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From: Linda Horst <lindahorst45@gmail.com>  
Sent: Tuesday, January 18, 2022 4:08 PM  
To: ePermits - Planning <planning@columbiacountyor.gov>  
Subject: Testimony for NEXT Renewables LLC Permit Application



January 18, 2022

Columbia County Board of Commissioners  
230 Strand St.  
Columbia County Courthouse Annex  
St. Helens, OR 97051

RE: NEXT Renewables Fuels Oregon, LLC  
(NEXT) Biodiesel Plant at Port Westward

Columbia County Board of Commissioners,

I am writing to you in regards to the Permit Application # NWP-2020-383 by NEXT Renewables Fuels Oregon, LLC (NEXT). The following comments reflect my opposition to NEXT's Permit Application request.

**COMPATIBLE WITH OTHER USES:**

The proposed siting of NEXT's biofuels refinery at Port Westward would put at risk Oregon's long tradition of creating products which are produced locally and sustainability sourced from family farms and small businesses.

Actively participating in this Oregon tradition, some for over 100 years, are 37 family farms neighboring the proposed refinery site. Internationally known mint and blueberry farms along with cattle and hay farms which have all supported this rural community over multiple generations. The health and safety of all of these area farms and residences would be in jeopardy from air/water pollution; tall flare stack purging toxic gases; millions of gallons of highly volatile fuels stored on site and transported daily; leaks and spills; and incessant industrial odors; noise and rail traffic. Commissioners, does this sound like a "compatible" neighbor you would like to live by?

Curiously, the Port of Columbia County claims this refinery will be "compatible with other uses" at Port Westward in spite of the glaring fact that nearly all neighboring area farms, residents and the Beaver Drainage Improvement Company are resolute in their opposition to NEXT.

The significant impacts of this potentially toxic, heavy industrial refinery must not be downplayed or ignored. By approving this massive industrial development, this Board would be trying to create "compatibly" of agriculture and heavy industry where logically none can exist!

**MITIGATION:**

NEXT has proposed a massive alteration of the Beaver Drainage District. This drainage infrastructure, created in 1915, is an extremely sensitive and complicated system developed to keep the diked lands in the Port Westward

area from flooding. NEXT's proposed wetland "mitigation" is invasive and has received sharp criticism and opposition from the Beaver Drainage Improvement Company (BDIC), neighboring residents, farmers and landowners who have cared for this land for generations.

Impacting over 147 acres of wetlands, NEXT's Mitigation Plan would prevent the BDIC from controlling flows of water to a significant number of farms that contribute to the character of the area and that provide valuable contributions to the local and state agricultural economy.

In view of the BDIC's five page letter publicizing their adamant opposition to NEXT's unworkable and ill conceived Mitigation Plan, the following is a quote from page 4:

" Per ORS 215.296, the Drainage Company, as the Local Governing Body over the lands within its boundaries, has the ability to deny any land uses which will significantly impact the financial or operational conditions of agricultural operations within its boundaries. The Drainage Company board will NOT APPROVE the Mitigation Plan, and has concerns about the Plant Site due to the afore-mentioned impacts and therefore the Application for Permit number NWP-2020-383 is invalid and should NOT be approved by the USACE." (emphasis added)

To add insult to injury to the inept NEXT Mitigation Plan proposal, the Port of Columbia County's (PCC) solution to a possible toxic spill at their Port Westward Industrial Park is equally inept! In their 2020 rezone-request "Compatibly Report", they state that the Beaver District pumps that currently keep the land at Port Westward above water, could simply be turned off in the event of a toxic spill.....a rather simplistic solution to a complicated, devastating scenario! While turning off the pumps might keep the pollution and contaminants from entering the Columbia River, without pumps it could also flood the industrial park and surrounding homes and farms with life-altering consequences!

#### INFRASTRUCTURE:

At a peak production level of 50,000 barrels per day, the proposed NEXT biodiesel refinery would be the second largest in the world. Knowing this, can the infrastructure of Columbia County and the Port Westward Industrial Park (PW) support the logistic demands of such a massive, industrial-scale refinery? The short and long answer is No!

A realistic infrastructure analysis of the rural character of PW and Clatskanie describes meandering, narrow, drainage-dependent country roads hardly well-suited for sixty semi-trucks a month carrying everything from feedstock to toxic waste. Alarmingly even at this level, NEXT has proposed its "best case scenario" and has not guaranteed or capped it's traffic presence, reserving the right to INCREASE traffic as the market demands.

Additionally, levee roads at PW have weight-bearing limitations to preserve levee height. BDIC...."Levee traffic on the roads servicing both the Plant and the Mitigation Site are of grave concern due to compaction and resulting height deficiencies to protect from flooding. The 750,000 cubic feet of material proposed to be removed from the Mitigation Plan Site cannot be relocated within the Drainage Company boundaries due to DSL regulations, and thus must be trucked out. Additionally, the Plant Facility modules will be transported across the top of the Kallunki Road levee and weigh approximately 300 tons each. Previous industrial projects and related traffic have significantly lowered the height of the levee structure in multiple locations which poses a grave threat from flood waters overtopping the levee structure and damaging the levee and agricultural operations within the Drainage Company system."

Along with over-burdened rural roads issues, are serious concerns for rail traffic if this refinery is approved. At 50,000 barrels per day, this refinery would require almost one unit train (100+ cars) per day cutting through Columbia County towns like Rainier, St Helens and Scappoose on inadequate Class 2 rail lines at 25 mph (freight

speed restriction). These slow moving unit trains with their caustic and toxic cargoes can impede and stop traffic movement at multiple crossings throughout the three communities. Risks of derailment, spills or explosions are ever present.

#### SITE/SOILS:

BDIC....“The Port Westward Industrial Park is located within a liquefaction zone with no bedrock existing for stabilizing construction. Previous projects have encountered serious difficulties obtaining stability and meeting foundation load criteria. Furthermore, the Plant Site is located immediately adjacent to some of the deepest peat soils in the Drainage Company boundaries which will make construction of the plant even more difficult. The combination of these issues are of grave concern to the Drainage Company as the Plant Site has a significant chance to become unstable during an earthquake, jeopardizing Drainage Company property and potentially contaminating surrounding agricultural lands. Additionally, primary power generation plants (considered critical infrastructure for the entire west coast) near the Plant Site could be affected as a result of catastrophic failure of the Plant during an earthquake, further jeopardizing the ability of the Drainage Company to operate their pumps and also impacting the entire west coast power grid, resulting in water quality concerns reaching far beyond the Drainage Company boundaries.”

I believe the preceding quote from the BDIC sums up how preposterous the NEXT proposal is to build the second largest biodiesel refinery in the world on this site at PW.

- \* No bedrock existing for stabilizing construction.
- \* Refinery site located within liquefaction zone.
- \* The highest subsidence rate of soils on the Columbia River.
- \* Deepest peat soils in the BDIC boundaries. Prone to landslides and flooding.
- \* Recent and predicted earthquake activity.

#### POLLUTION:

The preliminary DEQ reports state that this project will be “large and complex” and that DEQ expects the combustion of fracked gas will be the major polluting source which often contributes to smog-forming pollution. Furthermore, DEQ expects that this refinery will emit PM10 and PM25 and over 70 tons of Volatile Organic Compounds (VOCs) for a combined pollution level TWO or THREE times DEQ’s own limit! Further adding to these outrageous pollution levels, CO2 emissions alone would be the equivalent of annually adding 2,500 cars in Clatskanie (population 1,800+), and one million tons of Greenhouse Gas emissions annually.

In addition, massive amounts of toxic and caustic chemicals are used to make this “renewable” biodiesel: methanol, sulfuric and hydrochloric acid, bleaching earth, methylate, sodium meth oxide, propanol, heptane, sodium hydroxide and potassium hydroxide among many others. These toxic chemicals would be transported, stored, processed and disposed of in and around Columbia County communities and tidal waters.

The refinery will also discharge polluted waste water into the Port’s waste-water system, combining with other area facilities to create more water pollution that would have to be treated on a regular basis.

This pollution will combine with other existing and potential sources of air and water pollution, including PGE’s nearby fracked gas power plants, the Global Partners’ ethanol refinery and train terminal, and a massive fracked

gas-to-methanol refinery proposal awaiting rezone approval.

Interestingly, the Port of Columbia County's (PCC's) funds are already tied up in a DEQ cleanup on the Columbia River at Milton Creek. Given the PCC is the owner/operator of NEXT's would-be water treatment and discharge, how will they fund maintenance and repairs or another drastic EPA cleanup in the event of an accident?

This refinery would be an unwelcome (nearly all neighboring landowners and the BDIC are opposed), polluting intruder and is the antithesis of everything your Board's Mission Statement embodies: "Our Vision: We envision a peaceful community in which our residents are SAFE, HEALTHY and SECURE." (emphasis added)

SAFETY:

The unit trains required by the proposed refinery would create safety issues for the towns and rural communities they cross through.

These slow-moving unit trains would be carrying everything from feedstock, toxic residue waste products, volatile fuels to caustic chemicals. Rural communities and towns divided by rail lines and crossings are all at risk of possible derailment, spill, or explosion. And for emergency services (Fire, Police and EMS), rail traffic issues could mean blocked railroad crossings thus preventing a rapid response time when it is so desperately needed!

These long until trains would be a logistic and safety nightmare for not only residents of Rainier, St Helens and Scappoose, but also for PW tenants/workers and the surrounding community. Slow-moving trains can block roadway access creating delayed response time in emergencies such as: explosions, fires, accidents or health issues like a heart attack. Such delays could have tragic consequences because in an emergency minutes matter!

The preceding comments highlight some of the myriad reasons why this NEXT proposal is inconsistent with adjacent uses. Additionally, the project will pose potentially unacceptable risks and impacts to water and air quality, local flood control and drainage for agricultural purposes, salmon and salmon habitat, public health and safety and neighboring land uses.

The PW area is a complicated, sensitive location for agriculture, residents and industry. The land is highly vulnerable to spills and soil instability and is further complicated by a limited infrastructure to serve the area in the event of an emergency, major flooding or seismic event. Therefore, I urge this Board of Commissioners to deny NEXT's permit application.

State boundaries provide no protection for Washington residents, such as myself, from pollution created in Oregon. Our shared airshed insures we Washingtonians are just as vulnerable as our Oregonian neighbors. We depend upon this Board's due diligence in this matter for our safety, health, security and well-being.

Sincerely,

Linda Horst  
1020 Kool Road  
Kelso, WA 98626  
lindahorst45@gmail.com