

SUMMARY REPORT

RESULTS OF THE SWAN ISLAND AIR QUALITY FORUM

Oregon Consensus – February 2015

BACKGROUND

The Swan Island Air Quality Forum was formed in late 2013, through an Oregon Solutions Declaration of Cooperation that was signed by government, neighborhood, and business sector partners. That Declaration included six goals for the intended forum, and a commitment from the parties to work together at least one year to explore if such a forum could make progress on those goals. The goals were:

1. Focus on Air Quality issues
2. Focus on Swan Island Industrial area
3. Information Sharing
4. Address and resolve issues, hopefully preventing some issues from having to go to legislature, EQC, courts, etc.
5. Work on specific issues or projects to bring about tangible outcomes
6. In the process of doing the above, learn more about each other and build trusting relationships that will help prevent or resolve issues in the future.

In addition, the Declaration included a work plan for that first year, including:

1. Identify and review existing data (on VOCs, toxics, and odors) and requirements
 - DEQ data on Swan Island permits; VOC and other emissions
 - DEQ, NCA, UP complaint data
 - Localized area toxic data including background data
 - Other data sources, such as EPA, University of Portland, etc.
 - Have a mutually agreed-upon consultant review data
2. Review current applicable control technology
 - Federal and State control technology standards
 - Maximum Achievable Control Technology (MACT)
 - Best Available Control Technology (BACT)
 - Lowest Achievable Emission Rate technology (LAER)

- Current emission control technology at Vigor, Daimler, and other emission sources on Swan Island, including any recent changes
 - Best practices
 - Used elsewhere in Portland area
 - Used at other U.S. or global locations for Swan Island businesses such as Vigor, Daimler
3. Reducing Impacts/Increasing Transparency
- Explore potential monitoring plan and reporting to neighborhood, including review of DEQ-proposed monitoring proposal
 - Explore control options such as engaging U of O and OSU “Green Chemistry” programs, also PSU and UP resources, for research in both reducing toxics and odors while keeping or improving performance standards for coating.
 - Explore third-party complaint-logging and reporting
 - Understanding costs and/or other constraints to implementation, and exploration of potential grant proposals from the University system.

The Swan Island Air Quality Forum, as outlined in the Declaration of Cooperation, was co-chaired by State Representative Tina Kotek, and Metro Councilor Sam Chase, facilitated by Debra Nudelman of Kearns and West on behalf of Oregon Consensus, and included the following participants:

- Swan Island Business Association
- Venture Portland
- Neighbors for Clean Air
- Port of Portland
- University of Portland
- North Portland Neighbors for Clean Air
- Daimler Trucks North America
- Vigor Industrial
- Overlook Neighborhood Association
- Arbor Lodge Neighborhood Association
- University Park Neighborhood Association
- Organized labor
- DEQ (as technical resource)

EVALUATION

At the request of the Air Quality Forum at their last meeting in December 2014, Oregon Consensus conducted a survey of the participants to develop an evaluation of the process. The conclusions of that evaluation are outlined below.

1. The results of the Air Quality Forum fell short of expectations on both the overall goals and the workplan for the first year.

None of the eight survey participants felt that this collaborative process was effective, and none agreed with the statement, “The group accomplished the work it was brought together to do.”

The survey results correspond to a review of the actual work and outcomes of the group. The group did not “address and resolve” any particular issue, nor did it work on “specific projects to bring about tangible outcomes.”

The group fell short in this first year in meeting most aspects of the third element of the workplan: “Reducing Impacts/Increasing Transparency”. Although Vigor Industrial began a process of working with Neighborhood representatives to develop a Good Neighbor Agreement, that action is not directly attributable to work of the Air Quality Forum.

2. The Swan Island Air Quality Forum was effective in meeting the goal of sharing information.

Several meetings were dedicated to this purpose, further specified in the first element of the first-year work plan (“Identify and review existing data (on VOC’s, toxics, and odors) and requirements.”) Seven of eight survey respondents agreed that “the process helped me gain a better understanding of the participants’ views.”

3. The most tangible outcome may have been the Legislative approval for DEQ monitoring of toxics in 2014 session.

Representative Tina Kotek was able to get approval \$375,000 from the 2014 Legislature to purchase staff time and monitoring equipment for DEQ. Though the equipment is portable and will be sent around the state the initial focus will be on North Portland. DEQ was to begin collecting data from Swan Island/bluff area by the fall 2014.

The Air Quality Monitoring Manager for DEQ noted that this is a great opportunity to examine what air toxics are present, at what concentrations, what is the source and how we can mitigate community exposure. The toxics monitoring includes eight sites monitoring for over 100 compounds, and 8 meteorological sites that measure wind speed and direction. Ultimately, this monitoring can help

answer some of the technical questions raised during the Forum process regarding toxic emissions and sources.

4. Was there a true commitment to the Forum and its operating principles by all parties?

While some felt that the Forum simply needed more time to work through what are difficult issues, a number of participants felt a key constraint to making greater progress was a lack of commitment to the operating principles of the Forum. The December 2014 Declaration of Cooperation commitment to operating principles (signed by all members of the group) states in part:

- I. We each commit to help develop workable solutions, and will do our part in helping in good faith to support and *implement* those solutions arrived at by the group process. We commit to building trust by doing what we say we will do.
- II. Differences in opinion are to be expected in a forum with such diverse perspectives. We won't shy away from those differences, but will work hard to reconcile them.
- III. We will work hard to make sure others at the table feel that their interests have been adequately heard and addressed in reaching a group agreement. On important decisions, the group will seek consensus.

Several comments on the survey spoke to a frustration that not all parties seemed to adhere to these principles.

5. Given the results of the first year, the decision to discontinue appears warranted.

In its last meeting, the members of the Swan Island Air Quality Forum decided as a group not to continue meeting, although work that was being done by the Swan Island Business Association to develop a greater vision for business-community relations was lauded and encouraged to continue in a separate format.

Besides the accomplishments on the goal of information sharing noted above, the loss of the Air Quality Forum eliminates what some refer to as a "neutral forum", a place where all voices can be heard. This benefit of the Swan Island Air Quality Forum was noted in the participant survey, where all but one of the respondents felt their views were "adequately considered during the process."

However, participants entered into this process in January 2014 unsure whether it would be successful, but essentially wanting to give it a try. The threshold for success going in was to achieve "tangible" results, or at least show significant progress toward those tangible results. Some collaborative groups across the country, dealing with similarly contentious issues, have met for several years, communicating and building trust slowly. Whether the group gave itself enough time or not, the results of the first year did not meet their own threshold for moving forward.