

## NOTICES OF PROPOSED RULEMAKING

- Clarify that a condition for ending eligibility, in addition to suitable employment for 60 days, is completion of any necessary work-site modifications.

- Amend the list of labor market references that may be used to analyze the worker's labor market.

- Clarify that the insurer must not use any knowledge, skills, or abilities gained by the worker after the date of injury or aggravation to determine the worker's eligibility for vocational assistance.

- Prescribe the conditions, time frames, and documentation applicable to a worker's self-sponsored training.

- Provide that basic training, on-the-job training, and occupational skills training may be extended by the insurer (beyond the time frames stated in rule).

**Rules Coordinator:** Fred Bruyns

**Address:** Department of Consumer and Business Services, Workers' Compensation Division, PO Box 14480, Salem, OR 97309-0405

**Telephone:** (503) 947-7717

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### Department of Environmental Quality

#### Chapter 340

**Rule Caption:** Rulemaking increases water quality permit fees by 3 percent to address increasing permit program costs.

Date:	Time:	Location:
8-15-12	6 p.m.	475 NE Bellevue, Suite 110 Bend, OR
8-20-12	6 p.m.	221 Stewart Ave., Suite 201 Medford OR
8-21-12	6 p.m.	811 SW Sixth Ave., 10th Floor Portland, OR

**Hearing Officer:** DEQ employee

**Stat. Auth.:** ORS 454.625, 468.020 & 468.065

**Stats. Implemented:** ORS 454.745, 454.755, 468.065, 468B.035, 468B.050, 468B.051 & 468B.195

**Proposed Amendments:** 340-045-0075, 340-071-0140

**Last Date for Comment:** 8-24-12, 5 p.m.

**Summary:** This proposal to amend the Oregon Administrative Rules increases water quality permit fees. DEQ proposes to increase fees for all National Pollution Discharge Elimination System and Water Pollution Control Facility permits by 3 percent to address increased water quality permit program costs. WPCF-Onsite septic system permits are included in the proposed fee increase. Suction dredge permits covered by General Permit 700-PM are not included in the proposed fee increase.

**Rules Coordinator:** Maggie Vandehey

**Address:** Department of Environmental Quality, 811 SW Sixth Ave., Portland, OR 97204-1390

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**Rule Caption:** 401 Water Quality Certification Fee Increase.

Date:	Time:	Location:
8-15-12	6 p.m.	Roseburg Central Library 1409 NE Diamond Lake Blvd. Ford Community Rm. Roseburg, OR 97470
8-20-12	6 p.m.	Columbia Gorge Community College 400 East Scenic Dr. Bldg. 3, Classroom 3.203 The Dalles, OR 97058
8-23-12	9:45 a.m.	DEQ Headquarters Conference Rm. EQC-A 811 Sixth Ave. Portland, OR 97204

**Hearing Officer:** DEQ employee

**Stat. Auth.:** ORS 420 & 468

**Stats. Implemented:** ORS 468B.035-468B.047

**Proposed Amendments:** 340-048-0055

**Last Date for Comment:** 8-29-12, 5 p.m.

**Summary:** The Oregon Department of Environmental Quality is proposing to increase fees for certifying that activities requiring federal licenses and permits comply with water quality requirements and standards. DEQ certifies compliance as authorized by Section 401 of the federal Clean Water Act. The proposed fees apply to most removal, fill and other activities, except hydroelectric, requiring 401 certification.

This rulemaking would increase 401 certification fees to cover program costs, provide additional staff to expedite review and approval, and enhance technical assistance to applicants.

The proposed changes will apply to those requiring federal permits or licenses for removal, fill or other activities (except hydroelectric projects) that may result in discharges to Oregon's waters. Applicants could include individuals, small and large businesses, local governments, state and federal agencies and other entities.

**Rules Coordinator:** Maggie Vandehey

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**Rule Caption:** Rulemaking will amend existing program rules that regulate awarding financial assistance to public agencies

Date:	Time:	Location:
9-4-12	3 p.m.	DEQ, 811 SW 6th Ave. 10th Floor, Rm. EQC A Portland, OR
9-5-12	3 p.m.	DEQ, 475 NE Bellevue, Suite 110, Conference Rm. Bend, OR
9-6-12	3 p.m.	DEQ, 221 Stewart Ave. Suite 201, Large Conference Rm. Medford, OR

**Hearing Officer:** DEQ employee

**Stat. Auth.:** ORS 468.020, 468.423-468.440

**Stats. Implemented:** ORS 468.423-468.440

**Proposed Adoptions:** 340-054-0011, 340-054-0026, 340-054-0027, 340-054-0036, 340-054-0056

**Proposed Amendments:** 340-054-0005, 340-054-0010, 340-054-0015, 340-054-0022, 340-054-0025, 340-054-0060, 340-054-0065, 340-054-0100, 340-054-0102, 340-054-0104, 340-054-0106, 340-054-0108

**Proposed Repeals:** 340-054-0020, 340-054-0021, 340-054-0023, 340-054-0024, 340-054-0035, 340-054-0055, 340-054-0085, 340-054-0087, 340-054-0090, 340-054-0093, 340-054-0095, 340-054-0097, 340-054-0098

**Last Date for Comment:** 9-14-12, 5 p.m.

**Summary:** This rulemaking will amend the Clean Water State Revolving Fund administrative rules. In Oregon, DEQ administers this loan program under the federal Clean Water State Revolving Fund program authorized by title VI of the Clean Water Act.

The proposed amendments will update current Clean Water State Revolving Fund administrative rule language and clarify processes to improve DEQ's ability to provide financial assistance to public agencies for water quality improvement projects. Amendments include providing flexibility to project eligibility rule language for all types of water quality improvement projects, revising the project application scoring system and ranking criteria to ensure projects funded with Clean Water State Revolving Fund money provide the most benefits possible for water quality, eliminating the expedited loan reserve because the reserve was not used, revising the definition of small community from a population of 5,000 or less to a population of 10,000 or less, increasing the small community loan reserve, reducing the annual fee on all current loans from 0.5 percent to 0.25 percent for two years, reducing interest rates for all loans based on community population and median household income, and awarding principal forgiveness priority to small communities with less than median household income.

**Rules Coordinator:** Maggie Vandehey