

Zenith Air Permit Talking Points



The Oregon Department of Environmental Quality (DEQ) just opened the [public comment period for Zenith's draft Air Contaminant Discharge Permit \(ACDP\)](#). This is the last permit Zenith needs to expand its dangerous fossil fuel facility in Northwest Portland.

From now until December 16 at 5 p.m., DEQ is accepting public comments about Zenith's draft air permit. This is our moment to stand up and demand that DEQ protect us from Zenith Energy's plans to increase harm to our communities and our environment for years to come.

Here is what you need to know: under the guise of climate progress, Zenith convinced the City of Portland that it would transition to "renewable" fuels, many of which share the same dangers and risks of conventional fossil fuels. The reality is that Zenith is planning on significantly expanding its capacity to move dangerous products through our communities.

Here is what you can do to stop Zenith:

- Attend the [11/19 in-person public hearing and rally](#)
 - This is a great opportunity to tell DEQ why Zenith is a bad idea.
- [Sign the petition](#)
- Send additional written comments to DEQ by December 16, 2024 at 5 p.m.
 - By mail: NWR Air Quality Permit Coordinator, Oregon DEQ, 700 NE Multnomah St., Suite 600, Portland, OR 97232
 - By email: NWRAQPermits@deq.oregon.gov

Tell DEQ to oppose
Zenith's proposed
air permit.



Sign a short petition comment urging DEQ to oppose Zenith's proposed air permit.



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The BIG question: Does Zenith’s proposal reduce harm to our communities and the environment?

The answer: No. The actual emissions Zenith plans to produce will increase in several categories. Zenith is misleading the public and regulators, again. [The reality, revealed](#) in a recent the air pollution permit application, is that Zenith intends to:

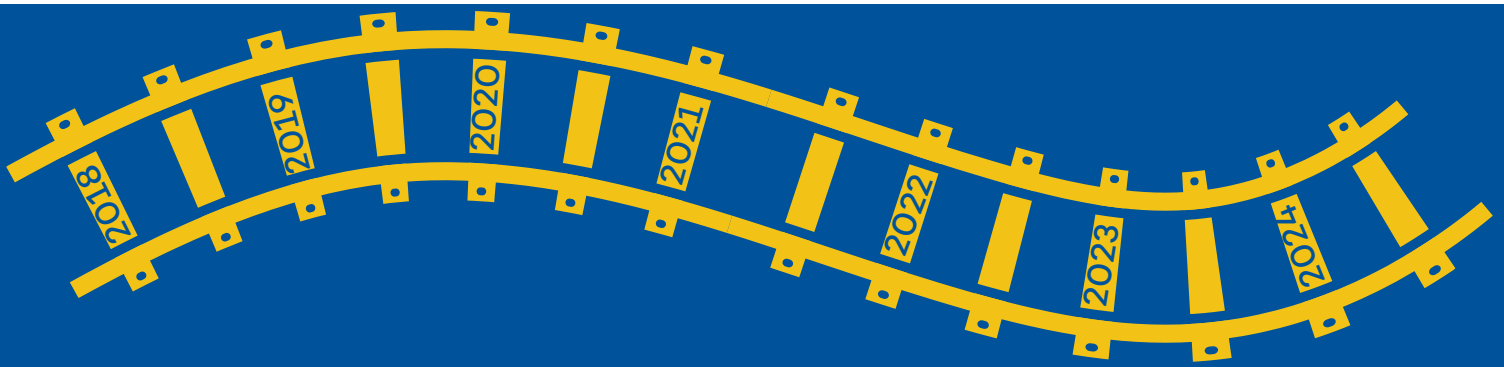
- Expand operations;
- Increase crude oil shipping between now and 2027;
- Continue shipping fossil fuels after 2027;
- Begin shipping significant quantities of dangerous “renewable” naphtha;
- Increase harmful air pollution in Portland; and
- Increase rail, truck, and marine traffic.

Zenith Poses a Serious Danger to Public Health, Safety, and the Environment

- Fossil fuel operations like Zenith pose serious health and safety risks to the communities where they operate. These risks include everything from the highly toxic and carcinogenic chemicals released during loading, transport, and unloading of the product, to the risk of train derailments that can cause deadly explosions and leave behind harmful residues.
- Frontline communities are already overburdened with pollution exposure.
- Zenith is located in a liquefaction zone. This means, if there is an earthquake, the ground beneath Zenith’s tanks would liquify into the consistency of cake batter—an undesirable foundation for the millions of gallons of dangerous substances stored there. Zenith’s operations are a potential catastrophe for the Willamette and Columbia Rivers.

Zenith’s Long History of Violations and Lies

- Zenith has uniquely dangerous operations and a track record of dishonesty.
 - Throughout its time in operation, Zenith has failed to comply with important regulations.
- DEQ has identified roughly 20 violations for Zenith, ranging from failure to submit proper paperwork, to storing volatile fuels in the wrong tanks, to illegally expanding fossil fuel operations.
- Based on this history, Zenith cannot be trusted to handle more hazardous fuel and do so within the limits of an air permit.



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Broad Public Opposition to Zenith

- In 2021, 46 Portland neighborhood and community organizations, the Multnomah County Board of Commissioners, over 20 State Legislators, 19 environmental and public health organizations, Tribes, and thousands of Portland residents called, wrote, or emailed the Portland city government, urging for a denial of Zenith’s city-level LUCS permit.
- Youth climate activists have made Zenith the focus of climate strike activities since 2019 and last month called on Governor Kotek and DEQ to deny Zenith’s ACDP.
- Since 2022, a coalition of 26 neighborhood, river and environmental advocacy organizations have sponsored 18 “Rumble on the River” community forums, attracting thousands of Portland residents to the series of free events to increase public awareness of the safety, health and seismic risks associated with Zenith Energy and the Critical Energy Infrastructure (CEI) Hub.

“Renewable” Fuels Are Still Dangerous

- Renewable fuels are often chemically similar to fossil fuels, creating the same risks for spills, accidents, explosions, and harmful emissions.
- When compared to “renewable” diesel, “renewable” naphtha is more flammable, increasing the potential risk and consequences of explosions and flashbacks—events in which vapors are heavier than air and may spread near the ground, travel a considerable distance to a source of ignition and flash back.
- Renewable naphtha is toxic to aquatic life with long lasting effects.

Enforceability

- DEQ has stated the City is on the hook for enforcing any aspects of the Land Use Compatibility Statement for Zenith’s operations that are not explicitly covered in the air permit.
- The City of Portland has not previously issued a Land Use Compatibility Statement with special conditions like it did for Zenith, bringing the issue of enforcement liability into question. This could create a situation in which the City is liable for enforcement that it doesn’t have capacity to perform.

City Permits Obtained Under False Pretenses

- The Portland City Auditor found Zenith used illegal lobbying while attempting to obtain its Land Use Compatibility Statement from the City.
- Zenith applied for City permits (Land Use Compatibility Statement and three pipes under Front Avenue) with the assurance that any new infrastructure would not be used to transport fossil fuels—while simultaneously illegally transporting fossil fuels through some of that infrastructure.



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Zenith is a Fossil Fuel Company Pushing to Further Expand Operations

- Reports filed with Oregon's DEQ in previous years show steady increases in fuel moved since 2019, despite Zenith's 2018 promise to Oregon regulators in its permit application that a planned expansion of its terminal would not lead to such an increase. Now Zenith wants to expand operations even more, with plans to handle over 900 million gallons of fuel annually—the equivalent of over 300 unit trains per year worth of fuel!
- After promising to ditch crude oil, Zenith's air permit application shows that Zenith intends to expand its Portland, OR, terminal while continuing to handle fossil fuels. The amount of liquid fuels passing through the terminal (throughput) is projected to increase more than 2.5 times above 2022 levels and more than 5.5 times above 2019 numbers—the year Zenith assured DEQ it would not increase throughput.
- Zenith's "renewable" fuels proposal opens the door for Zenith to expand its operations, including adding more pipelines, new rail unloading racks, future additional storage tanks, and the use of an additional dock—all to accommodate a massive increase in throughput. All of this results in increased threats to the environment and to communities all along the transport routes.
- We know that the market will likely dictate the types of throughput that Zenith will be handling. There do not appear to be any significant safeguards in place to prevent Zenith from increasing fossil fuel handling (aside from crude oil) rather than increasing "renewable" fuels.
- Despite Zenith's assurance it will transition to "renewable" fuels, [DEQ recently stated](#), "While the LUCS prohibits new fossil fuel infrastructure, there is nothing to prevent Zenith from increasing fossil fuel throughput from existing infrastructure on site as long as Zenith complies with all permit requirements."

Additional Resources: "Zenith History of Violations and Lies"

DEQ has a DUTY to be a Leader and Use its Full Authority:

- DEQ has the legal authority to review Zenith's LUCS for legal sufficiency
- DEQ has the legal authority to deny Zenith's air quality permit
- DEQ has the power to step in where the City failed. Regulators cannot pass the buck to each other when it comes to public safety.
- DEQ should not permit evolving products without first modernizing its regulations protecting the environment and public health and safety.

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