



Chair Charlie Ringo
Members of the Environment and Land Use Committee
900 Court St
Salem, OR 97301

February 25, 2005

Re: Senate Bill 555 relating to the elimination of mixing zones

Dear Chair Ringo and Committee Members,

The Columbia Corridor Association is an 18 year-old, non-profit organization that represents over 2000 businesses in Oregon's largest industrial corridor. As you may imagine, our members are a diverse group representing businesses, manufacturers, and environmentalists. While we share your desire for natural resource protection that is practical and scientifically sound, we must oppose SB 555 in its present form.

The past decade in Oregon has seen a shift toward a collaborative approach to make our watersheds healthy. Senate Bill 45 put businesses on the path of working closely with cities and agencies to comply with permits based on the Clean Water Act and EPA regulation. There has been a serious effort by these stakeholders to pursue a holistic watershed approach to determine maximum pollutant loadings. Even at the cost of higher permit fees to support DEQ's efforts, industry has been a willing partner because it was a cooperative effort based on good science. It made sense.

Senate Bill 555 would have the effect of instantly dismantling those efforts. The result would certainly be a huge cost to the Cities, who would pass those costs to the taxpayers and those who discharge to the municipal systems as they try to determine how to control the discharges or request exemptions. Additionally, most toxics come from non-point runoff (automobiles, air deposited solids, agricultural runoff, etc.), meaning the dischargers most affected by SB 555 may be the ones least responsible for the majority of the waste. Further, as evidenced by DEQ's most recent 303(d) list of impaired waterways, most streams with water quality problems are listed for non-toxic chemical issues such as dissolved oxygen, nutrients, turbidity and pathogens- few of which are associated with industry.

We believe this bill purports to close a loophole in state regulation and prohibit the use of dilution zones in water quality permits. Instead, we believe that this bill will only remove flexibility and tools the Department of Environmental Quality uses to attain compliance and encourage pollution prevention. This bill is a move away from science based pollution



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reduction methodologies that have guided our course for a decade. Moreover, SB 555 is moving forward without the benefit of analysis and input from affected business and municipalities. There is great risk that the real cost of complying with this bill will be far greater than any conceivable benefit gained.

A downstream impact may well be the loss of industrial growth as companies consider the viability of meeting these discharge limitations without a flexible approach that addresses the source of the problems and considers the true environmental impacts. As one representative of an environmentally-considerate Oregon corporation wrote recently, *“the passage of this bill would be another nail in the coffin for Oregon business. Don't forget to turn off the lights.....”*

We encourage you to reconsider this bill. We strongly recommend that the present watershed based and flexible approach to discharge control be sustained.

Respectfully submitted,

Corky Collier
Executive Director