

NOTICES OF PROPOSED RULEMAKING

Address: Department of Consumer and Business Services, Director's Office, PO Box 14480, Salem, OR 97309-0405
Telephone: (503) 947-7866

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Department of Energy
Chapter 330

Rule Caption: Defines "Oregon's share" of eligible generation under the Renewable Portfolio Standards in ORS 469A.020(3).

Date:	Time:	Location:
9-25-12	1 p.m.	Oregon Dept. of Energy 625 Marion St. NE Salem, OR 97301

Hearing Officer: Elizabeth Ross

Stat. Auth.: ORS 469.040, 469A.020 & 469A.130

Stats. Implemented: ORS 469A.005–469A.300

Proposed Amendments: 330-160-0015, 330-160-0050

Last Date for Comment: 9-28-12, 5 p.m.

Summary: The rule amendments define "Oregon's share" of eligible generation attributed to upgrades at Bonneville Power Administration's hydropower facilities as used in ORS 469A.020(3), for the purpose of compliance with the Renewable Portfolio Standard. These rule amendments enable Bonneville Power Administration to distribute RECs attributed to hydropower facility upgrades. The Agency requests public comment on these draft rules.

Rules Coordinator: Kathy Stuttaford

Address: Department of Energy, 625 Marion St. NE, Salem, OR 97301

Telephone: (503) 373-2127

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Department of Environmental Quality
Chapter 340

Rule Caption: This rulemaking increases operator certification and program support fee to address increasing program costs.

Date:	Time:	Location:
9-19-12	6 p.m.	29353 SW Town Center Loop E Room 211 Wilsonville, OR

Hearing Officer: DEQ Staff

Stat. Auth.: ORS 448.410, 448.425, 468.020 & 468B.030

Stats. Implemented: ORS 448.405–448.430 & 448.992

Proposed Amendments: 340-049-0010, 340-049-0015, 340-049-0020, 340-049-0030, 340-049-0035, 340-049-0040, 340-049-0055, 340-049-0060, 340-049-0065, 340-049-0085

Last Date for Comment: 9-25-12, 5 p.m.

Summary: The Oregon Department of Environmental Quality (DEQ) is proposing to increase wastewater system operator certification and program support fees. DEQ certifies wastewater system operators in Oregon as Grade I through Grade IV, depending upon the size and complexity of the wastewater system they operate. Oregon law requires owners of wastewater systems to have their systems under responsible control and supervision of certified operators.

This rulemaking would increase operator certification and wastewater system owner program support fee to cover the costs of administering the program.

The proposed changes in DEQ's operator certification fee will impact individual operators and system owners. Individual operators are responsible for obtaining and maintaining their certification and license renewal. Local, state, federal government and private entities that own and operate domestic wastewater systems under the NPDES or WPCF permits issued by DEQ are affected by the fee increase.

Rules Coordinator: Maggie Vandehey

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

Telephone: (503) 229-6878

Rule Caption: Onsite septic system program (Clean Streams).

Date:	Time:	Location:
9-17-12	3:30 p.m.	ODF 5005 Third St. Tillamook, OR
9-17-12	10:30 a.m.	Lincoln County Board of Commissioner's Conf. Rm. 225 West Olive St.. Newport, OR
9-18-12	4 p.m.	Coos Bay Library Meeting Rm. 525 Anderson Ave. Coos Bay, OR
9-20-12	10:30 a.m.	ODFW 4192 N. Umpqua Hwy. Roseburg, OR
9-20-12	3:30 p.m.	Dept. of Environmental Quality 221 Stewart, Suite 201 Medford, OR

Hearing Officer: DEQ Staff

Stat. Auth.: ORS 454.615, 454.625, 468.020 & 468.065(2)

Stats. Implemented: ORS 197.180, 454.605–454.745, 468.065 & 468B.050

Proposed Amendments: 340-071-0100, 340-071-0131, 340-071-0140, 340-071-0160, 340-071-0162, 340-071-0205, 340-071-0220, 340-071-0275, 340-071-0290, 340-071-0345, 340-071-0400, 340-071-0650, 340-018-0030

Last Date for Comment: 9-25-12, 5 p.m.

Summary: The proposed rules would amend Onsite program rules to:

- Require the submittal of septic system inspection reports at the time of property transfer. Upon receipt of a complete report, DEQ will issue a Certificate of Acceptance.
- Implement 2011 legislatively-approved fees, such as land use sign-off fees.

- Implement changes to alternative treatment technologies (ATT) product approval, based on recommendations by the 2009 onsite advisory committee. This includes establishing that the products meet performance standards in the field and better track system installations.

- Newly permitted sand filters and pressurized distribution must have a service maintenance contract and ongoing maintenance similar to ATT systems.

Rules Coordinator: Maggie Vandehey

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

Telephone: (503) 229-6878

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Rule Caption: Updating Oregon's air quality rules to address federal regulations.

Date:	Time:	Location:
9-25-12	5 p.m.	DEQ Headquarters 811 SW 6th Ave, Rm. 3A Portland, OR
9-25-12	5 p.m.	DEQ Bend Office 475 NE Bellevue Dr., Suite 110 Bend, OR (Teleconference location)
9-25-12	5 p.m.	DEQ Medford Office 221 Stewart Ave., Suite 201 Medford, OR (Teleconference location)

Hearing Officer: Gregg Dahmen

Stat. Auth.: ORS 468.020, 468A.025, 468A.035, 468A.040, 468A.050 & 468A.310

Stats. Implemented: ORS 468.020, 468A.025, 468A.035, 468A.040, 468A.050 & 468A.310

Proposed Adoptions: 340-216-0068, 340-244-0239

Proposed Amendments: 340-200-0020, 340-200-0040, 340-210-0100, 340-216-0020, 340-216-0060, 340-216-0062, 340-216-0064, 340-216-0066, 340-228-0602, 340-228-0606, 340-228-0609, 340-228-0635, 340-228-0637, 340-232-0085, 340-238-0040, 340-238-

NOTICES OF PROPOSED RULEMAKING

0060, 340-244-0030, 340-244-0210, 340-244-0220, 340-244-0234, 340-244-0238, 340-244-0240, 340-244-0242, 340-244-0244, 340-244-0246, 340-244-0248, 340-244-0250

Proposed Repeals: 340-228-0611, 340-228-0613, 340-228-0615, 340-228-0617, 340-228-0619, 340-228-0621, 340-228-0623, 340-228-0625, 340-228-0627, 340-228-0629, 340-228-0631, 340-228-0633, 340-244-0230

Last Date for Comment: 9-28-12, 5 p.m.

Summary: The proposed rules would adopt new and amended federal air quality regulations and related permit rules. This includes adopting new national standards for electric utility steam generating units, gold mine ore processing and production, polyvinyl chloride and copolymers production, and sewage sludge incinerators, as well as changes to the federal gasoline dispensing facility rules. The rule-making proposal would also clarify when and if Air Contaminant Discharge Permits are required for sources subject to NSPS and NESHAP.

Rules Coordinator: Maggie Vandehey

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

Telephone: (503) 229-6878

Rule Caption: Oakridge PM2.5 Attainment Plan.

Date:	Time:	Location:
9-20-12	12:30 p.m.	LRAPA, 1010 Main St. Springfield, OR

Hearing Officer: Merlyn Hough

Stat. Auth.: ORS 468, 468A, 468.020, 468A.025, 468A.460 & 477
Stats. Implemented: ORS 468.020, 468A.025, 468A.035 & 468A.515

Proposed Amendments: 340-200-0040

Last Date for Comment: 9-20-12, 2:30 p.m.

Summary: This rulemaking proposes adoption of an attainment plan that will bring the Oakridge non-attainment area into compliance with the PM2.5 National Ambient Air Quality Standard. The attainment plan identifies a number of emission control strategies that will be implemented through city ordinances, state rules and non-regulatory efforts including education and incentives. A mandatory residential wood combustion curtailment program, implemented by LRAPA and the City of Oakridge, is a primary strategy to reduce PM2.5 emissions. If Oakridge does not reach attainment by the federal Clean Air Act deadline of December 2014, an additional set of contingency strategies will become effective. These contingency measures include: a stricter opacity limit, revising the current 40% opacity limit to a more restrictive 20% limit, as has been done in some other northwest communities; a stricter green-yellow-red advisory program, with more yellow and red advisory days each winter; and further restrictions on the city woodstove curtailment exemptions (for sole source, economic hardship).

LRAPA requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business. These amendments, if adopted by LRAPA, will be presented to the Environmental Quality Commission for approval and submitted by DEQ to the U.S. Environmental Protection Agency as a revision to the State Implementation Plan under OAR 340-200-0040 as a requirement of the Clean Air Act.

Rules Coordinator: Maggie Vandehey

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

Telephone: (503) 229-6878

Department of Fish and Wildlife Chapter 635

Rule Caption: Establish 2013 Seasons and Regulations for Game Mammals.

Date:	Time:	Location:
10-5-12	8 a.m.	2406 Cherry Ave NE Salem, OR 97303

Hearing Officer: Fish & Wildlife Commission

Stat. Auth.: ORS 496.012, 496.138, 496.146 & 496.162

Stats. Implemented: ORS 496.012, 496.138, 496.146 & 496.162 & 2011 OL Ch. 728 (HB 3636)

Proposed Amendments: Rules in 635-008, 635-010, 635-043, 635-045, 635-060, 635-065, 635-066, 635-067, 635-068, 635-069, 635-070, 635-071, 635-072, 635-073, 635-075, 635-078, 635-080

Proposed Repeals: 635-065-0765

Last Date for Comment: 10-5-12, 8 a.m.

Summary: Establish 2013 hunting regulations for game mammals, including season dates, open areas, location of cooperative travel management areas, wildlife areas, and other rules including, but not limited to, general hunting, controlled hunt regulations and issuing tags to Oregon resident active duty military personnel currently stationed outside of Oregon

Rules Coordinator: Therese Kucera

Address: Department of Fish and Wildlife, 3406 Cherry Ave. NE, Salem, OR 97303

Telephone: (503) 947-6033

Rule Caption: Amend Wildlife Integrity rules relating to Tilapia.

Date:	Time:	Location:
10-5-12	8 a.m.	3406 Cherry Ave NE Salem, OR

Hearing Officer: Fish & Wildlife Commission

Stat. Auth.: ORS 496.138, 496.146, 496.162, 509.119, 506.129 & 183.390

Stats. Implemented: ORS 496.138, 496.146, 496.162, 509.119, 506.129 & 183.390

Proposed Amendments: Rules in 635-056

Last Date for Comment: 10-5-12, 8 a.m.

Summary: Amend Wildlife Integrity Rules regarding selling and exchanging of Tilapia, including, but not limited to, expanding approved Tilapia species and rearing requirements.

Rules Coordinator: Therese Kucera

Address: Department of Fish and Wildlife, 3406 Cherry Ave. NE, Salem, OR 97303

Telephone: (503) 947-6033

Department of Oregon State Police, Office of State Fire Marshal Chapter 837

Rule Caption: Update code editions, penalty matrix, and other minor changes.

Stat. Auth.: ORS 480.380

Stats. Implemented: ORS 480.380 & 480.385

Proposed Amendments: 837-020-0040, 837-020-0125

Last Date for Comment: 9-28-12, 5 p.m.

Summary: This rule change is needed to update the editions for codes used for cardlock facility inspections and the penalty matrix and other minor changes needed to be updated.

Rules Coordinator: Connie Dalke

Address: Department of Oregon State Police, Office of State Fire Marshal, 4760 Portland Rd. NE, Salem, OR 97305-1760

Telephone: (503) 934-8211

Rule Caption: Update code editions and add clarifying language.

Stat. Auth.: ORS 476 & 480

Stats. Implemented: ORS 480.410, 480.420, 480.432, 480.434, 480.435, 480.436, 480.440, 480.450 & 480.460

Proposed Amendments: Rules in 837-030

Last Date for Comment: 9-28-12, 5 p.m.

Summary: This rule change is needed to update the editions for codes used for the Liquified Petroleum Gas (LPG) program and examinations and to add clarifying language.