From: CALDERA Stephanie
To: CURTIS Andrea; DOWNING Kevin
Subject: Fw: Temporary Rules for AQ Division Fees
Date: Friday, October 04, 2013 3:59:38 PM

Does this affect diesel fees too? Andrea and kevin, please let me know how best to proceed. Thanks!

- Stephanie

From: Knudsen Larry [mailto:Larry.Knudsen@doj.state.or.us]
Sent: Thursday, October 03, 2013 05:28 PM
To: GARRAHAN Paul; CALDERA Stephanie
Subject: Temporary Rules for AQ Division Fees

Paul and Stephanie,

I was looking over the agenda materials for the October EQC meeting and noticed what appears to be a problem with the Item E, the temporary rules for ACDP fees. Under ORS 183.335(5), the EQC must adopt a statement of findings that the failure act promptly will result in serious prejudice to the public interest or interest of the parties concerned. There is a specific form that DOJ and SOS recommend for these findings and, in the past, we have asked the EQC to adopt the findings as part of the motion to adopt the temporary rule.

While the staff report explains why the temporary rules are needed in considerable detail, I didn't see an official findings document for the EQC to adopt. (Or if there is, I missed it.) There is a link in the SR to rulemaking documents, but it does not work. Also, with the new forms, I couldn't tell what staff person prepared the report, so I have not included anyone from AQD in this email. Paul, I think you worked with DEQ on this so I assume you can forward it to the appropriate person.

Larry Knudsen
Senior Assistant Attorney General
1515 S.W. Fifth Avenue, Suite 410
Portland, OR 97219
971.673.1880

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