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ATTN: Senate Committee on Environment & Natural Resources

Chair Dembrow & members of the committee,

My name is Sal Peralta. I am testifying on behalf of the Independent Party of Oregon and its 120,000 members statewide.

SB 1036 is a bill to weaken legal protections for local farmers and other stakeholders affected by landfills by eliminating the authority of DOGAMI to regulate construction and final cover operations at landfills that have been issued a permit by DEQ.

This issue was brought to my attention by IPO members and other stakeholders in the southern Yamhill Valley including local farmers, wine makers and members of the McMinnville City Council. I have followed the Riverbend landfill issue for more than a decade, having met with Waste Management staff and its opponents, assisted both sides in distributing informational articles that were widely distributed in the local community and attended public hearings and followed the issue in our local press.

My understanding from speaking with legislative staff is that this bill originated from Waste Management. My strong sense is that their primary reason to restrict DOGAMI's authority is because DOGAMI has consistently required them to ensure that the concerns of local stakeholders are addressed with regard to the mitigation process as it relates to moving soil and how that impacts the local floodplain.

Given the direction that the Federal EPA is taking under the new administration, I question whether this is the time for Oregon to weaken environmental protections for stakeholders who are affected by the actions of large corporations like Waste Management.

I also question whether Oregon DEQ has an adequate track record to trust them with the sole regulatory authority over how these landfills are mitigated.

I note that Eugene Weekly ran a story in February showing that DEQ had "allowed 75 percent of Oregon's 350 large industrial and municipal plants to discharge wastes despite having expired permits. Some permits haven't been updated for more than two decades...."¹

¹ <http://www.eugeneweekly.com/20170217/news-features/deq-has-oregon-dirty-hot-water>

Similarly, the agency's response to known air quality problems in Portland was characterized by the Oregonian as "timid, leaderless and consistently influenced by industry interests." Stakeholders in Yamhill County have similar concerns with respect to how the agency addresses landfill operations.

Finally, I am concerned that this proposal will punch a significant hole in this state's regulatory framework that protects stakeholders from the impact of neighboring properties like these landfills. This body should not be bending state regulations to allow powerful companies to circumvent inconvenient rules that are designed to protect stakeholders.

On behalf of IPO members in Yamhill County and in strong solidarity with a broad range of local stakeholders including local industries, residents of McMinnville and other communities that may be affected by similar impacts around the state, I urge your committee to kill this legislation.

Respectfully,

Sal Peralta
Secretary, Independent Party of Oregon.