**Rule Caption:** Clarification of Proposed Orders in Contested Enforcement Cases.

**Adm. Order No.:** DEQ 5-2008

**Filed with Sec. of State:** 3-20-2008

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**Rules Adopted:** 340-011-0009, 340-011-0573

**Rules Amended:** 340-011-0005, 340-011-0510, 340-011-0515, 340-011-0575, 340-200-0040

**Subject:** Adopt OAR 340-011-0573 and amend OAR 340-011-0575 to allow any party to a DEQ contested case proceeding to file a motion requesting that the Administrative Law Judge (ALJ) revise the proposed order so as to provide a more clear and complete record on appeal to the Environmental Quality Commission (EQC).

Amend OAR 340-011-0510 to clarify that Environmental Law Specialists may provide lay representation on behalf of the DEQ in contested case proceedings involving license, permit, or certification revocations, modifications, and denials.

Correct a typographical error in OAR 340-011-0515 to reference the proper rule in the Oregon Administrative Procedures Act regarding the extent to which parties may be represented by attorneys or other authorized representatives in proceedings before ALJs or the EQC.

Adopt OAR 340-011-0009 and amend OAR 340-011-0005(5) to update the incorporation of portions of the Attorney General’s Model Rules and incorporate the Attorney General’s Model Rules for Miscellaneous and Orders in Other than Contested Cases.

Amend OAR 340-200-0040(2) to reflect the date that the rules are adopted by the EQC. This amendment is required because these amendments, if adopted, will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to the State Implementation Plan (SIP), which is a requirement of the Clean Air Act.