

## DEQ Taking Comments on Proposed New Refinery at Port Westward: Wrong Place, Wrong Plan, Wrong Company.

### *Quick Guide for Commenting on DEQ's Proposed Draft Air Permit for NEXT Renewables LLC's Proposed Renewable Diesel Refinery at Port Westward*



*Port Westward near NEXT's proposed refinery and proposed 400-car rail yard. March 2022.*

#### **What's this issue all about?**

Houston-based NEXT Renewables LLC's proposes to build and operate a renewable diesel refinery at Port Westward, a critical bend in the Columbia River Estuary. The proposed refinery would convert seed oil, waste oil, or waste animal fats and tallows into renewable diesel. The proposed refinery project also includes a 400-car rail yard, and it faces fierce opposition from neighbors and uprail communities because of its potential to harm sensitive resources at Port Westward and expand rail traffic through Columbia County with mile-long trains. Oregon DEQ has published a draft air pollution permit for the NEXT proposal, and DEQ is accepting comments right now.

DEQ's draft permit shows that the project will emit significant hazardous air pollution, particulate matter, and smog-forming volatile organic compounds (VOCs). **DEQ will hold a virtual public hearing on April 27, 2022 at 6pm** (scroll to end for details). Written comments are due by 5pm on May 26, 2022.

Approached correctly, renewable diesel has potential to reduce impacts associated with fossil diesel. Yet, the NEXT development at Port Westward represents a stark case of poor site selection, worse planning, and untrustworthy project backers: wrong place, wrong plan, wrong company.

#### **Key reasons why DEQ should deny NEXT's air pollution permit:**

- **NEXT's proposed refinery and its pollution would have a major impact on the community at and near Port Westward.** Pollution from the refinery would settle on local residences, a nearby Buddhist monastery, and high-value crops sensitive to hazardous chemicals, particulates and other pollution coming from the refinery and rail yard. The impacts to crops may be significant: local mint farmers have raised concerns about particulate matter diminishing the quality of their mint or rendering it unsuitable for food-grade uses. DEQ's permit fails to establish adequate limits or monitoring for particulate matter, or to provide for a resolution process if the pollution has a negative impact on neighbors' health or crops.

- **At 1.15 million tons of carbon pollution each year, the proposed renewable diesel refinery would be one of Oregon’s largest emitters of greenhouse gas pollution.** A large portion of this pollution comes from fracked gas used to make hydrogen.

- **DEQ’s proposed permit does not cover the marine loading and unloading emissions related to the NEXT project.** NEXT’s marine feedstock and product shipments would occur in addition to the shipments by Global Partners, which itself is permitted to move up to 120,000 barrels per day of renewable diesel, crude oil, or ethanol. How will DEQ ensure that both of the projects, running at full capacity, will not exceed pollution limits?

- **NEXT should be evaluated as a major source of emissions under Title V of the Clean Air Act because VOC and carbon monoxide emissions approach the 100 ton/year limit, and DEQ relies on control measures that may not be effective.**

Criteria Pollutants	Current Limit (tons/yr)	Proposed Limit (tons/yr)
Particulate matter	N/A	27
Small particulate matter (PM <sub>10</sub> )	N/A	27
Fine particulate matter (PM <sub>2.5</sub> )	N/A	27
Nitrogen oxides	N/A	39
Sulfur dioxide	N/A	39
Carbon monoxide	N/A	99
Volatile organic compounds	N/A	70
Hydrogen Sulfide	N/A	9
Greenhouse Gases (Total)	N/A	1,152,905
Greenhouse Gases (excluding biomass CO <sub>2</sub> )	N/A	436,938

- **The draft permit fails to show how DEQ will enforce limits on volatile organic compounds (VOCs).** Without proper controls, the facility could become a major emitter of VOCs. The DEQ permit does not adequately address emissions that may come from startup and shutdown events or other process interruptions. DEQ’s draft permit lacks information to quantify these likely emissions, establish limits for startup and shutdown events, or anticipate the frequency and impact of these events. Regardless, the proposed VOC levels will contribute to the formation of low-level ozone in the area and beyond, along with NOx. NEXT’s VOC emissions result from the use of large quantities of fracked gas. (According to DEQ, using fracked gas to produce hydrogen for the renewable diesel is the largest contributor to the refinery’s emissions.)

- **NEXT will add to local air pollution in combination with existing polluters in the area.** If the proposed NEXT refinery and its neighbors (Global Partners’ oil/ethanol/diesel terminal and PGE’s nearby power plant) all operate full-throttle, the local airshed will become far more polluted than NEXT’s analysis would suggest. Pollution from the project will impact residents of Cowlitz County, who will also face diminished air quality.

- **The draft permit fails to address all of the impacts from NEXT’s proposed 400-car rail yard.** The Oregon Department of Land Conservation and Development expressed sharp criticism of this aspect of NEXT’s project in recent land use hearings before the Columbia County Board of Commissioners. The rail yard portion of the project may contribute to local air pollution with frequent use of diesel-burning locomotives, a factor not accounted for in either the permit or NEXT’s underlying assessment.

- **DEQ proposes inadequate constraints on the proposed refinery’s air pollutants, such as benzene, toluene, naphthalene, and hydrogen sulfide.** DEQ’s proposed limits for hazardous pollutants, such as 9 tons per year of hydrogen sulfide, are too high. Some toxic and particulate emissions may harm nearby residences, family farms and businesses, and DEQ relies on NEXT’s own modeling to conclude that the impacts would be minimal.
- **DEQ should provide a clear description of the facility’s overall fracked gas use.** By adding up the different gas-burning equipment’s hourly use of fracked gas, it appears the facility could use over 26 million cubic feet of gas per day. How much of this gas will be fracked, and how will DEQ hold NEXT accountable for limiting methane leaks and emissions?
- **DEQ does not adequately address the potential for the proposed refinery to emit noxious odors.** The refinery proposes to convert animal fats, waste oil, or purpose-grown feedstocks into renewable diesel, a process with clear potential to impact people living nearby. DEQ’s complaint-driven process for addressing odors provides little protection for the community, as DEQ offers no plan or analysis for how DEQ would respond (leaving complaint resolution to the polluter, itself).
- **The 400-car rail yard is a major “bait-and-switch” by NEXT.** The company promoted its project for years by saying that the refinery would not require long trains to bring in its feedstocks. Now, NEXT has expanded its rail plans and indicates it may rely heavily on rail shipments of feedstocks when marine feedstocks are difficult to procure. Increased rail traffic will have a big impact on Columbia County towns, and emissions from the rail yard itself are not meaningfully addressed in DEQ’s proposed permit, including diesel particulate matter.
- **DEQ cannot afford to take NEXT at its word when it comes to pollution.** Key officials in NEXT were involved in a failed biofuels project in Odessa, WA called Transmessis Columbia Plateau. [NEXT officials were involved](#) with Transmessis, which went belly-up after a crash in biofuels prices, [leaving behind a toxic mess that required cleanup under the Superfund law](#). The troubling track record of Lou Soumas and Chris Efirid, both currently or formerly involved with NEXT and the Odessa mess, raised red flags for the Port of Longview [who rejected a proposal by the same backers to build a refinery handling crude oil, biofuels, and propane](#).

### **Details on how to comment**

- 1) **Speak up!** DEQ will hold a virtual public hearing on April 27, 2022 at 6pm. Here are the details on how to join the virtual hearing:
  - Sign up to attend the virtual public hearing on Zoom and save the date at DEQ’s website: <https://bit.ly/NEXT-aqhearing>.
  - You’ll likely get 2 or 3 minutes to speak, so focus on a couple of key points.
  - When: 6:00 p.m., Wednesday, April 27, 2022
- 2) You can submit a simple online comment through Columbia Riverkeeper’s website by [clicking here](#).
- 3) To submit more detailed comments, send them to:
 

NWR Air Quality Permit Coordinator  
 700 NE Multnomah St., Suite 600  
 Portland, OR 97232  
 Fax: 503-229-6945  
**Email: [NWRAQPermits@deq.state.or.us](mailto:NWRAQPermits@deq.state.or.us)**

Comments due: 5 p.m., Thursday, May 26, 2022

**For more information**, check out [Columbia Riverkeeper's FAQ](#) about the proposed NEXT refinery, or contact [dan@columbiariverkeeper.org](mailto:dan@columbiariverkeeper.org).



**Which Picture Of Port Westward Would You Prefer?**

Left - Photo of Port Westward area by local farmers at the Save Port Westward Facebook Page. Check out [this short 8-minute video](#) they produced with their neighbors!

Right - picture of the toxic cleanup site left in Odessa, WA by a project in which key NEXT officials were involved called Transmissis Columbia Plateau.