



PESTICIDES • DIOXIN • LEAD • ARSENIC • PCBs

# Cleaning Up Our Toxic River

CANOEING • WATERSKIING

FISHING • SWIMMING • BOATING • DRINKING • BIRDING

## DEQ: "LEAVE THE DRIVING TO US"

*Unsafe levels of toxic chemicals lie along the bottom of the Willamette River downstream of Oregon City. DEQ is proposing to lead the clean-up of the most industrialized section (6 miles between Swan and Sauvie Islands), called the Portland Harbor, in order to avoid its designation as a federal Superfund site.*

### Do You Trust DEQ?

**T**o some people, DEQ is the agency that requires emission testing for cars. For others, it represents all that stands between polluters and a clean environment. For yet others, DEQ represents an on-going failure to use federal and state laws to stop pollution and to clean it up. The question is: If you are skeptical of DEQ's commitment to environmental protection and its ability to stand up to polluters, is there anything in the Portland Harbor clean-up report that should convince you that DEQ can do the job? Let's take a look.

#### DEQ Track Record

DEQ has a **history of management failures** including not producing the water pollution clean-up plans required by the Clean Water Act despite budget increases.

DEQ has **failed to use the Clean Water Act** to clean up Oregon's water pollution despite lawsuits in 1986 and 1994 and legal requirements to make water safe for swimming, fishing, and wildlife.

DEQ has been **unwilling to enforce pollution laws** against polluters. Because of DEQ's failure to act, Northwest Environmental Advocates has had to file lawsuits to obtain:

- an end to raw sewage discharges from the City of Portland,
- clean-up of toxic sediments in the Columbia Slough, and
- plans to clean up Oregon's polluted rivers.

#### The DEQ Report

The report simply states DEQ can manage a large project such as the Portland Harbor clean-up but it is too sketchy to create confidence in DEQ's management capability.

The report does not explain if or how the Clean Water Act will be used to make sure that Harbor clean-up protects the environment. Instead the report states DEQ will not remedy river-wide toxic levels.

DEQ claims it will use its enforcement powers to provide assurances the Portland Harbor will be cleaned up but its plan merely recites its legal authority and does not include:

- triggers for enforcement,
- an unwavering commitment to enforce, and
- a time frame in which it will take enforcement action.

DEQ Track Record	The DEQ Report
<p>DEQ lacks the <b>political backbone</b> to stand up to political powers such as the City of Portland, the Port of Portland, big industry, and companies that pollute Oregon's rivers from logging, mining, grazing, and farming.</p>	<p>The report was created by DEQ and the Portland Harbor Group—industries, the City, and the Port. Oregon is using all of its political clout to keep control of this program to meet the needs of industry, not the public.</p>
<p>DEQ <b>waits until the last minute</b> to address pollution issues. We have known for years that toxic pollution is hurting wildlife in the Columbia and Willamette Rivers but DEQ has taken no action and has put the Willamette at the end of its priorities.</p>	<p>DEQ's claims that it is working hard to address toxic contamination ring hollow. The DEQ report perpetuates business as usual by making no commitments to use federal pollution laws to clean-up the Willamette and Columbia Rivers and change current priorities.</p>
<p>DEQ claims it is interested in what the public has to say but it <b>pays more attention to what industry wants</b> and provides lip service to public involvement.</p>	<p>DEQ's report is the product of collaboration with the Portland Harbor Group and other agencies. Environmental organizations were excluded from these decision-making meetings.</p>
<p>DEQ has created internal rules in order to <b>avoid having to use the Clean Water Act to clean up contaminated sediments</b> it knows are at unsafe levels.</p>	<p>DEQ's report claims it wants to integrate the Clean Water Act in the Portland Harbor clean-up but does not commit to revising the rules it has used to avoid this in the past.</p>
<p>DEQ has known how toxic chemicals are hurting birds, mammals, and fish in the Columbia River Estuary for years and <b>has done nothing to try to clean up the pollution.</b></p>	<p>DEQ's report does not make a commitment to change its history of neglect of public health, fish, and wildlife downstream of the Portland Harbor.</p>
<p>When DEQ studied the health of fish in the Willamette, it <b>failed to collect information to determine why fish are deformed.</b> Consequently it cannot use federal pollution laws to remedy the problem.</p>	<p>While DEQ's report claims it offers an integrated approach to the Willamette, it focuses on finding only the dirtiest sites rather than assessing the need to clean up the entire Lower River.</p>

## "Leave the Driving To Us"

DEQ has a poor track record of managing large, complicated programs, enforcing federal laws against polluters, and standing up to big industry. Now, because it serves the political needs of the Port of Portland, the Governor, and industry, DEQ wants to avoid a Superfund designation of the Portland Harbor. It has prepared a report that purports to be a plan but that says very little and makes few commitments. This report evokes no confidence in DEQ's ability to protect human health and the environment as the leader of the Portland Harbor clean-up.

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