inspectors will conduct about six or seven routine,

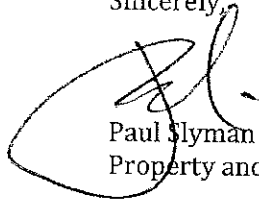
¹ Bridgeton, East Columbia, Hayden Island, Kenton, Portsmouth, St. John's

unannounced inspections at APES each year. Metro will also perform inspections in response to complaints received about the facility and will continue to its share inspection findings with DEQ.

Metro is committed to working with DEQ to ensure that waste facilities within the region operate in a way that is safe for both human health and the environment. The enclosure of the comments that Metro received during its public comment period supports this mission. These comments show that there is significant public concern regarding APES operational practices and their impacts on the air quality of the community.

I hope this is useful information for you. If Metro can be of further assistance on this matter, please do not hesitate to contact me at (503) 797-1510 or Roy Brower at (503) 797- 1657.

Sincerely,



Paul Slyman
Property and Environmental Services Director

cc: Audrey O'Brien, DEQ
Michael Orman, DEQ
Roy W. Brower, Metro

Hila Ritter

From: Mlputman <mlputman@gmail.com>
Sent: Thursday, May 11, 2017 10:11 AM
To: ORMAN Michael
Cc: DEQ Richard Whitman; Nina DECONCINI; Kotek Tina; Frederick Lew; Kafoury Deborah; Applegate Jessica; Salzmann Katharine; Thommen Mark; Geisler Jeff; Beck Richelle; Byrnes Beven; Bayer Bridget E; Ferguson Pam; DEQ Bivins Louis; armstrong.ed@deq.state.or.us; Armstrong Ed; Baraso Sam
Subject: Re: responding to Idea for you

Hi Michael,

Thanks for responding to my April 18 email yesterday. You asked me to cite where in the APES' permit it states that diesel is to be used as a back up fuel. I circled it on attached photo. Also attached are federal specifications of used oil/flash point levels.

Moreover, the permit does not allow the use of off gasses or the use of certain light ends as a fuel source and requires a temperature for processing of 1560 F. According to the owner, Mike Mazza, the fuel is burned at 1200 F. These practices are also in direct violation of the permit.

Many other violations are outlined in a fully annotated permit we delivered to DEQ during a public meeting in Feb 2016. I'm aware that was before your time, so if you haven't been provided a copy by your manager, I'll be happy to send one to you.

Your letter states that DEQ uses a facility wide emission cap for pollutants known as a Plant Site Emission Limits (PSELs). DEQ counts on facilities to demonstrate compliance with PSL's using *self-monitoring* and that these emission levels are accounted for in permit review. We challenge that without the verifiable facts, DEQ's assumption that they are providing you (and the public) accurate info is incongruous.

Why?

- Since 2006, the facility has had no emission control devices, although their permit says they are supposed to.
- Apparently DEQ didn't learn of the illegal emission control device removal until 2011.
- Although there were many public opportunities/ meetings for DEQ to acknowledge the that emission control devices had been removed and their system had been improperly redesigned to bypass permit safety measures, DEQ chose not to reveal that information to the public until **August 2016**.
- Since 2006, citizens have been subjected to oil refining toxic emissions, (some odiferous, some not) despite making thousands of complaints.
- Not only is that cover up insulting to citizens who trusted DEQ, it was negligent and it is "highly likely" that federal Clean Air Act (CAA) violations continue there every day.

It's a simple matter to verify the scientific evidence and DEQ has the authority to enter the plant to do full spectrum tests of the **two burners**, fuel materials, and right at the stacks. And again, **THAT** is what the citizens demand.

Over the past two years, we did the homework to try to help DEQ solve serious emission issues from the oil refiners.

- We suggested that you require APES to use a cleaner source of fuel to process their used oil which would solve most of the problem.
- We revealed to DEQ the presence of an unsecured, vulnerable tankful of illegal PCBs (which you finally acknowledged last Fall) and asked you to wipe/test their stacks during maintenance to provide evidence that PCBs had been illegally burned, but you have failed to do so. Reports from other viable sources about differing

tank sizes and amounts added to our suspicions that illegal PCB burning happened and levels most likely topped off.

- We provided DEQ with the annotated permit ('smoking gun') over a year ago. Many of those known violations have not been enforced by DEQ.

- We provided DEQ with a plant schematic/diagram indicating the exact escape points of the toxic emissions.

- We suggested that you dig deeper into the name change loophole that caused you to back out of the August 2016 PEN.

- We requested that DEQ use part of its \$320 million budget (ie emergency fund?) to provide the public with full-spectrum, emission facts taken from ongoing, true, source testing.

In closing, we maintain that APES is out of compliance and in default on most of their operating permits including air, water discharge, and wastewater discharge. That DEQ recently entered into an MAO with APES/ Clearlube that allows an experimental sulfonation process, putting the public at further risk, is absurd. It is also absurd to consider issuing them a new permit to expand when they didn't comply with the old one. In fact, we request that either DEQ or the Governor shut them down until they comply.

Michael, we also acknowledge that you inherited this mess. We appreciate what you're doing to get control of it. Dealing with rogue polluters who take advantage of holes in DEQs oversight can't be an easy task. Thank you.

Respectfully,
Mary Lou Putman

PERMITTING

PERMITTING

The permittee must obtain an Air Containment Ordinance Permit (ACOP) which is issued by the local Air Quality Agency (AQA) and is valid until 30/1/2006.

PERMITTING

The permittee must also obtain a Development of Environmental Quality for the proposed development.

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* 40 CFR 279.11 - Used oil specifications.

CFR (/cfr/text/40/279.11?qt-cfr_tabs=0#qt-cfr_tabs)

eCFR (/cfr/text/40/279.11?qt-cfr_tabs=1#qt-cfr_tabs)

Authorities (U.S. Code) (/cfr/text/40/279.11?qt-cfr_tabs=2#qt-cfr_tabs)

Rulemaking (/cfr/text/40/279.11?qt-cfr_tabs=3#qt-cfr_tabs)

prev (/cfr/text/40/279.10) | next (/cfr/text/40/279.12)

§ 279.11 Used oil specifications.

Used oil burned for energy recovery, and any fuel produced from used oil by processing, blending, or other treatment, is subject to regulation under this part unless it is shown not to exceed any of the allowable levels of the constituents and properties shown in Table 1. Once used oil that is to be burned for energy recovery has been shown not to exceed any allowable level and the person making that showing complies with §§ 279.72 (cfr/text/40/279.72), 279.73 (cfr/text/40/279.73), and 279.74(b) (cfr/text/40/279.74(b)), the used oil is no longer subject to this part.

Table 1—USED OIL NOT EXCEEDING ANY ALLOWABLE LEVEL SHOWN BELOW IS NOT SUBJECT TO THIS PART WHEN BURNED FOR ENERGY RECOVERY.

Constituent/property	Allowable level
Arsenic	5 ppm maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Flash point	140°F minimum
Total hydrocarbon	1,000 ppm maximum

Note: Applicable standards for oils containing PCBs are located in 40 CFR 279.10(b).

hazardous waste (RCRA 40 CFR 261.24)

Lead (40 CFR 279.74(b))

to DE R. 10/1/00

under § 279.10

to DE R. 10/1/00

under § 279.10

to DE R. 10/1/00

under § 279.10

to DE R. 10/1/00

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under § 279.10

View eCFR

(http://www.ecfr.gov/cgi-bin/text

cfr?

c=ecfr&pl=/ecfrbrowse/Title40/40cfr279

Table of Popular Names (top)

Parallel Table of Authorities (top)

4 Ways to Avoid Running of Money During Retire

If you have a \$1,000,000 portfolio, download the guide by Forbes columnist Ken Fisher's firm. If you have something else, you must read guide includes your analysis you can use right now (miss it).

Click Here to Download Your

DREAM. GROW. GO INDEPENDENT.

Grow your business and become an independent advisor of Century Securities.

READY TO GROW?

Century

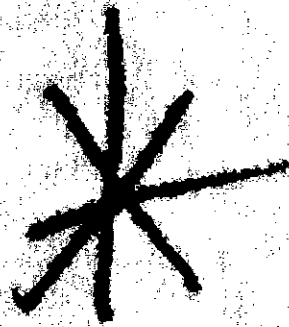
NONE of THEIR FUEL meet this SPEC REQUIREMENT!

PERMITTING

PERMITTING ACT

1. The permit to
was issued on

40 CFR 279.



40 C

Spec

CFR

eCFR

Anti

Rule

§ 279.1



On May 10, 2017, at 3:52 PM, ORMAN Michael <michael.orman@state.or.us> wrote:

Mary Lou,

DEQ's environmental regulations that establish our authority (the Oregon Revised Statutes, Oregon Administrative Rules, and Code of Federal Regulations) are created or approved by the Legislature, the Environmental Quality Commission, and the United States Environmental Protection Agency (USEPA). Current environmental law allows for used oil to be burned as fuel. Pollutants that leave a facility from combustion sources are accounted for in permitting reviews. In Oregon, we use a permitting limit known as a Plant Site Emission Limit (PSEL). A PSEL is a facility-wide emission cap for a pollutant. Facilities demonstrate compliance with their PSELs by monitoring their process for specific operating parameters (throughput, temperature, material usage, etc.), and calculating emissions following procedures defined in their air quality permit. American Petroleum Environmental Services, Inc., (APES) air quality permit has PSELs for criteria pollutants (nitrogen oxides, volatile organic compounds, particulate matter, sulfur dioxide, carbon monoxide, and lead). American Petroleum's PSELs are set below the significant emission rate (SER) for criteria pollutants. The SERs were developed using conservative factors and assumptions to ensure that emission rates below the SERs would not cause the air the public breaths (ambient air) to exceed the National Ambient Air Quality Standards. The NAAQS are concentrations established by EPA to protect public health and the environment.

If APES requested to increase their emissions above their PSELs, they would be required to go through a permitting process (that included public review and comment) to demonstrate that their increased emissions would not cause ambient air to exceed the NAAQS. As you know, this health based review is only for criteria pollutants and does not currently exist in rule for hazardous air pollutants. This gap in our air quality regulations is being addressed through Cleaner Air Oregon.

APES submitted modification to their Standard Air Contaminant Discharge Permit does not propose to increase their emissions above their current PSELs. That being said, DEQ has required APES through a Mutual Agreement and Final Order to verify the emission factors used in their permit renewal and modification applications by conducting stack testing of their emissions. This facility specific data will then be used to verify information submitted in APES permit application and verify compliance with permit limits.

As I mentioned at the information meeting on March 7, 2017, this testing will include sulfur dioxide, particulate matter, volatile organic compounds, nitrogen oxides, carbon monoxide, and metals. The testing will be completed by a 3rd party testing company that must follow EPA Reference Methods and a plan that is approved by DEQ prior to testing. The testing will be completed under representative conditions, meaning the testing will be conducted under the worst case operating conditions. The idea is that representative testing will challenge the thermal oxidizer the most, and if it can meet the destruction efficiency required under that operating scenario, it will be able to under any future scenario. Operating parameters, like contaminant concentration in the used oil, flow rate, process temperature, etc., will be included as monitoring conditions in the permit.

In response to your comment on back-up fuel use, I searched the permit for American Petroleum (26-3021) for the language you mentioned. I wasn't able to find a requirement limiting the use of

on-site produced fuel (diesel or on-specification used oil) as back-up fuel. Please send me a page number or some description of where in the permit this language is used.

DEQ has been working hard to address concerns that you and community members have raised about APES and Oil Refining Company (ORRCO). APES entered into a Mutual Agreement and Final Order with DEQ to address odors and emissions at the facility. As part of the order, APES must shutdown their front plant cooking process, which is also a known source of emissions and odors, by no later than May 26, 2017. The order also requires APES to install a thermal oxidizer to control emissions from their process no later than July 25, 2017. ORRCO stopped using their Kiln and Evaporator, which were probable sources of volatile organic compound emissions back in the summer of 2016. Both the Kiln and Evaporator have been approved for removal which should occur sometime this summer.

Thank you for your comments and ideas.

Sincerely,

Michael R. Orman, E.I.T.

Air Quality Section Manager, Northwest Region

Oregon Department of Environmental Quality

700 NE Multnomah St., Suite 600

Portland, OR 97232

Tel: (503) 229-5160

Cel: (503) 793-9635

From: Mlputman [<mailto:mlputman@gmail.com>]

Sent: Tuesday, April 18, 2017 8:41 AM

To: DEQ Richard Whitman; Nina DECONCINI; Orman Michael

Cc: Geisler Jeff; Byrnes Beven; Beck Richelle

Subject: Idea for you (with HB correction 2269 not 2669)

Good morning Richard, Nina and Michael,

This email is written in good faith with hopes you will seriously consider implementing an idea that would satisfy our concerns about toxic emissions coming from APES during this long interim when there is no emission control device (thermal oxidizer) currently in place.

By now you probably understand that the main source of the debilitating VOCs and heavy metal particulates comes from the contaminated fuel source they use. *

Here's our idea: Require APES to use ASTM fuel grade #2 diesel as their fuel source until their new thermal oxidizer is in place, fully operational, and checked out that it's controlling emissions as designed.

APES' permit says that burning their own (self-made dirty diesel product) as a fuel source is supposed to be used as "*a back up fuel source*" however, their back up fuel source is far more contaminated (with things like anti-freeze, etc) than diesel #2, and it's used full time, not as a back up.

As you know, public complaints started mounting after the thermal oxidizer was illegally removed in 2006. Since then, if they had been using a clean fuel source, such as natural gas, (as Bullseye and Intel use) the public wouldn't have been subjected to the toxic gases and DEQ wouldn't having to be dealing with this serious issue.

Summer is coming and the prevailing winds will soon be shifting to come from the south. We don't want to have another summer of worrying and wondering what time of day or night we might be engulfed. This is our summer home and we should be able to use it, not run from it. Others who live in the north harbor area full time, especially many of the vulnerable populations, aren't so lucky. And they deserve to breathe breathable air too.

After giving testimony in Salem in favor of HB 2269, Richard told me that the DEQ team is considering 'some ideas' about APES issue that might help us during the interim...An ASTM #2 diesel fuel requirement for APES would be a fair solution, don't you think?

Please let us know if you'd be willing to help us.

Mary Lou Putman
206-551-3111

*By the way, in upcoming ORRCO permit renewal, they should NOT be allowed to burn their own self-made fuel source either, as was proposed 1.5 years ago.

Hila Ritter.

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 12, 2017 10:14 AM
To: 'Terry Glenn'
Subject: RE: Comment on American Petroleum Environmental Services Application

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Terry Glenn [<mailto:terry@ccifrp.com>]
Sent: Friday, May 12, 2017 10:01 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: Comment on American Petroleum Environmental Services Application

Hila,

Please accept the attached public comment on the proposed Solid Waste Facility permit for APES. I am unable to attend the hearing in person but wish my comments to be considered.

Thank you,

Terry Glenn
terry@ccifrp.com
360-907-3604

terry | GLENN

May 12, 2017

Hila Ritter
Solid Waste Authorization Coordinator.
Metro Solid Waste Information Compliance and Cleanup
600 NE Grand Ave.
Portland, OR 97232

By Email to: SWICC@oregonmetro.gov

RE: American Petroleum Environmental Services, Inc.
Solid Waste Facility License Application – Public Comment

I am opposed to any expansion of activities at the American Petroleum Environmental Services Inc. (APES) site at 11535 N. Force Rd, Portland because the facility has historically diminished the livability of residential areas in a wide radius around the facility including my home. APES has a track record of failed compliance with other regulatory bodies making it unlikely APES will comply with Metro's regulations.

My home is at 173 NE Bridgeton Rd, a distance of 1.48 miles from the APES facility. I additionally own a boathouse at 37 NE Tomahawk Island Dr, a distance of 1.38 miles. At both locations, it is routine to endure noxious odors which are sufficiently unpleasant to require retreating indoors, and even that is often ineffective at escaping the odors.

I do not have sufficient training or data to comment on the toxicity of the odors. I will only say they are unpleasant and diminish enjoyment of my home. Because the odor is unpleasant, it negatively impacts my property value.

Metro's own mission statement is: *Metro works with communities, businesses and residents in the Portland metropolitan area to chart a wise course for the future while protecting the things we love about this place.* Indeed, clean fresh air has long been a treasured feature of the Portland area.

While air quality is not under Metro's authority, nor is it likely the reloading of oily debris proposed will generate additional obnoxious odors, it is still Metro's responsibility and mission to "protect the things we love", and with this application, Metro has a unique opportunity.

Additionally, the Solid Waste Facility License Application contains false claims and information and should be rejected on that basis alone. Specifically, the "Spill Prevention, Control, and Countermeasure Plan (CPCC) is a critical and integral part of the Solid Waste Facility License Application. Beyond merely an administrative requirement, the applicant is relying upon this document to demonstrate the proposed Solid Waste Facility has the necessary environmental protection plans in place. Metro

173 NE Bridgeton Road • Slip 21
Portland • Oregon • 97211
360.907.3604 • terry@ccifrp.com

terry | GLENN

must rely on aspects of the submitted CPCC to verify the proposed facility will not present a health or environmental hazard.

But the CPCC contains blatant falsifications and claims procedures which are known to not be followed. Specifically Attachment C (6) Odor Containment claims perimeter inspections occur 3 times per week and *any* odors will be reported, the source identified, and corrections made. Based on personal observations and well documented outcry from the surrounding community, it is clear corrections are not made as claimed.

While odor management is not a key concern of the pending permit, the falsification materially discredits other claims which are key concerns. If APES is willing to forgo their own fairly simple procedure regarding odors, which is quite evident to the public, what security does Metro have that less evident procedures claimed will be followed. Indeed, will APES really reject barrels of rags contaminated with hazardous substances as claimed, or will the motivation of profit encourage overlooking this claimed practice as it does other claimed practices? Will this new endeavor really be as innocuous as described, or something more toxic and profitable?

I understand DEQ is the primary regulator with regard to air quality. But DEQ is an organization under intense political pressure with a multitude of dysfunctions, including administrative rules which have fallen behind citizen expectations. It is not acceptable for Metro to simply "pass the buck" and rely on DEQ to protect Metro's constituents, when it is well known DEQ is struggling.

Properly conducted, the work of APES is a valuable service. Improperly conducted, they are a blight on our community, reduce property values in a wide swath, and cause more harm to the City than benefit. I encourage Metro to deny the Solid Waste Facility application on the basis of claimed procedures not being credible, and insist on APES being a good neighbor to Metro's constituents before expansion of their business.

Sincerely,

Terry Glenn
173 NE Bridgeton Rd #21
Portland, OR 97211

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, May 17, 2017 10:16 AM
To: 'Douglas Larson'
Subject: RE: APES Public Comment

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

-----Original Message-----

From: Douglas Larson [mailto:larson.dg@gmail.com]
Sent: Saturday, May 13, 2017 1:19 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: APES Public Comment

Attn: Hila Ritter

I am concerned that this application legitimizes and enables activities beyond the scope of the actual permit. There is inadequate verification of self reported pollution volumes that conveniently evade Title V requirements. This company has demonstrated a lack of compliance with the existing permits that are lapsed and violated. Metro and DEQ have demonstrated limited ability to enforce these permits.

The permit application erroneously states that there are no pending land use violations. The Willamette Superfund Site is dealing with corporate malfeasance relating to the illegal disposal of PCBs. Taxpayers will share in the Billion dollar cost of the remedy. APES currently has several storage tanks of oils contaminated with PCBs. There are no containment berms. The tanks are in an earthquake liquefaction zone. Directives to dispose of the PCBs to a regulated facility have been violated. There is no oversight as to proper handling and accounting. Dirty oil is used as an energy source on site. Over time, is the volume of these PCBs being reduced in this incineration? Without regular monitoring how can anyone know. We do know of adverse health impacts on the neighbors. Until you can enforce compliance with any of these permits, you should not go forward with renewals.

Doug Larson
Cathedral Park Neighborhood
PHCAG Board Member

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Thursday, April 13, 2017 9:54 AM
To: 'jwbslb@comcast.net'
Subject: RE: apes license

Thank you for your comment received in response to the license application for APES. Metro will respond to comments after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

-----Original Message-----

From: jwbslb@comcast.net [mailto:jwbslb@comcast.net]
Sent: Tuesday, April 11, 2017 10:43 PM
To: Solid Waste Information Compliance and Cleanup
Subject: apes license

Dear Hila Ritter,

Thank you for the opportunity to comment on the new license application of APES. I find the commentary on the article about the public comment period on the Metro website to be objectionable, as in my opinion it appears to try to dissuade public comment by the context in which this government agency says it has regulatory authority over the site, while state DEQ regulates air quality, etc. In reading the owner's explanation of how he will respond to environmental incursions I have little doubt that it probably meets the letter of the law when it comes to the regulatory requirements.

However, regulations are written legal precepts that attempt to balance the public's need/desire for safety while looking out for the business interests of the business/government. Thus, those involved stakeholders depend on a more overriding concept, known as the "spirit of the law." In this regard I believe the owner of this business from Tacoma, Washington has a long track record of being a "bad neighbor." More specifically in regards to the area of air quality at this site, news sources and government documents substantiate that the owner illegally removed air quality control devices and failed to promptly notify the appropriate regulatory authorities of this defiance of those licensing requirements. Now some may argue that air quality regulations are totally separate from site regulations, but what they miss to their own and others detriment is "the spirit of the law."

So my input at the very least is that the new site license be DENIED for APES. Should a new license application be submitted by a different ownership group then I would be open to commenting on their request if provided the opportunity.

At most my input is that the current owner, only after providing adequate documentation that "he understands and intends to pursue the spirit of the law" and has supplemented his environmental incursion insurance be allowed to continue in some sort of fashion of this vital industry. But certainly under NO circumstances should he be allowed to continue as owner at this site.

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 19, 2017 3:40 PM
To: 'Martha Cone'
Subject: RE: American Petroleum Environmental Services and ORRCO Permits

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Martha Cone [mailto:marthacone@comcast.net]
Sent: Thursday, May 18, 2017 4:53 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Cc: 'Maia' <mgodet@comcast.net>
Subject: American Petroleum Environmental Services and ORRCO Permits

I began visiting the Jantzen Beach Moorage in Feb. 2015 on weekends and lived at 1991 Jantzen Dr., a floating home at the moorage, at least half time starting in summer 2015.

During that summer, we experienced periods of "low air quality" which often occurred at nights and on weekends. The air was filled with a foul, sulfurous, oily odor which came and went. During a particularly bad spell, we had to remain indoors with the doors and windows closed because the air was so irritating to the nasal passages and throat, and in August, I came down with a severe sore throat lasting THREE WEEKS. I was tested for strep and mononucleosis, and both were negative. I had elevated liver enzymes and altered blood count. I had bloody mucus draining from my sinuses. The sore throat was so bad I had to curtail my usual activities. At the same time, I became aware that others in the Jantzen Beach moorage were complaining of similar symptoms, and they alerted KGW News, who sent a news crew in a truck to the south bank of the Columbia to find the source of the odor. They parked outside one of the above named companies, and the odor was so noxious they couldn't even get out of their truck. This was documented on video and the segment aired on KGW channel 8.

We contacted DEQ and attempted to document when the odor was present. Lately, there have been sporadic incidents of the odor. If these companies are allowed to expand their

operations, will there be any better control of their toxic emissions, or will there simply be a greater volume?

I do not trust these companies to perform the industrial chemical operations that they are proposing. It is obvious that either THEY DON'T KNOW WHAT THEY ARE DOING, or THEY ARE WILLFULLY POISONING THE AIR for the sake of their own PROFIT. Considering the fact that most of the odors occurred outside normal business hours, it seems suspicious. They are not performing a noble environmental service by recycling, if they are poisoning the air by attempting to do so.

May I point out that these are not simply "bad smells". They are irritating chemicals which cause illness in humans and other forms of life. Many noxious chemicals have chronic toxic effects at "low" concentrations. Some of the chronic effects of toxins on humans are not completely known or understood. Add to that the anxiety caused by the spoiling of our air, the unpredictability of the occurrences, and the frustration of not knowing exactly what we are breathing and how it will affect our health, and the negatives outweigh the desirability of "recycling". Besides the effect on our health, the existence of this threat lowers our property values.

Please take my comments into advisement.

Martha Cone
1991 N. Jantzen Ave.
Portland, OR 97217
541-224-2055

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, May 17, 2017 10:23 AM
To: 'Jan Roxburgh'
Subject: RE: American Petroleum Environmental Services, Inc. (APES) New Permit License Application

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Jan Roxburgh [mailto:hummingbirdzoo@yahoo.com]
Sent: Wednesday, May 17, 2017 8:41 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: American Petroleum Environmental Services, Inc. (APES) New Permit License Application

Dear Metro,

Thank you for giving facility neighbors the chance to submit comments on the APES new License Application.

It is with shock and great concern that I read about the application from APES to Metro for a new License to consolidate and reload oily cleanup material such as oily rags, booms, absorbents, etc. I understand that their current operations would not change under the proposed renewal.

I live on Hayden Island and unfortunately have experienced frequent sickening petroleum-based emissions that have been firmly traced to the oil re-refinery. It can happen at any time of day or night, any time of year, and last for hours. We are basically at the mercy of southerly wind directions whether it reaches us or residents in other nearby areas in Portland. These oily emissions cause me severe respiratory distress, headaches, nausea, difficulty concentrating, and due to our community not being able to solve this ongoing air pollution problem after repeatedly reaching out to the owner, it has left me with anxiety.

Several times my husband and I have been out in the open in the Jantzen Beach Shopping Center when the oil re-refinery emissions suddenly arrived and hung around. When we discussed this situation with others, we were informed that there have even been evacuations from commercial buildings here on the island because of these strong emissions until the people in charge knew the source was the nearby oil re-refinery. Parents and kids playing team sports at nearby Delta Park have felt sickened by these powerful oily emissions carried in the air. As NETs (Neighborhood Emergency Team) members, we went to see our local firestation and they told us that they get numerous calls because of residents/visitors worried about whether there is a chemical leak or some possibility of explosion. It is frustrating for them because they can't fix the problem. What this oil re-refinery is doing to the air is affecting the quality of life for a lot of people. We feel we are being poisoned, and the effects of these toxins are accumulative.

I understand that there is the belief that it is good for the environment to stop putting dirty oil into landfills, but putting these toxic chemical emissions into the air that we all breathe is far worse.

Please do all that you can to safeguard to quality of the air and the health of Portland residents. Please deny APES this new permit license application and any future applications. Sadly they have shown that they care more about profits than about the environment and the health of Portland residents.

Thank you for reading these comments.

Sincerely,

Janet Roxburgh
1503 North Hayden Island Drive, #860
Portland, OR 97217
5/17/2017



This email has been checked for viruses by Avast antivirus software.
www.avast.com

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 19, 2017 3:41 PM
To: 'Beven Byrnes'
Subject: RE: Public Comment for Consideration in DEQ permitting of APES & ORRCO

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Beven Byrnes [<mailto:bbyrnes@bridgesms.org>]
Sent: Friday, May 19, 2017 8:42 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>; Rep.tinakotek@state.or.us;
Sen.LewFrederick@oregonlegislature.gov; Whitman.richard@deq.state.or.us; Bivins.louis@deq.state.or.us; DECONCINI
Nina <nina.deconcini@state.or.us>
Cc: Beven Byrnes <bbyrnes@bridgesms.org>
Subject: Public Comment for Consideration in DEQ permitting of APES & ORRCO

Hila Ritter, Solid Waste Authorization Coordinator.

Please accept the attached PDF as official comment from Bridges Middle School for consideration in DEQ permitting of APES & ORRCO.

Please do not hesitate to contact me with any questions.

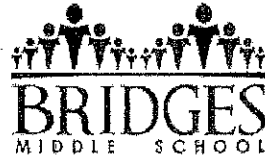
Thank you for your consideration,
Beven

Beven Byrnes
Principal/Executive Director
Bridges Middle School

Direct: (503) 916-2929
Cell: (503) 887-6319
Bbyrnes@BridgesMS.org

[Http://BridgesMS.org](http://BridgesMS.org)

Bridges Middle School is an independent nonprofit school in Portland, Oregon where caring, trust, respect and excellent teaching take 5th-8th grade students with learning differences to new levels of confidence, competence and opportunity.



May 19, 2017

Hila Ritter, Solid Waste Authorization Coordinator
Metro Solid Waste Information Compliance and Cleanup
600 NE Grand Ave.
Portland, OR 97232
SWICC@oregonmetro.gov
Fax: 503-813-7544

RE: American Petroleum Environmental Services, Inc. and Oil Re-Refining Company, Inc.
solid waste facility license renewal Comment.

Dear Hila,

Oregon is all about being green and a leader in climate change, but our own air is dirty because the law is not stringent enough to protect our citizens - especially our kids.

I am the Principal of Bridges Middle School, a nonprofit private school for kids with learning differences (all considered to be "sensitive receptors") located just downwind from APES and ORCCO at 716 NE Marine Drive. I am also a resident in the same zip code of the school and a mother to four daughters. I have worked in Portland's nonprofit sector for over 20 years serving our most vulnerable citizens.

According to the EPA, "Sensitive receptors include, but are not limited to, hospitals, schools, daycare facilities, elderly housing and convalescent facilities. These are areas where the occupants are more susceptible to the adverse effects of exposure to toxic chemicals, pesticides, and other pollutants. Extra care must be taken when dealing with contaminants and pollutants in close proximity to areas recognized as sensitive receptors".

I recently learned about toxic hydrogen sulfide in the air of our neighborhood that our staff and students have been unknowingly exposed to since relocating to our North Portland building in 2013. Through a recent public meeting hosted by DEQ – *that we were invited to by members of our local neighborhood association* - we learned about two oil re-refineries in our neighborhood that have been allowed to continue operation years after a known lapse in DEQ permitting and discovery of the illegal removal of air toxin purifying systems at these sites.

EPA testing conducted at and around these sites in 2015 and 2016 verified four chemicals exceeded the chronic health benchmarks used by the EPA, including Hydrogen Sulfide, the culprit of the Big Stink in North Portland may have heard about. When inhaled, hydrogen sulfide is known to cause symptoms including persistent headaches and nosebleeds - symptoms frequently experienced by our students and staff.

The Oregon Legislature needs to make a special rule-making for oil refineries and it needs to include all three types – Oil refinery, Oil re-refinery, and oil recyclers. DEQ and EQC need to demand independent testing at oil refineries, re-refineries and recyclers in the stacks - ONGOING and FULL SPECTRUM.

APES and ORCCO need their operations shut down by using Governor Brown's Cease and Desist authority or by using DEQ's authority to shut them down until new rules are written and they are reclassified as title 5 polluters.

On behalf of our students, their families and our staff, I urge you to NOT approve permitting for APES or ORCCO without the above requested action. *Our children deserve better.*

I thank you for your time and consideration. I hope you all agree that our sensitive children are worthy of your attention and action on this important public health issue.

Beven Byrnes



Principal/Executive Director
Bridges Middle School

Direct: (503) 916-2929
Cell: (503) 887-6319
Bbyrnes@BridgesMS.org

Bridges Middle School is an independent nonprofit school in Portland, Oregon where caring, trust, respect and excellent teaching take 5th-8th grade students with learning differences to new levels of confidence, competence and opportunity.
Bridges Middle School | 716 NE Marine Drive | Portland, OR 97211 | BridgesMS.org

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, May 17, 2017 10:20 AM
To: 'Laura Miller'
Subject: RE: Do not grant permits to APES or ORCCO

Hello,

Thank you for your comment received in response to the license application for APES and ORCCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Laura Miller [mailto:lauralmiller1@comcast.net]
Sent: Saturday, May 13, 2017 2:36 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>; rep.tinakotek@state.or.us; sen.lewfrederick@oregonlegislature.gov; sen.michaeldembrow@oregonlegislature.gov; whitman.richard@deq.state.or.us; 'BiVINS Louis' <louis.bivins@state.or.us>; Senator_Merkley@Merkley.senate.gov; Amanda Fritz <Amanda@portlandoregon.gov>; cjohnson@vbjusa.com; chloe@portlandoregon.gov; Deborah Kafoury <mult.chair@multco.us>; Deborah.L.Letourneau@state.or.us; Emily Harris <eharris@opb.org>; Joe Smith <jsmith@kgw.com>; Jonathan Brinckman <jbrinckman@news.oregonian.com>; Loretta Smith <district2@multco.us>
Cc: Laura Miller <lauralmiller1@comcast.net>; media@nwnatural.com
Subject: Do not grant permits to APES or ORCCO

Toxic Poison or Nuisance Odor?



In the past decade, have you smelled a “natural gas” odor but no one ever found a gas leak? You are not alone.

NW Natural has received over 10,000 complaints for an odor in the past decade – and it wasn't from a gas leak.

Where is the odor coming from and why is this release allowed? Good questions.

1. The odor comes directly from APES and ORCCO – oil re-refineries collecting and refining used motor oil and dirty industrial lubricants for resale. DEQ has admitted it comes from them and we have tracked it down by following our noses directly to the plant. Both refineries are located in North Portland near the Columbia River.
2. A decade ago the thermal oxidizer (emission control device) at APES was illegally removed. Oregon Department of Environmental Quality (DEQ) has known since 2011 but hasn't forced APES to reinstall due to a loophole in the law.

3. DEQ has never conducted full-spectrum stack testing to provide fact-based emissions data. DEQ's flawed monitoring did not obtain results showing the true danger of these emissions.

Why should you be concerned?

Local resident illnesses (bloody noses, respiratory distress, headaches, etc.) worsen when wind blows directly from APES and ORRCCO. Gases and metals released during the refining process are dangerous and known carcinogens. A recent Mutual Agreement and Final Order between DEQ and APES is flawed; bundling requirements of the thermal oxidizer while allowing installation delay with APES' proposed expansion plans. It does not provide accountability if APES does this again (or any oil refinery), and the law says this is OK.

We NEED your help! APES and ORCCO are both asking for permit approval. Metro is asking for public comment by May 19. NOW is the time to get involved.

**TAKE
ACTION!**

1. **Contact your local governing authorities:**
 - a. Provide written comments to Metro by May 19 (see next page for information).
 - b. Write letters/call the following decision makers every Tuesday for **Take Back Our Clean Air Tuesdays** (see next page for list of representatives and their contact information).
 - c. Provide verbal testimony - Attend DEQ meetings, City Council meetings, Town Halls and public legislative events to voice your concerns.
2. **Contact your local media sources:**
 - a. Send letters to editors or contact media outlets about your concerns through public access areas listed on each media source website.

Please include the following key points in your comments:

- Oregon is all about being green and a leader in climate change, but our own air is dirty because the law is not stringent enough to protect us citizens. The Oregon Legislature needs to make a special rulemaking for oil refineries and it needs to include all three types – Oil refinery, Oil re-refinery, and oil recyclers.
- DEQ and EQC need to demand independent testing at oil refineries, re-refineries and recyclers in the stacks ONGOING and FULL SPECTRUM!
- APES and ORCCO need their operations shut down by using Governor Brown's Cease and Desist authority or by using DEQ's authority to shut them down until new rules are written and they are reclassified as title 5 polluters.

Write or Call the following people every Tuesday for Take Back Our Clean Air Tuesday:

- Governor Brown, 503-378-4582
- Tina Kotek, 503-286-0558. Rep.tinakotek@state.or.us
- Senator Lew Frederick, 503-986-1722, Sen.LewFrederick@oregonlegislature.gov
- Senator Michael Dembrow, 503-986-1723, Sen.MichaelDembrow@oregonlegislature.gov
- New DEQ Director, Richard Whitman, 503- 229-5300, Whitman.richard@deg.state.or.us
- Louis Bivins, DEQ, 503-229-6333. Bivins.louis@deg.state.or.us
- DEQ Complaint Line: 1-888-997-7888.

To submit comments for both APES and ORRCCO to Metro:

Metro Solid Waste Information Compliance & Cleanup
600 NE Grand Ave., Portland, OR 97232
Fax 503-813-7544

Email: SWICC@oregonmetro.gov
More info: oregonmetro.gov/solidwastepublicnotices

For more information and talking points, please refer to these excellent resources:

- "The Big Stink" in Portland Tribune: <http://pamplinmediagroup.com/pt/9-news/348568-227698-the-big-stink-on-hayden-island>
- "Cleaning Up Our Toxic Air" in Portland Tribune: <http://portlandtribune.com/sl/353972-233028-cleaning-up-our-toxic-air->
- Website: <http://www.pdxnbn.org/>
- Facebook: @Pdx North Harbor Neighbors

Laura Miller
Sapphire Daily Money Management
424 N. Bridgeton Road
Portland, OR 97217
503.654.9200 cell
Sapphiredmm.com

Hila Ritter

From: Karen Peters <kpetersnm@yahoo.com>
Sent: Friday, May 19, 2017 3:44 PM
To: Solid Waste Information Compliance and Cleanup
Subject: public comment: Air Quality Concerns in Bridges' Neighborhood

My child is a student at Bridges Middle School, a nonprofit private school for kids with learning differences (all considered to be "sensitive receptors") located just downwind from APES and ORCCO on Marine Drive. According to the EPA, *"Sensitive receptors include, but are not limited to, hospitals, schools, daycare facilities, elderly housing and convalescent facilities. These are areas where the occupants are more susceptible to the adverse effects of exposure to toxic chemicals, pesticides, and other pollutants. Extra care must be taken when dealing with contaminants and pollutants in close proximity to areas recognized as sensitive receptors"*.

I am writing to ask that enforceable requirements be put in place for APES and ORRCCO to reduce odors and emissions. I know that work is already happening in this area, but we need to do more to protect our neighborhood and our children. This should include regulations for oil refineries that includes Oil refinery, Oil re-refinery, and oil recyclers. DEQ and EQC need to demand independent testing at oil refineries, re-refineries and recyclers in the stacks that are ongoing, and full spectrum.

Thank you for your attention to this matter.

Karen Peters

7416 N Olin Ave

Portland, OR 97203

kpetersnm@yahoo.com



May 19, 2017

Metro Solid Waste Information Compliance & Cleanup
600 NE Grand Ave.
Portland, OR 97232

MAY 19 17 RCUD

Re: APES and ORRCO toxic fumes in North Portland.

East Columbia Neighborhood Association supports the actions of Portland North Harbor Neighbors <http://pdxnhn.org> and all other groups maintaining the following position regarding American Petroleum Environmental Services Inc. (APES).

1. Invoke an immediate cease and desist on all production until:
 - A. Emission controls are in place and working.
 - B. Tank farm containment berms are constructed.
 - C. Safety features are in place.
2. Require 24/7 full stack emission monitoring to inform the public of the exact amount and type of pollutants that are being emitted.
3. Allow no expansion, sulfonation, oil polishing, waste water treatment, solid waste Or hazardous waste incineration until it's proven to be safe for the public and the environment and full stack monitoring.

This letter was approved by the East Columbia Neighborhood Association general membership on March 14, 2017.

Thank you for your attention.

Martha Johnston
ECNA Land use Chairperson
9509 NE 13 Ave.
Portland, Or. 97211
503-720-5035
ediplumb@gmail.com

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, May 17, 2017 4:53 PM
To: 'Michael D. Scott'
Subject: RE: Comments - APES & ORRCO permit applications

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Michael D. Scott [mailto:msscott@soonerhoops.com]
Sent: Wednesday, May 17, 2017 4:44 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>; mlputman@pdxnhn.org
Subject: Comments - APES & ORRCO permit applications

Hi Metro -

I'm attaching my public comments as a PDF. They're formatted the best. If you can't open the PDF, then please see my cut/paste of those comments in the email below.

Thank you!
-Michael

RE: Written comments regarding permit applications for:

- **American Petroleum Environmental Services (11535 N. Force Ave)**
- **Oil Re-Refining Company (4150 N. Suttle Road)**

Metro –

I live in Hayden Island's manufactured home community, which is just north of the APES and ORRCO facilities. When the wind blows from the south, my neighbors and I are forced to endure the air quality issues (and subsequent impacts to our health) created by one or both of these facilities.

I personally have respiratory problems (asthma and allergies) – and receive injections every two weeks to help alleviate my symptoms. My symptoms are markedly worse when we get the fumes coming out of those plants. I'm forced to stay inside and avoid most outdoor activities, like using the walking paths that surround our beautiful river.

I'm not alone. As an important source of affordable housing to Portland, our community is home to a disproportionate number of older/elderly people. Both my neighbors are retired, and I'd venture to say that 6 out of the 8 nearest homes on my street are occupied by people over 60. A good number of these folks also have respiratory problems – in fact, I regularly see oxygen delivery trucks on my street!

I'm lucky – I have AC and can stay inside on the worst days. Most of my neighbors don't, and with their oxygen tanks, aren't terribly mobile and have no choice but to breath whatever APES and ORRCO are spewing that day.

Last year, Governor Kate Brown launched an important interagency program – Cleaner Air Oregon – to bring our state's air quality standards up to acceptable levels. The draft framework they issued on March 21st, 2017, was a good start – but those standards can be (and will be) improved through public comment as the year progresses. As such, **Metro should recognize and acknowledge that new air quality standards are coming, and the specifics of those standards are presently unknown.**

It would be short-sighted at best, and negligent at worst, for Metro to approve a slate of permits before Cleaner Air Oregon completes its effort. **As such, I urge Metro to deny any APES and ORRCO permit applications** that would have impact on air quality.

Thank you for your consideration.

Michael Scott

2331 N. Menzies Ct, Portland, OR 97217

RE: Written comments regarding permit applications for:

- **American Petroleum Environmental Services (11535 N. Force Ave)**
- **Oil Re-Refining Company (4150 N. Suttle Road)**

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Thank you for your consideration.

Michael Scott
2331 N. Menzies Ct, Portland, OR 97217

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Monday, May 22, 2017 8:37 AM
To: 'GREG STEEL'
Subject: RE: Deny APES / Oil Re-Refining Company

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: GREG STEEL [<mailto:gsteel99@hotmail.com>]
Sent: Friday, May 19, 2017 4:43 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: Deny APES / Oil Re-Refining Company

Hello

Granting APES a license to expand their operation goes counter to Portland Oregon City Council's resolution No. 37168, passed in UNANIMOUS vote, which opposed the expansion of fossil fuel infrastructure in the city and its adjacent waterways. As a Hayden Island resident I adamantly oppose APES expansion as do thousands of other Portland residents. I also oppose the renewal of ORRCO permits to continue on their operation. These two companies must have up to date emissions monitoring equipment, 24 hr 7 days a week 365 days a year stack monitoring (if you can not do this then shut them down), containment berms around all holding tanks and list both companies at Title V polluters so they may be regulated with a fine tooth comb.

Thanks
Greg Steel, 97217
Concerned Hayden Island Resident

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 19, 2017 3:51 PM
To: 'Cecilia Youngs'
Subject: RE: APES -Public Comment

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Cecilia Youngs [mailto:cyoungs@yoakum.com]
Sent: Friday, May 19, 2017 2:36 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: APES -Public Comment

Hi, Hila,
Attached is my public comment for APES. The text is also included below.
Thanks,
Cecilia Youngs

Cecilia Y. Youngs
Attorney at Law
9725 SE 36th St., Ste. 404
Mercer Island, WA 98040
206-799-3608

This e-mail message is confidential. It is intended solely for the use of the individual named above. If you are not the intended recipient, or the person responsible to deliver it to the intended recipient, you are hereby advised that any dissemination, distribution or copying of this communication is prohibited. If you have received this e-mail in error, please immediately notify the sender by reply e-mail and delete and/or destroy the original and all copies of the e-mail message. IRS Circular 230 Disclosure. To ensure compliance with requirements imposed by the IRS, we hereby inform you that any U. S. tax advice contained in this communication (including attachments, if any) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any matter addressed herein.

May 19, 2017

SWICC@oregonmetro.gov
Hila Ritter, Solid Waste Coordinator

Metro Solid Waste Information Compliance and Cleanup
600 NE Grand Ave.
Portland, OR 97232

RE: American Petroleum Environmental Services, Inc.

Dear Hila:

Thanks you for the opportunity to comment. I am writing to urge Metro not to issue a permit to American Petroleum Environmental Services (APES). Although the Metro permit is for storm water, APES has had many problems with its air permit. The way APES has operated the facility demonstrates that it cannot be relied upon to be a good corporate citizen.

APES has operated its facility outside or on the edge of its permit. It is believed that the owner of APES removed the thermal oxidizers, but APES has been able to avoid liability by changing the name of the company – even though the owner is the same person. Although the owner claimed he was an environmentalist and made drawings showing indicating that there were thermal oxidizers in place, this was not true. The owner knew there were no thermal oxidizers. When confronted, the owner claimed the processor destroyed the toxic emissions. But, that was not true, either. The toxics emissions were not burned at a high enough temperature or a long enough time to render them safe. They were simply emitted into the atmosphere. APES also stored PCB-oil illegally on the property without a permit, and it is believed that APES was burning PCB-oil in order to dispose of it. The PCB-oil had benzene in it – another hazard. It is believed that APES diluted the hazardous waste PCB-oil with water.

To issue a permit to APES for its planned expansion (and turn the residents of Portland into guinea pigs) would demonstrate that Metro does not take adequate steps to protect the public health or the environment. Metro must require that APES demonstrate that it is safe before any permit is issued.

Metro must show leadership and fill the void where the state of Oregon has failed. Because there has been little or no enforcement and APES has not been a good corporate citizen, Metro must use its leverage to require full-time stack monitoring on an on-going basis before any permit for storm water is issued.

I urge you to deny the issuance of a permit.

Sincerely,

Cecilia Y. Youngs
Attorney at Law

CECILIA Y. YOUNGS, ATTORNEY AT LAW
9725 SE 36th Street, Ste. 404
Mercer Island, WA 98040
206-799-3608

May 19, 2017

SWICC@oregonmetro.gov
Hila Ritter, Solid Waste Coordinator
Metro Solid Waste Information Compliance and Cleanup
600 NE Grand Ave.
Portland, OR 97232

RE: American Petroleum Environmental Services, Inc.

Dear Hila:

Thanks you for the opportunity to comment. I am writing to urge Metro not to issue a permit to American Petroleum Environmental Services (APES). Although the Metro permit is for storm water, APES has had many problems with its air permit. The way APES has operated the facility demonstrates that it cannot be relied upon to be a good corporate citizen.

APES has operated its facility outside or on the edge of its permit. It is believed that the owner of APES removed the thermal oxidizers, but APES has been able to avoid liability by changing the name of the company – even though the owner is the same person. Although the owner claimed he was an environmentalist and made drawings showing indicating that there were thermal oxidizers in place, this was not true. The owner knew there were no thermal oxidizers. When confronted, the owner claimed the processor destroyed the toxic emissions. But, that was not true, either. The toxics emissions were not burned at a high enough temperature or a long enough time to render them safe. They were simply emitted into the atmosphere. APES also stored PCB-oil illegally on the property without a permit, and it is believed that APES was burning PCB-oil in order to dispose of it. The PCB-oil had benzene in it – another hazard. It is believed that APES diluted the hazardous waste PCB-oil with water.

To issue a permit to APES for its planned expansion (and turn the residents of Portland into guinea pigs) would demonstrate that Metro does not take adequate steps to protect the public health or the environment. Metro must require that APES demonstrate that it is safe before any permit is issued.

Metro must show leadership and fill the void where the state of Oregon has failed. Because there has been little or no enforcement and APES has not been a good corporate citizen, Metro must use its leverage to require full-time stack monitoring on an on-going basis before any permit for storm water is issued.

I urge you to deny the issuance of a permit.

Sincerely,



Cecilia Y. Youngs
Attorney at Law

Hila Ritter

From: Hila Ritter
Sent: Wednesday, April 19, 2017 2:33 PM
To: 'jnbangs@yahoo.com'; Solid Waste Information Compliance and Cleanup
Subject: public comment regarding APES and ORRCO

It was nice speaking with you today Ms. Bangs. Here is the comment that I will include regarding APES and ORRCO. "I would urge you to be as vigilant as you possibly can to ensure the public that these companies are meeting the standards of the licenses and permits to protect the public's health. Please makes sure that they are managing their waste properly and their overall operations to make sure people are not getting sick." - Jean Bangs

Thanks,

*Hila

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

Hila Ritter

From: Mlputman <mlputman@gmail.com>
Sent: Thursday, April 20, 2017 7:34 AM
To: Solid Waste Information Compliance and Cleanup
Cc: Byrnes Beven; Beck Richelle; Weeks Alison; Applegate Jessica; Salzmann Katharine; meewatts@gmail.com; Larson Doug; parafriend@comcast.net; Johnston Martha; Ferguson Pam; Thommen Mark; Charlton Nikki; Geisler Jeff; kmkane123@gmail.com; cakjscr@comcast.net; scott.niesen@comcast.net; Miller Laura; powell Lisa; Quinn Barbara; Roxburgh Jan; aroxburgh@ieee.org; Given Ann; Trudeau Anne
Subject: Re: Metro's oversight of oil refiners ORRCO and APES-hazardous waste etc

Good morning Hila,
Thank you for your postcard distribution information below.

Metro may want to consider augmenting the postcard distribution list further than a 1-mile radius because, as we've learned, APES and ORRCO issues affect citizens much further out, east and west, north and south---off-gassed VOCs seek *the lowest points available, i.e. the surface of the Columbia River...* Citizens up and down the river are just now becoming aware of the bigger issues involved. NW Natural Gas is well aware of the wide-spread affect too. They have complained to DEQ about APES and ORRCO for years.

A citizen from St Johns, who did not receive a postcard, commented yesterday , "This was not well publicized at all. It would have been nice for all north Portlanders to have weighed in since we are also exposed to the toxic air depending on wind direction. Very objectionable!"

Although your jurisdiction may not involve the VOCs or heavy metal particulates that the oil refiners emit, Metro managers should be fully aware of the bigger issues and *why some people may object to granting permits to these oil refining companies who have been allowed to not do the right thing for decades.* (Think operating without emission controls and storing illegal PCBs for starters)

I was under the impression that Metro deals with hazardous, solid waste and that PCBs are hazardous waste. Illegal PCBs are being stored in tank(s) without containment berms.

We appreciate Metro's intervention 1.5 years ago to halt some of ORRCO's questionable practices. Please, we need Metro's continued top-level intervention to stop the absurd policies and loopholes that allow hazardous shenanigans to continue at both refineries.

Thank you.

Mary Lou Putman
206-551-3111

On Apr 19, 2017, at 4:08 PM, Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov> wrote:

Hello Ms. Putman,

Thank you for your comment received in response to the license application for ORRCO and APES. Metro will respond to comments in a staff report after the close of the public comment period.

To answer your questions about the public notice postcards; the post cards for APES and ORRCO were distributed to the same mailing list. They may not have been sent out from the print shop on the same day, but each household or business that received one should also receive the other. Metro typically sends these notices to ¼ mile radius of the applicant, and in the case of these oil re-refineries we extended that radius to more than one full mile. The information was also emailed to the six neighborhood associations that surround these two sites, as well as the list of email addresses gathered by DEQ at their informational meeting in March.

Metro's authority is specific to the consolidation and reloading of oily cleanup materials that is conducted at these sites, therefore I cannot address your questions about the PCBs.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov

600 NE Grand Ave.

Portland, OR 97232-2736

503-797-1862

-----Original Message-----

From: Mlputman [<mailto:mlputman@gmail.com>]

Sent: Wednesday, April 19, 2017 12:26 PM

To: Solid Waste Information Compliance and Cleanup

Cc: Byrnes Beven; Beck Richelle; Weeks Alison; Applegate Jessica; Salzmann Katharine; meewatts@gmail.com; Larson Doug; parafriend@comcast.net; Johnston Martha; Ferguson Pam; Thommen Mark; Geisler Jeff; kmkane123@gmail.com; cakjscr@comcast.net; scott.niesen@comcast.net; Miller Laura; Powell Lisa; Quinn Barbara; aroxburgh@ieee.org; Roxburgh Jan; DEQ Richard Whitman; Nina DECONCINI; Orman Michael

Subject: Question about oil refiner ORRCO Public Notice postcard

Hi Hila,

It seems my neighbors only received a postcard about submitting public comments regarding ORRCO permit but not about APES.

It is my understanding that APES has the same timeframe (May 19th) for public comment, however, most people affected don't know it because they haven't received a postcard.

At the March 7 DEQ info meeting, neighbors in East Columbia were quite clear to DEQ and the audience that many residents living there don't even own computers. They should not be penalized for it.

Please let us know if/when postcards about APES will be sent. How big is the distribution list? Is it the same as the ORRCO list? If not, how specifically does it differ? How were the boundaries of distribution determined?

And finally, is ORRCO responsible for the illegal PCBs leftover at APES facility that were not properly disposed of last Fall? Our understanding is that the PCBs are still there.

With multiple toxic issues this serious, the public, especially those with sensitive receptors, need info with which to make decisions.

Thanks for your help.

Dictated/Sent from iPhone by

Mary Lou Putman

206-551-3111

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, May 17, 2017 10:23 AM
To: 'ineke deruyter'
Subject: RE: Air polluters

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: ineke deruyter [mailto:ideruyter@hotmail.com]
Sent: Wednesday, May 17, 2017 9:30 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: Air polluters

To whom it may concern,

ORRCO and APES are one of the causes of severe air pollution in the Portland area. Until they "clean up their act" and comply with regulations 100% they do not qualify for any type of expansion in my opinion.

Please do not reward these polluters until they tow the line!
Public Health before Industry Wealth.

Thank you, Ineke Deruyter, Portland 97203.

Hila Ritter

From: ncharlton@comcast.net
Sent: Friday, April 28, 2017 12:33 PM
To: Solid Waste Information Compliance and Cleanup
Subject: ORRRCO and APES renewal and expansion license/Permits.

I am a registered voter living on Hayden Island in a floating home moorage. I want to register LOUDLY my complaints against these two companies, OORCO and APES and protest even louder against their renewal and/or new permits for operation. We on Hayden Island are assaulted very frequently with the noxious and dangerous odors coming from these two companies. I personally have even be awakened in the middle of deep sleep (4:50 a.m. and thereabouts at other times) by the ODOR! It's stench is that remarkable and awful. You know as do I, what unhealthy and dangerous compounds are in these odors. PLEASE do not allow expansion of either facility until they comply with proper emissions controls! They have been out of compliance for years; You have not done your job! Do it now.

Nykolee Charlton
971-344-0121

Sent from [Mail](#) for Windows 10

Hila Ritter

From: Paul Slyman
Sent: Wednesday, May 17, 2017 1:31 PM
To: KMKane123@gmail.com
Cc: All Council-COO; Roy Brower; Hila Ritter; Warren Johnson; PES Core Managers
Subject: FW: deny permits to APES and ORRCO

Hello Ms. Kane,

Thank you for your comments regarding APES and ORRCO. Public comments help inform Metro's decision making process and can help identify special conditions that may be necessary to address public concerns, and minimize possible negative impacts on the surrounding community and environment.

It is important to note that Metro's regulatory scope at these two sites is specific to the activities of consolidating and reloading oily cleanup debris (booms, rags etc.). Other matters, such as air quality and the proposed expansion of APES, as described in your email, fall under the purview of the Oregon Department of Environmental Quality. While Metro's role at APES and ORRCO is limited, Metro is committed to continuing to ensure resource recovery and safe disposal of discards through the regulatory framework of solid waste licenses and franchises.

Metro will formally respond to comments received during the public notice period in a staff report that will be available online at www.oregonmetro.gov/solidwastepublicnotices on the APES and ORRCO pages, respectively.

Once again, thank you for taking the time to share your comments.
Sincerely,
Paul

Paul Slyman
Director
Property and Environmental Services

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1510

From: Kathryn Harrington
Sent: Sunday, May 14, 2017 5:06 PM
To: Karen Kane; Paul Slyman
Cc: Kathryn Harrington
Subject: RE: deny permits to APES and ORRCO

Hello Ms. Kane.

I believe that your email list had a typo for reaching Mr. Paul Slyman. I have added him to the To list of this email reply so that he will have the benefit of receiving it, and so you will know.

Regards,

Kathryn

Kathryn Harrington
Metro Councilor, District 4
503-797-1553
Kathryn.Harrington@oregonmetro.gov

www.oregonmetro.gov
Metro | Making a great place

Policy Coordinator, Ramona Perrault
Ramona.Perrault@oregonmetro.gov 503-797-1941

From: Karen Kane [<mailto:kmkane123@gmail.com>]

Sent: Sunday, May 14, 2017 5:03 PM

To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>

Cc: Tom Hughes <Tom.Hughes@oregonmetro.gov>; Kathryn Harrington <Kathryn.Harrington@oregonmetro.gov>;
paul.sluman@oregonmetro.gov; Carlotta Collette <Carlotta.Collette@oregonmetro.gov>; sam.chase@oregonmetor.ogv;
Bob Stacey <Bob.Stacey@oregonmetro.gov>; craig.dirksen@oregonmetor.gov; Shirley Craddick
<Shirley.Craddick@oregonmetro.gov>

Subject: deny permits to APES and ORRCO

May 14, 2017

Metro
Solid Waste Information Compliance & Cleanup
600 NE Grand Ave,
Portland, OR 97232
swicc@oregonmetro.gov

RE: Public comment
American Petroleum Environmental Services, Inc. solid waste facility license
Oil Re-Refining Company, Inc. solid waste facility license renewal

To Metro Administrators,

It is difficult to calculate how much toxic air that local residents in North and Northeast Portland breathe on a daily basis. Diesel truck traffic, Portland International Raceway cars spewing exhaust and nearby industrial manufacturers on Swan Island all combine to pollute the air we breathe. Most of these polluters are hard to monitor except those required by DEQ and permitted for handling waste by Metro.

DEQ knows that the amount of poison emitted from APES and ORRCO, local businesses on Hayden Island that collect and refine oil for resale, are two of the worst offenders. In reprocessing used oil, these two companies emit more than 300 hazardous agents that threaten human health as well as the natural environment. Emission reports for these companies are continually not available to the public.

Metro intervened in the past to halt some of ORRCO's questionable practices because of inappropriate handling and storage of the used oil products they consolidate and reload. Please consider the policies and loopholes that allow these hazardous materials to be used in our neighborhood and transported through the Metro region.

We ask that Metro deny the expansion permit request by APES and the continued operation by ORRCCO until such time as these companies considerably improve their handling of used oil products. The mutual agreement between DEQ and APES for its expansion plans are flawed and need to include technological improvements that can be monitored as well as more detailed plans to store and transport this waste.

Please deny these permit requests from APES and ORCCO.

Sincerely,

Karen Kane
President
Bridgeton Neighborhood Association

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, April 26, 2017 11:54 AM
To: 'Sue Teso'
Subject: RE: American Petroleum Environmental Services APPLICATION

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

-----Original Message-----

From: Sue Teso [mailto:sueteso@gmail.com]
Sent: Tuesday, April 25, 2017 3:56 PM
To: Solid Waste Information Compliance and Cleanup
Subject: American Petroleum Environmental Services APPLICATION

Dear Hila
(SWICC@oregonmetro.gov)

Thank you in advance for listening to a citizen and resident of Hayden Island.

I understand that APES is submitting an application for a new license and we would urge you to deny that permit.

PLEASE!!! I have sat in meetings with the owner of this business and his lack of concern for his neighbors was very evident. When I asked how he could poison children and still sleep at night. (Explained for down in this letter). He just gave me a blank stare and a shrug of his shoulders. I witnessed both the children suffering and his response with my own eyes.

I have lived on Hayden Island for almost 3 years now and have been having to deal with the noxious, dangerous elements in the off-gassing from them.

We have tried to work within the system by asking DEQ to monitor them at the stacks - to no avail.

It appears as though the city of Portland has completely written off Hayden Island. I live in Portland because of the focus here on clean air, clean water, healthy living. Yet it seems to be all talk and no action. People have been getting sick, we have called and called when the air is affecting us and still no real action.

We have attended meetings been told to stay inside and close our windows when we smell the horrid odors. What about when we don't smell them? They are still there. I have watched on a particularly bad air day at Delta park, the children unable to catch their breath when playing sports. When it was reported to DEQ/EPA. We were told not to allow

our children to play at Delta Park Sports Complex. If that's the case, should you shut it down but allow ORRCO and APES to continue to poison the air.

Please help us by not renewing this permit. We protest ORRCO's permit request to process using their own contaminated fuel source because it's far dirtier than diesel and is the biggest reason we get off-gassed by poisons.

While I am pro-business, I am a business owner in Portland. I expect to be protected from these dangerous chemicals. I expect that a business in Portland cannot be allowed to poison and/or cause physical or mental injury to it's citizens.

Thank you,
Susan Teso
11666 N Island Cove lane
Portland OR 97217
971-2826898

Sent from my iPad

Sent from my iPad

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, April 19, 2017 10:21 AM
To: 'Melinda Head'
Subject: RE: APES AND OIL-are-refinery license renewals

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

-----Original Message-----

From: Melinda Head [<mailto:melindahead1@gmail.com>]
Sent: Tuesday, April 18, 2017 2:53 PM
To: Solid Waste Information Compliance and Cleanup
Subject: APES AND OIL-are-refinery license renewals

This is in reference to the above Oil Re-Refineries off of Marine drive and across from Hayden Island. I retired almost 4 years ago and moved from California to Jantzen Beach Moorage. I moved to Oregon thinking it was a Green State and cared about the environment and its citizens. Over the entire time I have lived on Hayden Island we have been constantly bombarded by caustic gases from these two oil re-refineries. I retire after 44 years as both an ER nurse and a Critical Care Nurse and moved here in good health. I have had frequent respiratory problems and now a heart arrhythmia problem since moving across from these caustic gases. I can't walk my dog at times due to these gases which always come from the south direction. I am sure that if anyone from the state or city government had to deal with this they would demand that these businesses not be allowed in our communities. I am well aware that APES has been without a valid license for years but have been allows to continue. I am also aware that they need scrubbers and removed filtration systems when the new owner bought average years ago. The city and state need to do what is right for the communities that have to deal with the caustic pollution of these businesses. I ask you not to renew these licenses, do what is right.
Thank you
Melinda Head RN

Sent from my iPad

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, April 19, 2017 10:22 AM
To: 'chandra'
Subject: RE: APES and ORRCO

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

-----Original Message-----

From: chandra [mailto:chandra.owl@gmail.com]
Sent: Tuesday, April 18, 2017 7:10 PM
To: Solid Waste Information Compliance and Cleanup
Subject: APES and ORRCO

We understand that ORRCO is attempting to renew their permit and we insist you PLEASE deny that permit. We have lived on South Shore Road for 3 years now and have been having to deal with the obnoxious and dangerous elements in the off-gassing from them. We have tried to work within the system by asking DEQ to monitor them at the stacks - to no avail. It appears as though the city of Portland has completely written off East Columbia. We are lifelong Oregonians who have always believed in the focus on clean air, clean water, healthy living, etc, yet it seems to be all talk and no action. People have been getting sick, we have called and called when the air is affecting us and still - nothing. Please help us by NOT renewing this permit.

I have developed asthma symptoms and many of the elements listed in their off gassing have immediate and long term affects on my health, I can only imagine what this is doing to our daughter. We should not have to move out of state and face starting over, just to protect ourselves from companies that should not be permitted to do this, but that is the position we are in if ORRCO and APES are a priority over the health of this community. We can't afford to move, so we will stay and fight.

We protest ORRCO's permit request to process using their own contaminated fuel source bc it's far dirtier than diesel and is THE biggest reason we get off-gassed by poisons.

thank you for your time,

Chandra, Alin and Isabeau (age 3) Dragulin

Sent from my iPad

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Thursday, May 04, 2017 2:22 PM
To: 'Vicki'
Subject: RE: APES and ORRCO

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

-----Original Message-----

From: Vicki [mailto:novembercat@comcast.net]
Sent: Tuesday, May 02, 2017 10:07 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Cc: Mary Lou Putman <mputman@pdxnhn.org>
Subject: APES and ORRCO

Dear Metro,

This is a comment from a resident of North Portland to let you know my disapproval of your granting APES and ORRCO permits for ANYTHING at all due to their lack of concern for public safety in operating in a fashion that has been inadequately investigated for health implications and risks. I know that you only handle garbage and not air quality, and that your responsibility lies only in the transportation of contaminated material. But the intention of my comment is to compel you NOT to grant any new permits to companies that act irresponsibly in this manner.

Vicki Simon
resident of North Portland

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 12, 2017 9:42 AM
To: 'Amy Poe'
Subject: RE: APES expansion permit

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Amy Poe [mailto:amy@wyckam.com]
Sent: Friday, May 12, 2017 7:08 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: APES expansion permit

Please do not grant this expansion license. APES has shown that they do not follow the regulations required of them, and do not care about their responsibility to clean up their messes and keep our soil, water and air clean. Portland already has a mess of a super-fund site that will likely never be properly taken care of, and we have some of the worst air quality in the nation. We do not need companies like APES contributing more to our pollution problems. The health of every NE Portland neighbor is at stake, including the health of mine and my children - who complain every day about the bad smell in the air, their throats feeling tight, and headaches they get. These complaints go away whenever we leave the area.

APES does not need to expand. They need to be shut down.

Amy Poe
10914 N Vancouver Ave
Portland, OR 97217
503-984-0679

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, May 17, 2017 4:53 PM
To: 'Ronna Craig'
Subject: RE: APES license renewal application

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Ronna Craig [mailto:ronna.craig@gmail.com]
Sent: Wednesday, May 17, 2017 2:49 PM
To: Solid Waste Information Compliance and Cleanup <SW/ICC@oregonmetro.gov>
Subject: APES license renewal application

Thank you for accepting public comments! I am a resident of North Portland, and I am writing on behalf of my husband, myself and our pets.

American Petroleum Environmental Services, Inc. submitted an application to Metro for a new solid waste facility license to consolidate and reload oily cleanup materials (such as oily rags, booms, absorbents, etc.). I am against issuance of this permit.

Owners of this facility have been allowed to continue operations without the legally mandated pollution control equipment for at least several years. This is directly contrary to the public interest. This is dangerous to public health and has harmed my health.

Several years of breathing dirty emissions from the re-refining processes taking place at APES has caused me to develop repeated chronic respiratory problems. I am awakened several times a year, when conditions are right to cause the cloud of emissions from the nearby burners to waft over *and into* my house. I wake to a strong odor of burning gasoline or oil. Never having suffered headaches in my life, I now have several per year which correspond to noticeable exposure.

I have lived in Kenton for nine years, and have been suffering the noxious, dangerous gas from the oil refinery.

Neighbors have requested monitoring and implementation of BACT (best available control technology), but so far there is no plan to either halt current control free emissions or require future BACT or stack monitoring. DEQ announced at a community meeting the re-refiner would be subject only to one-time

monitoring and required to submit (as fact) *estimates* of pollution levels extrapolated from faulty initial determinations.

My husband and I moved to Portland because of the focus here on clean air and water. We shed a car and began biking to work. When it comes to the big efforts on the part of government at all levels, though, action is minimal. I now have chronic sinus infections and trouble breathing at times. I am annoyed by the smell of burning oil day and night so much that some days I do not want to go outside. I have reported some of the recent more disturbing instances of smokey, smoggy air which I notice most often at night and on weekends when I'm around home for longer periods of time. I can smell the pollution inside the house now. The siding and windows are coated in a black or dark brown sooty grimy dust which I wash off every few months. We had a whole house air purification system when we moved into the house, but that has been broken for a few years.

Please help us by not granting this permit. It is not okay to permit use of dirty used contaminated fuel without either testing emissions or installing pollution controls adequate to reduce the level of dangerous chemical vapor and/or smoke.

For Max the dog, David, the chickens (who are especially vulnerable to respiratory irritants and must live outside), the rabbits, and myself, thank you for listening and doing what you can to prevent APES' major contribution to ongoing and sickening pollution levels.

Ronna Craig

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Monday, May 08, 2017 8:37 AM
To: 'Jane M. Terzis'
Subject: RE: APES Permit Application

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

-----Original Message-----

From: Jane M. Terzis [<mailto:janeterzis@icloud.com>]
Sent: Friday, May 05, 2017 8:17 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: APES Permit Application

I live in Cathedral Park, North Portland. On many days I can smell toxic fumes from my yard. Every time I drive near the APES facility on Marine Drive those fumes come into my car through closed windows. These fumes are attributable to APES' continued non-compliance with air quality regulations. They continue to demonstrate a disregard for the health of their neighbors - particularly for children - in North Portland. This company has repeatedly demonstrated their intention to continue to pollute Portland air unless they are forced into compliance with 24/7 on-stack monitoring and real consequences for violations. For some reason DEQ has not had the authority, or the interest, in ensuring compliance.

If a company cannot, or will not run a successful business without hurting people, they need to shut down.

The people running APES cannot be trusted with our right to breathe healthy air. I respectfully request that this permit not be granted and that this company shut down.

Jane Terzis

Sent from my iPad

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 19, 2017 5:03 PM
To: 'James Ryan'
Subject: RE: APES permitting

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: James Ryan [<mailto:jimryan1@gmail.com>]
Sent: Friday, May 19, 2017 4:57 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: APES permitting

As a resident of Jantzen Beach Moorage on Hayden Island, I have very strong opinions of the request by American Petroleum (APES) to renew their air discharge permit and to receive a new permit for solid waste disposal of oil filters, etc. on their site.

In addition to the air pollution coming from their site (the health impact of which is still debated) the additional issue of in-ground disposal of hazardous waste so near our beautiful river gives me pause.

It is time for this issue to be resolved. APES and businesses like it should never be allowed to operate so close to human habitation. They need to move. Denying these permit applications is a good place to start.

All the best,

James D. Ryan
1719 N Jantzen Ave.
Portland, OR 97217

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Tuesday, April 18, 2017 2:27 PM
To: 'Paul Hernandez'
Subject: RE: APES refinery

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Paul Hernandez [mailto:pablohsf@gmail.com]
Sent: Tuesday, April 18, 2017 1:55 PM
To: Solid Waste Information Compliance and Cleanup
Subject: APES refinery

I live at JBMI.

i am pro business, and truly believe in legacy businesses continued existance. however, the APES refinery can help be a good neighbor. i am officially adding my opinion and protest that they either abide by clean air requirements or be closed down.

Sincerely,
Paul Hernandez
2049 North Jantzen
97217

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 19, 2017 3:40 PM
To: 'Graham Perkins'
Subject: RE: Application by American Petroleum Environmental Services, Inc. (APES), for a new license to consolidate and re-load oily cleanup material

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Graham Perkins [<mailto:graham.b.perkins@gmail.com>]
Sent: Thursday, May 18, 2017 11:29 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Cc: Mlputman <mlputman@gmail.com>
Subject: Re: Application by American Petroleum Environmental Services, Inc. (APES), for a new license to consolidate and re-load oily cleanup material

As a resident of Hayden Island, I am writing to state my objection to the above application by APES.

Granting a license to American Petroleum Services, Inc., (APES) to expand their operation goes counter to Portland (Oregon) City Council's resolution No. 37168, passed in a unanimous vote, which opposed the expansion of fossil fuel infrastructure in the city and its adjacent waterways. This resolution (Binding City Policy BCP-ENN-10.02) was adopted by Portland (Oregon) City Council November 12, 2015.

Granting of this license would also play into APES' intentions to continue running their Force Avenue facility in flagrant violation of industry best practices, and on expired permits, while we, the ever-searching-for-breathable-air public must continue to suffer whenever APES' suffocating plume, a toxic freshly-prepared cocktail of VOCs, and potentially toxic dust, is blown our way by prevailing winds. A southerly wind brings this toxic soup to Hayden Island, resulting in residents trying to shelter indoors, and sometimes resulting in evacuation of Jantzen Beach Shopping Center stores who have more than once identified the stench as a gas leak. In addition, more than a few times residents of Hayden Island have awoken in the early morning to symptoms such as bleeding nose, respiratory distress, nausea, vomiting, loss of concentration, head aches, and panic attacks. These are not good things to have happen within Portland City limits, a city which perhaps in light of these reports, apparently does not take care of its citizens nearly as well as it would like to think it does.

APES' continued spewing of unfiltered and un-oxidized emissions caused by their unilateral removal of emission control equipment is an egregious offense to the health and wellbeing of the residents of North Portland. Any expansion would be in clear violation of BCP-ENN-10.02.

The only way to honor Portland's desire to become clean and Green is to start decreasing fossil fuel infrastructure, by at the very least denying permits for any new operations. That way we encourage these polluters to move on. Driven by a profit motive, rather than true concern for the environment, they will continue to operate the way that they have done and do if we permit them to do so, and if we continue making it economically feasible for them by following a relaxed

approach to rules and regulations. As soon as we prevent them from cutting corners in order to make a profit, they will go away. Please deny APES their current and any future expansion permit applications. However, we air-breathers of North Portland do not have the time to wait for that. Therefore, the time has come for the APES air pollution-causing facility to be moved well outside city limits or shutdown.

APES, and their "twin" Oil Re-Refining Company, Inc. (ORRCCO) are the air pollution "elephants in the room" in North Portland. While they remain within Portland's air-shed, Portland cannot claim to be a leader in the restoration of urban environments to make them livable again, and North Portland's residents will continue to face serious polluted-air-induced health challenges.

Many industries in the Portland Metro area are operating under permits that admittedly allow a degree of harm to the resident population, albeit "regulated". In the cases of ORRCCO and APES, the degree of "harm" which has occurred is far above what was intended by the relevant laws and regulations, and is far above what is nowadays acceptable. This has apparently resulted from insufficient and in many cases admitted non-existent enforcement of rules and regulations, including in some cases, operating on expired permits. As Portland has expanded over the years, the operative rule for polluting industries has been either "clean-up" or "shut-down". One polluting glass manufacturer in Portland recently chose to move way rather than clean-up.

I strongly urge you to reject this application.

Yours truly,

Graham Perkins

1907 N Jantzen Avenue, Portland OR 97217

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Tuesday, April 18, 2017 2:26 PM
To: 'ROBERT / SHER'
Subject: RE: Attn: Hila Ritter

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: ROBERT / SHER [mailto:indyshepps@comcast.net]
Sent: Tuesday, April 18, 2017 10:17 AM
To: Solid Waste Information Compliance and Cleanup
Subject: Attn: Hila Ritter

We understand that APES is attempting to renew their permit and we would urge you to PLEASE deny that permit. We have lived on Hayden Island for 10 years now and have been having to deal with the obnoxious and dangerous elements in the off-gassing from them. We have tried to work within the system by asking DEQ to monitor them at the stacks - to no avail. It appears as though the city of Portland has completely written off Hayden Island. We moved to Portland because of the focus here on clean air, clean water, healthy living, etc. YET it seems to be all talk and no action. People have been getting sick, we have called and called when the air is affecting us and still - nothing. Please help us by NOT renewing this permit.

thank you for your time,
Bob & Sher Shepps
indyshepps@comcast.net
503-247-1045

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Monday, April 24, 2017 2:45 PM
To: 'Andrea Seiffertt'
Subject: RE: Attn: Hila Ritter Re: American Petroleum's proposed solid waste cleanup facility

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Andrea Seiffertt [mailto:andeejo@gmail.com]
Sent: Monday, April 24, 2017 11:59 AM
To: Solid Waste Information Compliance and Cleanup
Subject: Attn: Hila Ritter Re: American Petroleum's proposed solid waste cleanup facility

To Hila Ritter, Solid Waste Authorization Coordinator:

I am writing to share my views on the proposed solid waste cleanup facility run by American Petroleum Environmental Services.

NE Portland already has two oil recycling companies, whose facilities have been generating malodorous toxic emissions, causing complaints from neighbors for years.

There has been no independent or even governmental scientific analysis of those emissions, of any runoff, and we don't know what the companies do with any waste or chemicals used.

NE Portland is vulnerable to river flooding, and putting further toxic waste facilities near wetlands and the river is unconscionable-- without at the very least an environmental impact analysis first to make the decision based on facts and real risk.

There may be alternatives that the companies could use that would reduce the impacts of their waste and recycling and emissions, but without an analysis we don't know.

Before permitting more toxic waste facilities, please require an independent environmental impact analysis and consider neighbor and citizen commentary and opinion.

Thank you.

Andrea Seiffertt, SouthEast Portland

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Monday, April 24, 2017 8:44 AM
To: 'Michelle Knight'
Subject: RE: Deny APES and ORRCO Permit Renewal until fuel source is clean

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Michelle Knight [mailto:mknight113071@gmail.com]
Sent: Sunday, April 23, 2017 6:06 PM
To: Solid Waste Information Compliance and Cleanup
Subject: Deny APES and ORRCO Permit Renewal until fuel source is clean

Dear Hila Ritter:

Picture yourself, at home, about to turn into sleep. You talked with some of your neighbors and cannot wait for the first brood of ducklings to come out on the river. LIFE seems perfect. Sure, your husband has had headaches that come and go occasionally, but you think nothing of it. You read that the US EPA are investigating two companies polluting your home, ORRCO and APES. They are across the river storing PCB contaminated liquids on site. Moreover, ORRCO is under question about fines for various hazardous waste violations. Within the next weeks or years, you may be at risk for cancer, perhaps making any possibility of retirement very short. Of course, you would want to do something to stop the pollution and off-gassing.

You and your PDX North Neighbors work within the system, asking DEQ to monitor the stacks. But this is to no avail. APES and ORRCO generate profits the city needs. Portland, an "environmentally conscious city", turns a blind eye. Then you hear that APES and ORRCO want to renew their license. Portland Metro asks for comments. What would you as you are living with pollution that is far worse than normal diesel?

While I believe in business and the free market, I believe that any business that uses public air and neighborhood environments, is accountable to the public and people that live there. Period. I believe in profit and am a consumer supporting local Portland businesses, such as Powell's Book store, Stumptown Coffee, and

New Seasons Market. If these entities were to threaten public health and safety, like ORRICO and APES has done, then I would not support the business. It would be challenging, maybe painful, and require changing some habits. But, I stand by that principle with action. Companies such as ORRICO and APES, who engage in polluting public areas and threatening health, should not have their permits renewed until they and the public can be ensured of safe processing of hazardous materials.

I would do what you would do if you were in my shoes. I would ask that ORRICO's permit renewal be denied until we can be protected from these dangerous chemicals.

Sincerely,

Michelle Knight

1923 N. Jantzen Ave

Portland, OR 97217

Michelle Knight
(503) 345-4350
(971) 998-9084

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 12, 2017 3:38 PM
To: 'Scott Niesen'
Subject: RE: Deny APES Expansion Permit

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Scott Niesen [<mailto:scottniesen@gmail.com>]
Sent: Friday, May 12, 2017 2:01 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: Deny APES Expansion Permit

Hila Ritter, Solid Waste Authorization Coordinator.

I have lived in the Bridgeton neighborhood for 13 years. We have experienced toxic emissions from American Petroleum Environmental Services since we moved here in 2004. The company has continuously failed to take responsibility for the toxins they pump into the air and for the irresponsible storage of dangerous materials including illegal PCBs at their facility.

The owners and managers of APES have continuously shirked responsibility and thwarted efforts to filter pollutants by illegally removing emission control devices. They are bad hombres who need to be held accountable for their actions.

I realize that air quality is the purview of DEQ and the EPA. Metro does have purview over the handling and storage of toxic materials. Use this to do the right thing and deny the permit for expansion until they prove themselves to be responsible business owners.

Thank you.

Scott Niesen
205 N. Bridgeton Rd.
Slip 7
Portland, OR 97217

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, May 10, 2017 2:43 PM
To: 'Michelle Knight'
Subject: RE: Deny APES permit renewal

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Michelle Knight [mailto:mknight113071@gmail.com]
Sent: Tuesday, May 09, 2017 7:21 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: Deny APES permit renewal

Thank you in advance for listening to a citizen and resident of Hayden Island.

I understand that APES is attempting to renew their permit and we would urge you to deny that permit.

I have lived on Hayden Island for several years now and have been having to deal with the noxious, dangerous elements in the off-gassing from them.

We have tried to work within the system by asking DEQ to monitor them at the stacks - to no avail.

It appears as though the city of Portland has completely written off Hayden Island. I live in Portland because of the focus here on clean air, clean water, healthy living. Yet it seems to be all talk and no action. People have been getting sick, we have called and called when the air is affecting us and still no real action.

Please help us by not renewing this permit. We protest APES' permit request to process using their own contaminated fuel source because it's far dirtier than diesel and is the biggest reason we get off-gassed by poisons.

While I am pro-business, I expect to be protected from these dangerous chemicals.

Thank you,

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Thursday, May 04, 2017 2:21 PM
To: 'JB Young'
Subject: RE: Hila Ritter APES permit non-renewal

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: JB Young [mailto:jbeyoung@gmail.com]
Sent: Monday, May 01, 2017 4:09 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: Hila Ritter APES permit non-renewal

APES is a major, non-mobile contributor of diesel emissions. This poisoning of Portland's citizens for profit needs to end now. Do not renew the permit to operate. Clearly the exhaust and off gassing exceeds its boundaries and toxic gas is allowed to permeate far beyond its stated industrial use permitted boundaries. Allowing them to continue operating out of hand or lax past practices is to end, now.

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 19, 2017 3:41 PM
To: 'Deborah Solheim'
Subject: RE: North Portland, Portland, Hayden Island air pollution issues

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Deborah Solheim [mailto:deborahsolheim@gmail.com]
Sent: Friday, May 19, 2017 10:06 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: North Portland, Portland, Hayden Island air pollution issues

Regarding APES and ORCCO refineries, the lack of response from Metro and other agencies regarding complaints and violations is infuriating and unacceptable. I implore Metro to use your authority and work with other agencies to ensure common decency and protect precious resources, air and water.

Deborah Solheim
9217 N Berkeley Av
Portland OR 97203

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 19, 2017 4:41 PM
To: 'courtney hamilton'
Subject: RE: ORRCO and APES public comment

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: courtney hamilton [mailto:courtham1987@gmail.com]
Sent: Friday, May 19, 2017 4:30 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: ORRCO and APES public comment

As a Hayden Island resident and a breather of air (preferably clean), I am urging you to deny the permit renewal for Oil Re-Refining Company, Inc. and the permit expansion for American Petroleum Environmental Services, Inc.

Oregon is supposed to be a leader in environmental policy. In November 2015 the city council passed Resolution No. 37168 prohibiting new fossil fuel infrastructure in Portland. Approving these permits is a step in the wrong direction for our city. Their continued operation with no emission controls has put the health of Portland citizens at great risk for years now. They must be shut down if they do not comply with our demands: 24/7 stack monitoring, emission controls, containment berms for tanks farms, and Title V permits requirement.

Respectfully,

Courtney Hamilton
Portland, OR 97217

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, May 17, 2017 4:52 PM
To: 'Cheri Calvert'
Subject: RE: ORRCO and APES

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Cheri Calvert [<mailto:cheri@chericalvert.com>]
Sent: Wednesday, May 17, 2017 11:12 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: ORRCO and APES

For the record, I don't want ANY expansion at ORRCO or APES. They didn't comply with regulations in the past and are not to be trusted. Metro solid and hazardous waste is intertwined with air quality, so until THAT is fixed, NO expansion should be allowed!

--

Cheri Calvert
"Fine Design, Online, On Time!"

Web Developer
www.CheriCalvert.com
208.755.2276 - Idaho
253.448.3755 - Washington & Oregon

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Friday, May 19, 2017 4:52 PM
To: 'Cheryl Baker'
Subject: RE: Please DENY the application for a new license by American Petroleum Environmental Services, Inc. (APES)

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Cheryl Baker [mailto:cheryl.baker97217@gmail.com]
Sent: Friday, May 19, 2017 4:43 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: Please DENY the application for a new license by American Petroleum Environmental Services, Inc. (APES)

To whom it may concern:

APES' has continued to release foul emissions in spite of our repeated attempts to report the situation to EPA and DEQ. After APES illegally removed their emission control equipment, I have been shocked that this action was allowed to stand and that no official effort was made to require them to reinstall this required piece of equipment. The health of the residents of North Portland is being directly impacted. Personally, I have suffered headaches, sore throats, and a chronic cough from these emissions.

This owner of this has company claimed to be "an environmentalist", yet he has demonstrated that he is anything but. Portland officials need to protect its citizens from this type of flagrant negligence, disregard for the industry's 'best practices', and disregard for our citizen's health.

The city of Portland has already shown it's desire to stop increasing our fossil fuel infrastructure; construction and expansion of a toxic industry that is making our neighbors sick needs to be stopped. APES has violated their previous permits and I have no doubt that they will continue to violate any future permits that they may be issued. Please deny APES their current application and any future expansion permit applications. This facility needs to be shut down.

The toxic air pollution that has been allowed to continue in North Portland is shameful. APES, and their "twin" Oil Refining Company, Inc. (ORRCO) are both to blame. If they are allowed to continue to operate, North Portland residents will continue to face significant health effects. How can Portland claim to be concerned about environmental issues within the city if this situation is allowed to stand??

As you make this important decision on this new license application, and in all future such cases, please consider the potential ramifications on your neighbors, on your air and water, and on your own health.

We are relying on you.

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Monday, May 08, 2017 8:38 AM
To: 'Teri Loporchio - WCS'
Subject: RE: Public Comment | APES and ORRCCO DEQ Permits

Hello,

Thank you for your comment received in response to the license application for APES and ORRCCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Teri Loporchio - WCS [mailto:teri.loporchio@gmail.com]
Sent: Thursday, May 04, 2017 10:30 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: Public Comment | APES and ORRCCO DEQ Permits

I moved to North Portland just two years ago and began smelling the horrid natural gas and petroleum smell almost immediately. I'm not typically a complainer, but after being awakened many times in just a few weeks at or around 3:30 a.m. with horrible coughing fits, gagging and a severe headache I started filing complaints with DEQ.

After attending several meetings with ORRCCO and APES in attendance, I could see there was clearly no remorse or feeling of wrong doing. Therefore, I would like to see both plants shut down. These plants have manipulated the DEQ system and I don't believe they are the kind of companies that we want anywhere in Oregon. They have no respect for our natural resources, clean air or the people in their community.

Last night at about 8:45 PM, I went to bring my dogs in and when I opened the door the odor truly almost knocked me over. Within 2-3 minutes, I had the headache that has become all too familiar as well as the coughing fits. I would think that these two companies would be on their best behavior, but as I experienced they are far from it. I filed another complaint and had to wait well over an hour to take the dogs for their final evening walk because I was truly afraid to go outside because of the air quality.

I've heard two stories indicating that either DEQ didn't put measures in place to sufficiently manage the permitting process and/or that the public didn't voice an opinion during the last permitting process and therefore the last permits for these two organizations were put in place without proper

vetting. Seriously, what is DEQ's job if it isn't to protect the public. It was also reported that DEQ did not discover that equipment had been **illegally removed** until they performed an onsite inspection in 2011, but **because of another oversight DEQ never prosecuted the violation.**

What confidence does this give me or the community that these two plants will operate in any kind of good faith. I think they should be shut down. DEQ has already proven that they can't manage them and ORRCO and APES have also proven that they don't care what the rules are, they will break, bend and get around them anyway that they can.

Let me state my position clearly – **GET ORRCO AND APES OUT OF OREGON AND DO NOT RENEW THEIR PERMIT!!!!**

I am only one voice. I doubt if I'll have much real influence on the outcome and for that reason alone, I believe I need to also clearly state my expectations if they are allowed to stay:

1. Monitoring by a 3rd party of all material coming into the plant before incineration or disposal processes begin. Detailed reports of those materials must be available for public review online. We should be able to review them by date, time of disposal, materials, etc. so that at a minimum we will know what we are breathing. **We have a right to know!**
2. **Electronic monitoring at the stack – No EXCEPTIONS 24x7** – Again these detailed records should be made available online because we have a right to know.
3. For each violation (because they will have them) **significant fines (\$50,000 – \$100,000) should be mandatory, no excuses.** They should also be required to perform some sort of community service such a major tree plantings or other restorative actions in addition to the fines. It has to be implemented in such a way that it is more cost effective to play by the rules then to scam the community and DEQ as they have in the past.

One more thing before I close -- for some reason this has stuck in my head and I need to get it out on the table. One thing that was clear at the last meeting was the shock that Nina (can't remember her last name) had when the woman who runs the neighborhood school talked about the special ed. students at her school who come from all over the city so they can attend her classes. She also mentioned that she continued to call NW Natural Gas because when she would smell the odor, she thought it was a gas leak.

I remember Nina taking copious notes because these children were at risk to begin with and she seemed very concerned about the impact on them. I'm not saying she shouldn't be concerned, but it was as if their lives mattered more than my husband's, my son's or my beautiful dogs or my neighbors who are in their 70's or even the homeless living at Delta Park for that matter. **All lives matter, human, animal, children, pets, fish** – it all matters the same. When you make this decision, think about the people you love more than anything. Would you allow a lawless organization such as APES and ORRCO to operate a plant in your family's neighborhood? If you haven't experienced it, maybe you would, but trust me – it would be a huge mistake.

Thank you.

Teri Loporchio

971.235.4687

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Thursday, May 04, 2017 2:23 PM
To: 'Cheryl Myers'
Subject: RE: public comment - APES/ORRICO

Hello,

Thank you for your comment received in response to the license application for APES and ORRICO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Cheryl Myers [mailto:oregon.myers@gmail.com]
Sent: Wednesday, May 03, 2017 7:14 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Cc: mlputman@gmail.com
Subject: public comment - APES/ORRICO

We recently attended a DEQ meeting regarding APES/ORRICO's request to expand their operations.

It was shocking to learn due to odd timing and ownership changes that a business out of compliance not only continues to operate utilizing extended permits, but have the audacity to apply to expand operations.

Please do NOT approve an expansion and protect our public health and environment by pulling the existing permits until full compliance is achieved, **and** the appropriate full/adequate monitoring controls are in place before allowing operations to resume.

Cheryl and Jim Myers
Hayden Island (Island Cove) residents
(503) 519-9690

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Thursday, May 18, 2017 4:10 PM
To: 'Alastair (AJ) Roxburgh'
Subject: RE: Public Comment regarding APES new license application for 11535 N. Force Avenue, Portland, Oregon

Hello,

Thank you for your comment received in response to the license application for APES. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services
My gender pronouns: she, her, hers.
Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Alastair (AJ) Roxburgh [mailto:blackett.dirac@gmail.com]
Sent: Thursday, May 18, 2017 10:39 AM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Subject: Public Comment regarding APES new license application for 11535 N. Force Avenue, Portland, Oregon

**Re: Application by American Petroleum Environmental Services, Inc. (APES),
for a new license to consolidate and re-load oily cleanup material**

Granting a license to American Petroleum Services, Inc., (APES) to expand their operation goes counter to Portland (Oregon) City Council's resolution No. 37168, passed in a unanimous vote, which opposed the expansion of fossil fuel infrastructure in the city and its adjacent waterways. This resolution (Binding City Policy BCP-ENN-10.02) was adopted by Portland (Oregon) City Council November 12, 2015.

Granting of this license would also play into APES' intentions to continue running their Force Avenue facility in flagrant violation of industry best practices, and on expired permits, while we, the ever-searching-for-breathable-air public must continue to suffer whenever APES' suffocating plume, a toxic freshly-prepared cocktail of VOCs, and potentially toxic dust, is blown our way by prevailing winds. A southerly wind brings this toxic soup to Hayden Island, resulting in residents trying to shelter indoors, and sometimes resulting in evacuation of Jantzen Beach Shopping Center stores who have more than once identified the stench as a gas leak. In addition, more than a few times residents of Hayden Island have awoken in the early morning to symptoms such as bleeding nose, respiratory distress, nausea, vomiting, loss of concentration, head aches, and panic attacks. These are not good things to have happen within Portland City limits, a city which perhaps in light of these reports, apparently does not take care of its citizens nearly as well as it would like to think it does.

APES' continued spewing of unfiltered and un-oxidized emissions caused by their unilateral removal of emission control equipment is an egregious offense to the health and wellbeing of the residents of North Portland. Mike Mazza of APES (same person as Mike Mazza of previous company, American Recycler, that operated the same facility, and soon to be Mike Mazza of Clear Lube?) wants to expand his business using an untested technology for sulfur removal. Any expansion would be in clear violation of BCP-ENN-10.02.

Moreover, given that APES has been unable to run a closed system, or even revert back to their previously somewhat closed configuration, and despite their huge volume of lip-service to the concept, and because national oil production has peaked at levels far above our national needs, the economic driving force for the re-refining of oil products has arguably largely disappeared, and would, I believe, completely disappear, if the cost of effective emission control, and the cost to the community of consequent medical care were taken into account.

Better for the health of the planet and its citizens, that spent oil is returned to the oil fields from whence it came, rather than have a significant portion of the fraction that is not wanted, sent "away" by spewing it into the air for all to breathe, causing ill health and who knows how many asthmas, heart problems, and cancers. Our overcrowded planet is now more finite than ever, and there *is* no away any more. There actually never has been an "away", but just a delay while we continued to pollute our eco-system to the limit of what it was able to absorb, and this limit is something that the planet is now experiencing on a global scale. To illustrate, I read in the news today that an estimated 37 million pieces of plastic litter (created by the fossil fuel industry) have been found on one of the world's *remotest* islands, uninhabited and 5,000 km from the nearest major population center.

The only way to honor Portland's desire to become clean and Green is to start decreasing fossil fuel infrastructure, by at the very least denying permits for any new operations. That way we encourage these polluters to move on. Driven by a profit motive, rather than true concern for the environment, they will continue to operate the way that they have done and do if we permit them to do so, and if we continue making it economically feasible for them by following a relaxed approach to rules and regulations. As soon as we prevent them from cutting corners in order to make a profit, they will go away. Please deny APES their current and any future expansion permit applications. However, we air-breathers of North Portland do not have the time to wait for that. Therefore, the time has come for the APES air pollution-causing facility to be moved well outside city limits or shutdown.

APES, and their "twin" Oil Re-Refining Company, Inc. (ORRCO) are the air pollution "elephants in the room" in North Portland. While they remain within Portland's air-shed, Portland cannot claim to be a leader in the restoration of urban environments to make them livable again, and North Portland's residents will continue to face serious polluted-air-induced health challenges.

Many industries in the Portland Metro area are operating under permits that admittedly allow a degree of harm to the resident population, albeit "regulated". In the cases of ORCCO and APES, the degree of "harm" which has occurred is far above what was intended by the relevant laws and regulations, and is far above what is nowadays acceptable. This has apparently resulted from insufficient and in many cases admitted non-existent enforcement of rules and regulations, including in some cases, operating on expired permits. As Portland has expanded over the years, the operative rule for polluting industries has been either "clean-up" or "shut-down". One polluting glass manufacturer in Portland recently chose to move way rather than clean-up.

Therefore, in whatever you decide, on this new license application, and in all future such cases, please consider the potential ramifications on all levels, including air and water quality, and also the burden of enforcement, and resources to ensure that happens.

Alastair Roxburgh
1503 N Hayden Island Drive
Portland, Oregon.
Co-founder of NW Citizen Science Initiative (NWSCI)
Board Member Hayden Island Livability Project

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Thursday, April 13, 2017 4:48 PM
To: 'Vicki'
Subject: RE: Public notice: American Petroleum Environmental Services and Oil Re-Refining Company

Thank you for your comment received in response to the license application for APES. Metro will respond to comments after the close of the public comment period. We spoke on the phone this afternoon and you stated that you will be redacting your request to the neighborhood association to have me come and speak because of Metro's limited scope at these facilities. Please let me know if you have any further questions, and feel free to submit any comments you may have.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Vicki [<mailto:novembercat@comcast.net>]
Sent: Thursday, April 13, 2017 10:56 AM
To: Solid Waste Information Compliance and Cleanup
Subject: Re: Public notice: American Petroleum Environmental Services and Oil Re-Refining Company

Hila,

I am a resident of North Portland and have concerns about these businesses and how they impact our neighborhood. I would like to know more about "the scope of Metro's role and authority at these facilities" and have asked our neighborhood association to have you come speak at the May meeting. Please respond via email and I will also try to call you.

Vicki Simon

On Apr 13, 2017, at 10:33 AM, Solid Waste Information Compliance and Cleanup
<SWICC@oregonmetro.gov> wrote:

the scope of Metro's role and authority at these facilities

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, April 26, 2017 11:55 AM
To: 'Stuart Goldstien'
Subject: RE: Response to Public Notice

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter
Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Stuart Goldstien [mailto:stuartgoldstien1@gmail.com]
Sent: Tuesday, April 25, 2017 5:41 PM
To: Solid Waste Information Compliance and Cleanup
Subject: Response to Public Notice

I have been living in the floating home community at Jantzen Beach for over two years. In the 2 years I've been here, I have been subjected to the toxic fumes from the petroleum reprocessing plant on several occasions. How would you like to live in a place where on a nice day you cannot even open your door because the air smells worse than a gas station. I know several people living in my neighborhood who have been awakened and have experienced nose bleeds, coughing and other ill effects from the toxic odors. These industries must be removed from our neighborhood and relocated in an area that does not impact its residents. Please do not renew licenses to these type of businesses located in residential areas. If you lived here, I'm sure you would support the removal of these businesses. I know people who are moving out of the area because of this. This can't be right. Please shut down these polluters of our precious environment.

Thanks.....

Stuart Goldstien
1959 N. Jantzen Ave.
Portland, OR 97217
503-964-3064

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Wednesday, May 10, 2017 2:42 PM
To: 'H & R WALDROP'
Subject: RE: stop APES and ORCCO !!!!!!!!!!!

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: H & R WALDROP [mailto:hrrmtpleas@bellsouth.net]
Sent: Monday, May 08, 2017 7:37 PM
To: Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>
Cc: Mary Lou Putman <mputman@pdxnhn.org>
Subject: stop APES and ORCCO !!!!!!!!!!!

As new homeowners on Hayden Island, we have noticed the unacceptable air quality are supporting the dedicated citizens who are trying to correct the situation. DON'T IGNORE the people of North Portland and Vancouver as you have for the past decade !! There is no longer a question of the source of the problem. The question is now, why is the problem being allowed to persist. Thousands of residents' health is at risk and you have the power to stop the pollution of our air from these re-refineries. Please shut these companies down until they are held accountable. We need independent testing of all establishments in the oil business. Curious that Oregon is known as being ecologically in the forefront, but we don't correct the loopholes that allow oil refineries to contaminate our air. Did not think this would even be an issue here. Thank you.

Harold Waldrop

Hila Ritter

From: Solid Waste Information Compliance and Cleanup
Sent: Thursday, May 04, 2017 2:23 PM
To: 'Jimme' Peters'
Subject: RE: Toxic air on Marine Drive and Hayden Island

Hello,

Thank you for your comment received in response to the license application for APES and ORRCO. Metro will respond to comments in a staff report after the close of the public comment period.

Hila Ritter

Solid Waste Authorization Coordinator
Property and Environmental Services

My gender pronouns: she, her, hers.

Metro | oregonmetro.gov
600 NE Grand Ave.
Portland, OR 97232-2736
503-797-1862

From: Jimme' Peters [mailto:Jimme_Peters@msn.com]
Sent: Wednesday, May 03, 2017 9:50 AM
To: Bivins.louis@deq.state.or.us; Whitman.richard@deq.state.or.us; Solid Waste Information Compliance and Cleanup <SWICC@oregonmetro.gov>; Sen.MichaelDembrow@oregonlegislature.gov; Sen.LewFrederick@oregonlegislature.gov; Rep.tinakotek@state.or.us; kate.brown@oregon.gov
Subject: Toxic air on Marine Drive and Hayden Island

Dear Esteemed Officials—

As a 19 year resident of Hayden Island, living on the slough side in a floating home, I have seen a great deal of change over the years. Some positive and some negative. I am writing about a serious issue that keeps lingering and now there are more permits being considered that will worsen the situation.

The air quality in the last couple of years has deteriorated significantly. There are days that I walk outside my home to go to work and the smell is nauseating and causes me to gasp for air. At night, I see the oil refineries across on Marine Drive burning their stacks and the orange smoke that results. How can this be legal, let alone safe. Should we have to wear gas masks to protect ourselves? I thought Oregon was green and safe and part of a nation that protects its citizens? One's chest should not burn and the smell should not make us nauseous in the open air of society in a first world country let alone state that is graced with foliage and trees.

This must stop immediately. Whatever laws have lapsed or been looked past by DEQ, EPA and others must be enforced. The idea of approving two more permits that will further endanger us is shameful. The long term effects on our health and communities could be lethal. Agent Orange and asbestos are just two similar inhaled poisons and we know the outcome of such toxins on humans. It is not pretty!

Enough with the studies, excuses, denials and hearings. Please take action now to preserve our people and health.

Hila Ritter

From: BIVINS Louis <louis.bivins@state.or.us>
Sent: Thursday, May 11, 2017 1:13 PM
To: 'Jimme' Peters'; kate.brown@oregon.gov; ORMAN Michael; DECONCINI Nina; REP Kotek; WHITMAN Richard; Sen.LewFrederick@oregonlegislature.gov; Sen.MichaelDembrow@oregonlegislature.gov; Solid Waste Information Compliance and Cleanup
Subject: RE: Toxic air on Marine Drive and Hayden Island

Dear Jimme',

Thank you for contacting DEQ with your concerns about the odors and emissions from the two used oil re-refineries, American Petroleum Environmental Services, Inc. (APES) and Oil Re-Refining Co. (ORRCO), located south of the Columbia River in north Portland. DEQ continues working with both facilities to install and implement additional control technologies and operating requirements to minimize pollutant emissions into the air.

Should you experience odors in the future, we encourage you to visit DEQ's online complaint system to file a formal complaint, which will be recorded in the complaint database and accessed for future inspection and investigatory purposes. The link to DEQ's online complaint system is available by visiting:
<http://www.deq.state.or.us/complaints/dcomplaint.aspx>.

DEQ entered into a Mutual Agreement and Final Order (MAO) with APES to install a natural gas thermal oxidizer (TO) to minimize volatile organic compound (VOC) emissions. The MAO is an enforceable document with strict deadlines APES must comply with to maintain compliance with their air permit and MAO, or they may be subject to penalties and enforcement action from DEQ's Office of Compliance and Enforcement. All emission points at the facility will be routed to the 1600 degree F combustion chamber of the TO, destroying 97% of VOC emissions and minimizing odors. Once installed and operational, DEQ requires APES to source test the unit to verify the TO is operating at the stated efficiency and temperature. If the TO control efficiency is less than 97%, DEQ will require APES to install additional controls to comply with the MAO requirements.

DEQ is also working to modify ORRCO's air permit to replace the current VOC capture system, known as a Bubble Condenser, with more efficient tube and shell condensers. The tube and shell condensers capture water vapors and light end fuel products and condenses them back into a liquid. The fuel recovered from the condenser is burned onsite to power ORRCO's refining process and the water recovered is processed on site in ORRCO's wastewater treatment system.

In addition to the new tube and shell condensers, ORRCO's permit renewal application requests modification to install and operate a TO to control VOC emissions and minimize odors emitted from the facility. The conditions of the MAO will be incorporated into ORRCO's renewed air quality permit as enforceable permit conditions.

DEQ has scheduled a public informational meeting on Monday, June 5, from 6:00 – 8:30 pm at the Red Lion Hotel located at 909 N. Hayden Island Drive, Portland, to discuss ORRCO's permit renewal and modification application and receive citizen input on the submittal. DEQ is not accepting formal comments at the meeting, but will consider all comments and statements when renewing and modifying ORRCO's operating permit.

For additional information on DEQ's involvement and actions regarding the emissions and odors from APES and ORRCO, please visit DEQ's webpage, titled: Portland North Harbor Air Quality, or by visiting:
<http://www.oregon.gov/deq/Programs/Pages/NP-Odor-Investigation.aspx>

Thank you again for contacting DEQ with your concerns, please continue to file complaints with DEQ's complaint system as this information is invaluable to identifying potential emission issues.



Louis Bivins, Permit Engineer
Air Quality Permits & Compliance
Oregon Dept of Environmental Quality
700 NE Multnomah St STE 600
Portland, OR 97232

503-229-6333 office
503-229-6945 fax

From: Jimme' Peters [mailto:Jimme_Peters@msn.com]
Sent: Wednesday, May 03, 2017 9:50 AM
To: BIVINS Louis ; WHITMAN Richard ; SWICC@oregonmetro.gov; Sen.MichaelDembrow@oregonlegislature.gov;
Sen.LewFrederick@oregonlegislature.gov; REP Kotek ; kate.brown@oregon.gov
Subject: Toxic air on Marine Drive and Hayden Island

Dear Esteemed Officials—

As a 19 year resident of Hayden Island, living on the slough side in a floating home, I have seen a great deal of change over the years. Some positive and some negative. I am writing about a serious issue that keeps lingering and now there are more permits being considered that will worsen the situation.

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Enough with the studies, excuses, denials and hearings. Please take action now to preserve our people and health.

Thank you,

Jimme' Peters
2630 N Hayden Island Drive
Portland OR 97217
503.816.0500

Hila Ritter

From: ncharlton@comcast.net
Sent: Friday, April 28, 2017 12:31 PM
To: Solid Waste Information Compliance and Cleanup
Subject: regarding current PUBLIC COMMENT for ORRCO and APES solid waste permit requests:

I am a registered voter living on Hayden Island in a floating home moorage. I want to register LOUDLY my complaints against these two companies, OORCO and APES and protest even louder against their renewal and/or new permits for operation. We on Hayden Island are assaulted very frequently with the noxious and dangerous odors coming from these two companies. I personally have even be awakened in the middle of deep sleep (4:50 a.m. and there abouts at other times) by the ODOR! It's stench is that remarkable and awful. You know as do I, what unhealthy and dangerous compounds are in these odors. PLEASE do not allow expansion of either facility until they comply with proper emissions controls! They have been out of compliance for years; You have not done your job! Do it now.

Nykolee Charlton
971-344-0121

Sent from [Mail](#) for Windows 10