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Kate Brown, Governor

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May 19, 2016

Governor Kate Brown
254 State Capitol
Salem, OR 97301-4047

Re: Request to Direct DEQ to Issue Order Against Bullseye Glass

Dear Governor Brown:

The Oregon Health Authority (OHA) and the Oregon Department of Environmental Quality (DEQ) recommend that the Governor invoke the authority in ORS 468.115 and direct DEQ to enter an order against Bullseye Glass requiring it to cease and desist using lead, arsenic, cadmium, all chromium compounds, cobalt, manganese, nickel and selenium in any uncontrolled furnace for the next 10 days.

Based on air data received today, lead concentrations have been measured in air outside a daycare center near the facility at concentrations that pose a substantial public health threat to children in the daycare if these levels persist or frequently recur. The air monitors detected 416 nanograms per cubic meter of lead. The current national ambient air quality standard for lead is 150 nanograms per cubic meter. Associated meteorological data confirmed that wind direction was from the north/northwest, in the direction of Bullseye glass. DEQ reviewed all materials and ingredients used in Bullseye's furnaces during the time of the exceedances in question and there was a substantial increase in the amount of lead used by Bullseye during this time period. Therefore DEQ concludes that Bullseye Glass is the source of this unsafe lead concentration.

Lead is a potent and well known neurotoxin that can permanently decrease the IQ of exposed children at the levels measured. The other metals mentioned above may pose various and potentially serious public health threats depending on level of exposure, such as kidney damage, lung and respiratory irritation, asthma, neurological deficits and various cancers.

This lead air monitoring data, as well as data for arsenic, cadmium, selenium and chromium since October 2015 indicate a pattern of unpredictable emissions of toxic metals at potentially unsafe levels. The unpredictable nature of these emissions pose an imminent and substantial endangerment to the health of persons, particularly the children at a nearby day care center.

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OHA and DEQ are very concerned for the health and well-being of all Oregonians, and young children in particular. Children are more susceptible to the effects of toxic air emissions because they breathe more air per body size than adults and because they are passing through delicate stages of development that, if disrupted, can lead to permanent alterations in developmental trajectory. In order to adequately protect public health it is crucial that Bullseye Glass immediately cease the use of these metals in furnaces that are not using DEQ-approved emission control devices. Both OHA and DEQ believe that it is necessary and appropriate for the Governor to direct DEQ to exercise its authority to issue an order under ORS 468.115 to protect public health.

OHA has started communications with the nearby daycare center and is working with Multnomah County Health Department Partners to facilitate blood lead screening for children at the daycare center. OHA has and will continue to communicate with parents of children at the daycare and the broader public about the health risks posed by elevated lead emissions from Bullseye Glass.

Again, we ask that you direct DEQ to issue an order against Bullseye Glass requiring it to cease and desist using lead, arsenic, cadmium, all chromium compounds, cobalt, manganese, nickel and selenium in any uncontrolled furnace for the next 10 days.



Pete Shepherd
Interim Director
Oregon Department of Environmental Quality



Lynne Saxton
Director
Oregon Health Authority