**From Secretary of State Bulletin, August 2009**

**Department of Environmental Quality  
Chapter 340**

**Rule Caption:** Adoption of Federal Air Quality Regulations.

**Date: Time: Location:**

8-17-09 6 p.m. DEQ — Bend Regional Office  
 Conference Rm.  
 475 NE Bellvue Dr., Suite 110  
 Bend, OR 97702

8-18-09 6 p.m. DEQ — Medford Regional Office  
 Conference Rm.  
 221 Stewart Ave., Suite 201  
 Medford, OR 97501

8-20-09 6 p.m. DEQ Headquarters  
 811 SW 6th Ave., Rm. EQC-A  
 Portland, OR 97204

**Hearing Officer:** Mark Fisher, Steve Croucher, William Knight

**Stat. Auth.:** ORS 468.020, 468A.035, 468A.040, 468A.050 & 468A.310

**Stats. Implemented:** ORS 468A.025

**Proposed Adoptions:** 340-216-0062, 340-228-0639

**Proposed Amendments:** 340-200-0040, 340-209-0030, 340-210-0100, 340-210-0110, 340-210-0120, 340-216-0020, 340-216-0060, 340-216-0064, 340-228-0606, 340-228-0621, 340-228-0623, 340-228-0625, 340-228-0627, 340-238-0040, 340-244-0030, 340-244-0220, 340-244-0238, 340-244-0240, 340-244-0242, 340-244-0246

**Last Date for Comment:** 8-26-09, 5 p.m.

**Summary:** The Oregon Department of Environmental Quality (DEQ) is proposing that the Environmental Quality Commission (EQC) adopt standards that implement new and amended federal air quality regulations. The objective of this rulemaking is to protect public health, ensure that Oregon implements the federal programs that regulate hazardous air pollutants and new sources, and to improve Oregon’s implementation of these programs.

If adopted, this proposal would adopt by reference several new federal area source NESHAPs; add the new area source NESHAPs to the list of business categories eligible to obtain a Simple or General ACDP; add a new General ACDP annual fee class; assign each new General ACDP to an annual fee class; adopt a requirement that any dry cleaner using perchloroethylene obtain an ACDP unless the dry cleaner registers with DEQ; change the requirement that the Environmental Quality Commission (EQC) issue General ACDPs by rule to instead allow the Department to issue General ACDPs by order; allow businesses eligible for multiple General ACDPs to be assigned to one General ACDP and one or more General ACDP Attachments; adopt an annual fee for General ACDP Attachments; allow registration as an alternative to permitting for auto body shops and dry cleaners that voluntarily participate in an environmental certification program; adopt annual fees for registration; update previously adopted NESHAP and NSPS rules to keep them consistent with federal amendments; correct referencing errors and add clarity to the “topping off” ban; and modify Oregon’s Utility Mercury Rule (UMR) by adding material sampling provisions vacated by a federal court ruling.

To submit comments or request additional information, please contact Jerry Ebersole at the Department of Environmental Quality (DEQ), 811 SW Sixth Ave, Portland, OR 97204, toll free in Oregon at 800-452-4011 or 503-229-6974, or at federalrule@deq.state.or.us, or by fax 503-229-5675, or visit DEQ’s website http://www.deq.state.or.us/news/publicnotices/PN.asp

**Rules Coordinator:** Larry McAllister

**Address:** Department of Environmental Quality, 811 SW Sixth Ave., Portland, OR 97204

**Telephone:** (503) 229-6412