

NOTICES OF PROPOSED RULEMAKING

Department of Energy, Energy Facility Siting Council Chapter 345

Rule Caption: Amend CO2 Emissions Standard and CO2 Offset Standard for Power Plants

Stat. Auth.: ORS 469.470 & 469.503

Stats. Implemented: ORS 469.501 & 469.503

Proposed Amendments: 345-024-0550, 345-024-0590

Last Date for Comment: 9-6-13, 5 p.m.

Summary: Carbon Dioxide Standard for Non-Base Load Power Plants

Rule amendments are proposed to amend OAR 345-024-0590(5) Carbon Dioxide Standard for Non-Base Load Power Plants. The proposed amendments will restore language that was unintentionally removed by rule amendments that were adopted in May 2012.

Rule amendments were initially proposed pursuant to a petition submitted by Portland General Electric (PGE) on July 22, 2009. The proposed rule amendments provided an alternate means of measuring "actual gross carbon dioxide emissions" every five years during the operation of a non-base load power plant. Those rule amendments allowed a certificate holder for a non-base load power plant to report actual carbon dioxide emissions consistent with any mandatory carbon dioxide emissions reported required by either the Oregon Department of Environmental Quality or the United States Environmental Protection Agency. After a rulemaking process, the Council adopted amendments to OAR 345-024-0590(5) on November 20, 2009. Those rule amendments remained in effect until May 2012 when the language was unintentionally removed with the new rule amendments that were adopted. The proposed amendments will restore the language that was unintentionally removed in May 2012.

Carbon Dioxide Offset Standard for Power Plants

Rule amendments are proposed to amend OAR 345-024-0550(2) standard for base load gas plants and OAR 345-024-0590(2) standard for non-base load power plants. The proposed rule amendments are needed in order to be consistent with new international standards. The United States Environmental Protection Agency is currently amending its rules to update the standards. The amount of greenhouse gas emissions means the pounds of carbon dioxide and the carbon dioxide equivalent of other greenhouse gases. The proposed standard would increase the standard for methane so that one pound of methane is equivalent to 25 pounds of carbon dioxide, and for nitrous oxide so that one pound of nitrous oxide is equivalent to 298 pounds of carbon dioxide.

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Department of Environmental Quality Chapter 340

Rule Caption: Increase water quality permit fees to address program costs

Date:	Time:	Location:
8-20-13	6 p.m.	DEQ, 811 SW Sixth Ave. Portland, OR 97204

Hearing Officer: DEQ staff

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: 8-23-13, 5 p.m.

Summary: DEQ proposes increasing most water quality permit fees by 2.9 percent.

In 2002, DEQ convened the Blue Ribbon Committee on Wastewater Permitting to recommend improvements to DEQ's water quality permit program. The committee included industry, environmental and local government representatives. In 2004, the

committee published a report containing a variety of recommendations, including increasing fee revenue by no more than 3 percent each year to address increasing program costs. The annual fee increase recommendation was adopted into law in 2005. To address increasing program costs, DEQ implemented fee increases in 2007, 2008, 2010, 2011 and 2012 and proposes this 2013 permit fee increase of 2.9 percent.

Rules Coordinator: Maggie Vandehey

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Rule Caption: Updates to Oregon SIP for Nitrogen Dioxide, Sulfur Dioxide and Lead Ambient Air Quality Standards

Date:	Time:	Location:
8-15-13	6 p.m.	DEQ Headquarters Conference Rm. B 811 SW Sixth Ave. Portland, OR 97204

Hearing Officer: DEQ staff

Stat. Auth.: ORS 468 & 468A

Stats. Implemented: ORS 468A

Proposed Amendments: 340-200-0020, 340-200-0040, 340-202-0070, 340-202-0100, 340-202-0130

Last Date for Comment: 8-19-13, 5 p.m.

Summary: The proposed rule amendments incorporate new and revised NAAQS for NO2, SO2 and Pb into Oregon Administrative Rule and adopt significant air quality impact levels for NO2 and SO2 as necessary to meet Clean Air Act requirements and revise the Oregon SIP for approval by EPA. The proposal includes the following actions:

Amend OAR 340-200-0040 to update the Oregon Clean Air Act State Implementation Plan. If adopted by the EQC, the actions proposed in this rulemaking will be incorporated into and made part of Oregon SIP.

Amend OAR 340-200-0020 Table 1 to add 1-hour Significant Air Quality Impact Levels for NO2 and SO2.

Amend OAR 340-202-0070 to incorporate the primary 1-hour National Ambient Air Quality Standard for sulfur dioxide, adopted by the EPA June 22, 2010 and effective on August 23, 2010.

Amend OAR 340-202-0100 to incorporate the primary 1-hour National Ambient Air Quality Standard for nitrogen dioxide, adopted by the EPA February 9, 2010 and effective on April 12, 2010.

Amend OAR 340-202-0130 to incorporate the primary and secondary National Ambient Air Quality Standard for lead, adopted by the EPA November 12, 2008 and effective on January 12, 2009.

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Rule Caption: Portland Area Transportation Control Measure

Date:	Time:	Location:
8-15-13	7 p.m.	DEQ Headquarters, EQC Rm. A, Floor 10 811 SW Sixth Ave. Portland, OR 97204

Hearing Officer: DEQ Staff

Stat. Auth.: ORS 468.020

Stats. Implemented: ORS 468A.035

Proposed Amendments: 340-200-0040

Last Date for Comment: 8-19-13, 5 p.m.

Summary: DEQ proposes to modify a "transportation control measure" that requires transit service in the Portland area to be expanded one percent per year. This proposal changes the transportation control measure to be assessed as a cumulative average over the life of the Portland area's plan to improve air quality instead of a five-year rolling average. This change in the transit transportation control measure averaging approach is proposed as a revision to the State