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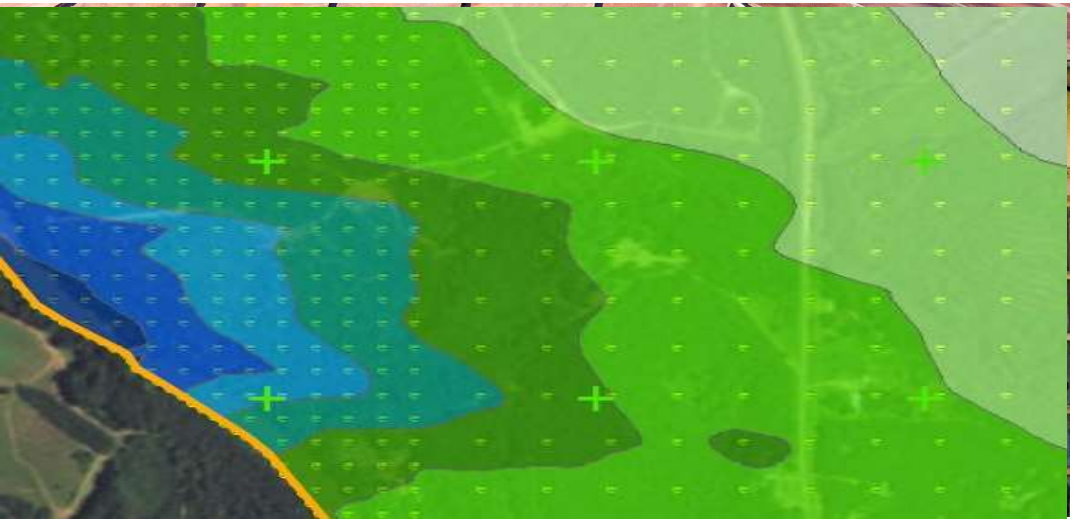
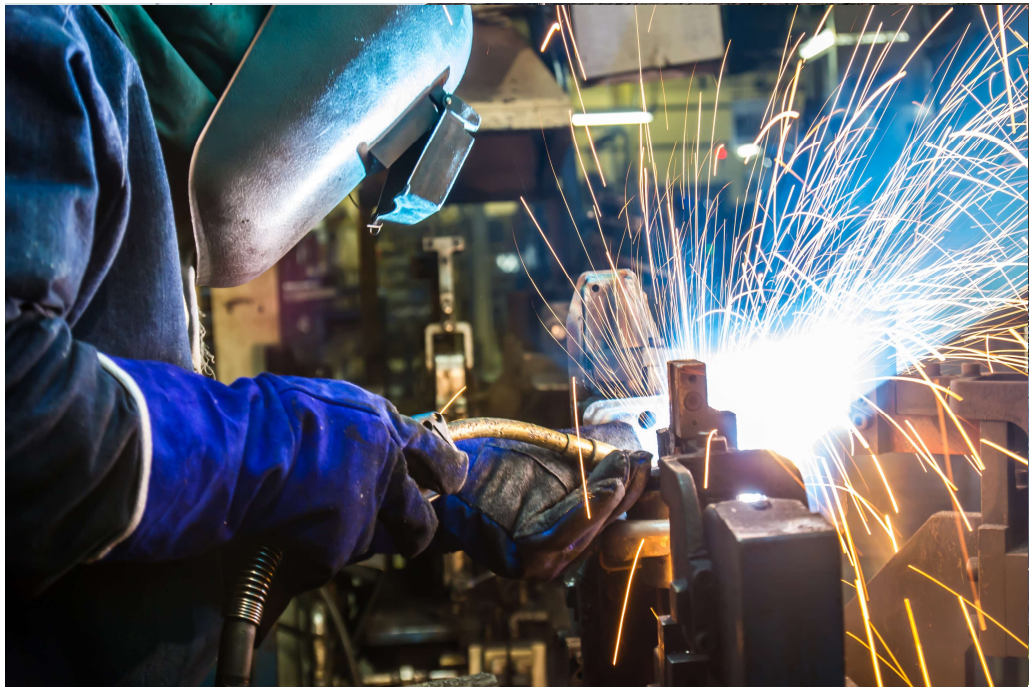




Cleaner Air Oregon: Lessons Learned

December 2022

Program Overview

- Rules adopted in November 2018 by the Environmental Quality Commission
- State health risk-based regulatory program
- States of Idaho, Washington, and California also have air toxics programs
- Evaluates cancer risk and chronic and acute non-cancer impacts
- Requires facilities to conduct a risk evaluation (over 630 TACs)
- Affects “new” and “existing” facilities, but with different risk thresholds
  - “New” facilities evaluate risk with initial permitting
  - Existing facilities are “called in” or make modifications that trigger CAO– conditions will be added to their existing air permit

Existing Permitted Facilities

- DEQ conducted an initial risk ranking (highest to lowest expected risk to public)
  - Group 1 (20 facilities- initial group with highest perceived risk)
  - Group 2 (20 facilities)
  - Group 3 (315 facilities- final group with lowest perceived risk)
- To date all of Group 1 facilities have been “called in”
  - 5 facilities have completed the entire assessment and been issued permit conditions
  - 15 facilities are still in process
  - Group 2 facilities are waiting to be “called in”

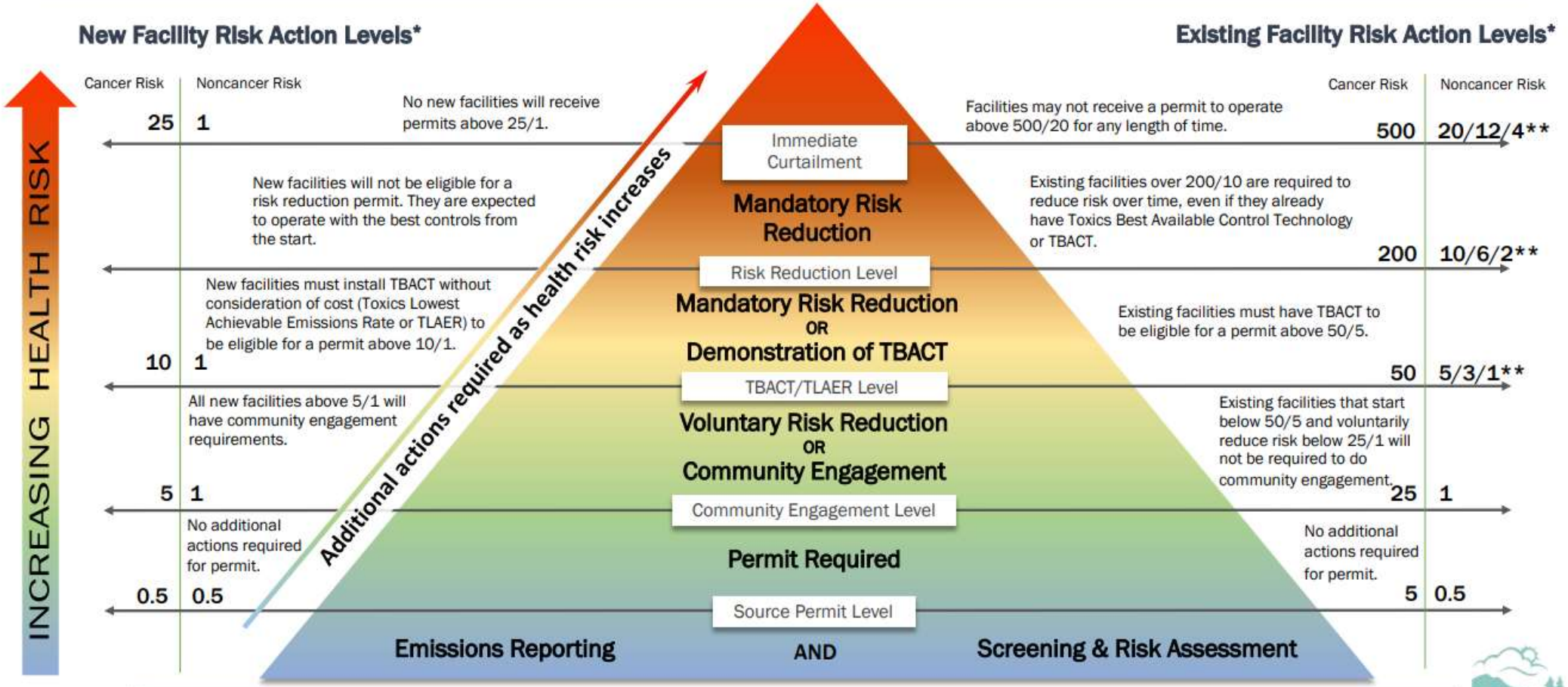
New Facilities

- Includes:
  - New unbuilt proposed facilities
  - Existing permitted facilities that relocate within Oregon (not adjacent or contiguous property)
  - Existing facilities that were required to have a permit before November 2018, but did not
- 30 new facilities have been permitted since November 2018
  - Examples include:
    - Alfalfa pelletizing
    - Renewable diesel manufacturing
    - Fish processing
    - Data centers

New and Existing Source Risk Thresholds Compared

How Risk Action Levels Work

For Cleaner Air Oregon, facilities would be required to assess potential health risks of emissions to their neighbors. **Risk Action Levels (RALs)** determine the specific actions required of facilities that pose different levels of health risk. Facilities with higher health risks would be required to take more actions to reduce risk and keep their neighbors informed. Risk Action Levels are different for new and existing facilities. The state legislature set statutory benchmark RALs through 2029. After 2029, RALs for existing facilities will be reevaluated.



*There are separate Risk Action Levels for cancer risk and risk of other health effects because scientists assess and describe these risks differently.

- **Cancer Risk** is described in terms of the number of excess cancer cases in 1 million lifetimes that may be caused by long-term exposure to a specific chemical concentration.
- **Noncancer Risk** is presented as a Hazard Index and is assessed for both chronic and short term health effects (acute). A Hazard Index below 1 means the facility is below the level that is expected to harm health. ** The values 1, 2, and 4 represent Risk Determination Ratios as calculated under OAR 340-245-0200(5).