

DEPARTMENT OF ENVIRONMENTAL QUALITY
NOTICE OF PROPOSED RULEMAKING, HEARING
A Statement of Need and Fiscal and Economic Impact accompanies this form.

Department of Environmental Quality

Agency and Division

OAR Chapter 340

Administrative Rules Chapter Number

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RULE CAPTION

401 Water Quality Certification Fee Increase

HEARINGS

Aug. 15, 2012	6 p.m.	Roseburg Central Library 1409 NE Diamond Lake Blvd Ford Community Room Roseburg, OR 97470	DEQ employee
Hearing Date	Time	Location	Hearings Officer
Aug. 20, 2012	6 p.m.	Columbia Gorge Community College 400 East Scenic Drive Building 3, Classroom 3.203 The Dalles, OR 97058	DEQ employee
Hearing Date	Time	Location	Hearings Officer
Aug. 23, 2012	9:45 a.m.	DEQ - Headquarters Office Conference Room EQC-A 811 SW Sixth Avenue Portland, OR 97204	DEQ employee
Hearing Date	Time	Location	Hearings Officer

Auxiliary aids for persons with disabilities are available at hearings upon advance request.

RULEMAKING ACTION

ADOPT: N/A

AMEND: OAR 340-048-0055

REPEAL: NA

RENUMBER: NA

AMEND AND RENUMBER: NA

Stat. Auth.: ORS 420 and 468

Other Authority: NA

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

RULE 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.

To request more information about this rulemaking, please contact:

Steve Mrazik at the Department of Environmental Quality, call toll free in Oregon 800-452-4011 or 503-229-5263.

or visit DEQ's public notices webpage <http://www.deq.state.or.us/regulations/proposedrules.htm>

To comment on this rulemaking, submit your comments to:

Steve Mrazik, Oregon Department of Environmental Quality, 2020 SW 4th Avenue, Suite 400, Portland, OR 97201, or by fax to 503-229-6957, or by email to 401Rulemaking@deq.state.or.us
(if you do not receive an auto response to your emailed comments, contact staff listed above),

5 p.m., Wednesday, Aug. 29, 2012

Last day to receive public comments

ORS 183.335(2)(b)(G), The Department of Environmental Quality requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

Signature and Date

Maggie Vandehey

Printed name

The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00pm on the preceding workday.