

DEQ is Planning to Approve a Disaster for the Columbia River Estuary.



Houston-based NEXT Renewables Oregon LLC proposes to construct and operate a massive refinery to produce, store, and transport liquid, toxic, flammable fuel in the Columbia River Estuary. This involves storing, processing, shipping, and producing millions of gallons of toxic material near wetlands and clean water vital to the community and the Estuary. The proposal includes miles of new rail tracks and millions of gallons of tank storage to accommodate long trains of unsustainable feedstocks and toxic fuel. The proposal would be one of the largest greenhouse gas polluters in Oregon while using unsustainable feedstocks from the Midwest.

DEQ released the public notice for NEXT's draft Clean Water Act section 401 Water Quality Certification, [available here](#). DEQ proposes to authorize NEXT and its pollution. Yet, information that shows the project would harm the Estuary and community.

How you can take action:

- Join the Public hearing on October 8 at 6pm. Join virtually via Zoom Webinar: <https://ordeq.org/NEXT-401WQC-hearing>. (We will likely have 3 minutes to speak.)
- Mail written comments to: Haley Teach, Oregon DEQ, 700 NE Multnomah St, Suite 600, Portland, OR 97232.
- Submit Comments Via Email: 401PublicComments@deq.oregon.gov

Tell DEQ to Deny a Clean Water Act Permit for Refinery and Rail Yard at Port Westward



Sign our petition and tell DEQ and Gov. Kotek to protect the Columbia River and our climate from NEXT's pollution and greenwashing.

columbiariverkeeper.org/actions/take-action-port-westward/

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Basic problems:

- The proposal would be located in diked land on unstable soil, behind levees prone to failure, near homes, farms, and the Great Vow Zen Buddhist monastery - all while filling wetlands, increasing air pollution, and polluting water within and outside of the dikes. DEQ should deny the project.
- DEQ's public notice does not provide links to key information, such as maps and the application. To get this information, you must go to a separate webpage: <https://www.oregon.gov/deq/programs/pages/next-renewable-fuels.aspx> - look for "documents" section at the bottom. There are inconsistencies between the public notice and the project description, such as whether groundwater levels can be managed as proposed, and how many tanks are in the proposed refinery.
- The NEXT proposal would harm fish habitat, likely killing fish, all while polluting water that is vital to the local agricultural, religious, and fishing communities region-wide. This violates the Clean Water Act, violating both narrative water quality standards and anti-degradation rules.
- NEXT acknowledges this harm in its own Biological Assessment. Routine pollution at the facility would harm water quality and essential fish habitat. And, establishment of the project would disrupt local water systems for the community. NEXT does not provide realistic information about routine impacts, major spill impacts, or worst-case scenarios in a seismic event.
- A thorough EIS would show the same risks and guaranteed water pollution. DEQ is rushing its decision without having seen even a draft of the environmental impact statement from the Army Corps of Engineers. Why?
- If an accident occurs causing a release of diesel, fracked gas, toxic chemicals, or aviation fuel, the consequences would be bad for salmon and nearby communities.



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- DEQ's public notice says, "DEQ must ensure that pollution does not enter waterways and must be protective of beneficial uses, including fish," At the same time, NEXT's Biological Assessment states, "Because of potentially lethal effects from stormwater contaminants, the project will adversely affect Pacific Salmon EFH and the Pacific Coast groundfish EFH." DEQ must deny the project.
- The public notice states, "To ensure the project will comply with water quality standards, DEQ must understand all work involved in the construction and operation of the project." DEQ has admitted that it does not understand all work involved, and plans are likely to change. For example, DEQ proposes that NEXT control groundwater with a liner, but NEXT's January 2023 Stormwater plan states that it would not work, and "a liner is not recommended at this time."
- The project would emit over 1 million tons of greenhouse gas pollution each year, and it would rely on feedstocks from unknown sources as well as millions of cubic feet of fracked gas daily. NEXT told investors it would get most of its feedstocks by rail from the Midwest at the outset of production. Although NEXT calls its production "renewable," it has major negative climate consequences. The hydrogen plant at the refinery used to make the fuel will rely on fracked gas.
- Given the violent shaking expected in a seismic event, flood hazards, and unstable soils known to pose risks in the Port Westward area, NEXT's proposal is risky. A 2023 accident at the same dock that Port Westward demonstrated one risk: a rock-loaded vessel veered off track and slammed the dock, knocking it out of service for months. Had a diesel tanker been present, the spill could have impacted the Estuary.
- NEXT cannot be relied upon. The company has a poor track record and has cultivated deep mistrust in the local community, including recently halting full rent payments to the Port (the Port only agreed to this rent change after the fact.) Even worse, NEXT has not come to agreement with the local governing drainage district about how to manage water. Why isn't DEQ taking the local district's concerns seriously?

These are just a few examples of why NEXT poses an astounding threat to the Estuary, and DEQ is making a horrible mistake by considering an approval for the refinery, rail yard, and toxic pollution NEXT would impose on the public. See our extended comment guide for more:

