

JNR 7/11/13



Oregon Department of Environmental Quality

July 15, 2013

Notice of Proposed Rulemaking

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

Overview

Updates to the Oregon Clean Air Act State Implementation Plan are needed to ensure that Oregon DEQ has the authority to implement the current National Ambient Air Quality Standards for nitrogen dioxide (NO₂), sulfur dioxide (SO₂) and lead (Pb) under the Clean Air Act. The proposed rule amendments update the infrastructure elements of Oregon's State Implementation Plan and allow for approval by the U.S. Environmental Protection Agency of the revised Oregon SIP.

Short summary

The proposed rule amendments would incorporate new and revised NAAQS for NO₂, SO₂ and Pb into Oregon Administrative Rule as necessary to 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
- 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.

In addition to the rule amendments outlined above, three "crosswalk" documents titled "Infrastructure SIP Submittal documents for Purposes of Clean Air Act Sections 110(a)(1) and (2)" are included as attachments to this proposal. These crosswalks identify the existing Oregon Administrative Rules and corresponding Oregon Revised Statutes that demonstrate DEQ has the necessary authorities in place to implement requirements of Sections 110(a)(1)

Section 110(a)(2)(E) Adequate authority and resources
 Section 110(a)(2)(F) Stationary source monitoring system
 Section 110(a)(2)(G) Emergency power
 Section 110(a)(2)(H) Future SIP revisions
 Section 110(a)(2)(J) Consultation with government officials; Public notification;
 PSD and visibility protection
 Section 110(a)(2)(K) Air quality modeling/data
 Section 110(a)(2)(L) Permitting fees
 Section 110(a)(2)(M) Consultation/participation by affected local entities

The Clean Air Act requires the EPA to set National Ambient Air Quality Standards for wide-spread pollutants from numerous and diverse sources considered harmful to public health and the environment. The Clean Air Act established two types of National Ambient Air Quality Standards. Primary standards set limits to protect public health, including the health of "sensitive" populations such as asthmatics, children, and the elderly. Secondary standards set limits to protect public welfare, including protection against visibility impairment, damage to animals, crops, vegetation, and buildings. The Clean Air Act requires periodic review of the science upon which the standards are based and the standards themselves.

SIPs generally establish emission limits or work practice standards to minimize emissions of the air pollutants (and their precursors) for which EPA has issued air quality criteria (the "criteria pollutants"). The six current criteria pollutants are sulfur oxides (sulfur dioxide as indicator), particulate matter, oxides of nitrogen (nitrogen dioxide as indicator), lead, carbon monoxide, and ozone. EPA has established NAAQS for these pollutants and has updated these standards over time.

As the NAAQS change, states must submit revisions to the infrastructure elements of their SIPs to reflect these changes. EPA has revised the NO₂, SO₂ and Pb NAAQS to protect the public from adverse health effects, as appropriate under CAA Section 109, by:

- Replacing the annual and 24-hour primary SO₂ standards with a new, primary 1-hour standard, to be effective one year after area designations for the primary 1-hour standard. (*see* 75 Federal Register 35520);
- Adding a new 1-hour primary NO₂ standard, to supplement the existing annual standard (*see* 75 Federal Register 6474); and
- Revising the level of the primary and secondary Pb standards (*see* 73 Federal Register 66964).

Main Functions of a State *Clean Air Act* Implementation Plan (SIP)

There are three overarching activities that occur when a National Ambient Air Quality Standard is added or revised, as summarized below:

- Within two years of revising the NAAQS for a criteria pollutant, EPA is required to identify or "designate" areas as meeting (attainment areas) or not meeting (nonattainment areas) the standard. Designations are based on the most recent set of air monitoring data. (*see* CAA Section 107(d)(1)(B), 42 USC § 7407(d)(1)(B).)

the data for measurements of ambient air concentrations of NO₂, SO₂ and Pb contained in the 2013 Oregon Annual Ambient Air Monitoring Network Plan:

Table 2: 2013 Oregon Annual Ambient Air Monitoring Results

Criteria Pollutant	Current network monitoring status	Air Quality Monitoring Network needs
NO ₂	In compliance with existing standards.	1-hr standard will necessitate near roadway monitoring. Once Oregon's rules are updated to reflect the current NAAQS for NO ₂ , DEQ will begin conducting near-roadway monitoring along I-5 in Tualatin on January 1, 2014, to evaluate whether ambient air concentrations of NO ₂ are in exceedance of the 1-hour standard.
SO ₂	In compliance with existing standards.	EPA is in the process of developing national guidance for modeling and monitoring of SO ₂ for comparison against the 1-hour standard. DEQ will need to re-visit Oregon's compliance status once EPA's requirements are finalized. Pending final EPA national guidance or rule, DEQ may need to purchase monitoring equipment to measure ambient air concentrations of SO ₂ for comparison against the 1-hour SO ₂ NAAQS.
Pb	In compliance with existing standards.	DEQ received approval from EPA to discontinue TSP lead sampling at the McMinnville industrial site because monitored levels were well below health standards. Monitoring for lead currently occurs in North Portland and Hillsboro.

Infrastructure SIP submittals

This proposal addresses the federal Clean Air Act requirement that states must submit infrastructure SIPs within three years of a NAAQS revision to demonstrate that they have the basic air quality program components in place to implement the revised NAAQS. The proposed rule amendments are needed to ensure that DEQ has the necessary authority to enforce and implement the latest NAAQS for nitrogen dioxide, sulfur dioxide and lead.

The proposed rule amendments would revise the existing Ambient Air Quality Standards for NO₂ and SO₂ under Oregon Administrative Rule chapter 340, division 202 to reflect the new primary 1-hour NAAQS adopted by the EPA. Chapter 340, division 202 of Oregon Administrative Rule currently contains Oregon ambient air quality standards for sulfur dioxide that are lower than the current federal SO₂ NAAQS. These standards were adopted by the EQC in 1972 and were equivalent to the federal standards at that time. Although the federal standards were repealed by EPA in 1973, Oregon rules were never amended to reflect this change. As proposed, this rulemaking will retain the existing Oregon annual and 24-hour SO₂ ambient air quality standards until one year after EPA develops sulfur dioxide area designations in Oregon for these standards. At that point, DEQ will repeal the existing annual and 24-hour SO₂ ambient air quality standards in OAR 340-202-0070, and will retain the federal primary 1-hour and secondary 3-hour SO₂ standards for implementation in Oregon.

Prevention of Significant Deterioration (PSD): Analysis for Industrial Permitting

addressing the required infrastructure SIP elements CAA Section 110(a)(2)(A) - 110(a)(2)(M).

The crosswalks were developed in collaboration with EPA Region 10 and are included with this proposal for EQC approval and submittal to EPA as DEQ's demonstration that the Oregon SIP meets the infrastructure requirements to implement, maintain and enforce the NAAQS for NO₂, SO₂ and Pb as specified in Section 110 of the Clean Air Act. The crosswalks address the required infrastructure elements of Section 110(a)(1) and 110(a)(2), with some exceptions, as discussed in more detail below. While the crosswalks are not considered part of the official record of Oregon's SIP, they are proposed for submittal to EPA as reference tools to demonstrate how applicable Oregon Administrative Rules and authorizing Oregon Revised Statutes correspond to federal Clean Air Act Section 110(a)(1) and (a)(2) requirements for the purpose of Infrastructure SIP submittals. DEQ has made an effort to include the relevant OARs and corresponding ORSs in the crosswalks for ease of reference, however, it should be noted that the official record of Oregon Administrative Rules that constitute the Federally-approved Oregon State Implementation Plan are listed in subpart MM of 40 CFR part 52. DEQ wishes to improve these crosswalks over time for use in future infrastructure SIP submittals, and welcomes suggestions during the public comment period of this rulemaking as to how these crosswalks could be further improved.

The attached crosswalks do not include references to Oregon Administrative Rules or Oregon Revised Statutes relating to Clean Air Act Section 110(a)(2)(C) to the extent it refers to nonattainment New Source Review permit programs required under the Section 110(a)(2)(I) of the Clean Air Act. These elements have different due dates for submission and are not required to be submitted as part of an infrastructure SIP.

Additionally, references to Oregon rules and statutes related to the infrastructure SIP requirement under CAA Section 110(a)(2)(D)(i)(I) addressing interstate transport of air pollution have also been omitted from the crosswalks. Section 110(a)(2)(D)(i)(I) prohibits emissions from sources in one state to significantly contribute to nonattainment and interference with maintenance of NAAQS attainment areas in other states. EPA has informed states that Section 110(a)(2)(D)(i)(I) is not a required element of infrastructure SIP submittals at this time in light of the recent decision by the U.S. Court of Appeals for the District of Columbia Circuit vacating the 2011 Cross-State Air Pollution Rule (*see EME Homer City generation, L.P. v. EPA*, 696 F.3d 7 (D.C. Cir. 2010)). Unless the EME Homer City decision is reversed or otherwise modified by the Supreme Court, states are not required to submit infrastructure SIPs addressing Section 110(a)(2)(D)(i)(I) of the Clean Air Act until the EPA has quantified each state's contribution to ambient air pollution levels in neighboring states. As a result of the EME Homer City decision, EPA has further clarified that it will not issue a Finding of Failure to Submit for Section 110(a)(2)(D)(i)(I) infrastructure SIP requirements at this time. EPA is currently seeking input from states to develop an acceptable approach for evaluating interstate transport of air pollution.

Statement of need

Chapter 340 action

Amend

OAR 340-200-0020 Table 1, 340-200-0040, 340-202-0070, 340-202-0100, 340-202-0130

Statutory authority

ORS chapters 468.020, 468A.025, and 468A

Statute implemented

ORS 468A.025

Documents relied on for rulemaking ORS 183.335(2)(b)(C)

TABLE 2: Documents Relied on for Rulemaking

Document title	Document location
NAAQS – Primary and Secondary	
40 CFR Part 50 – National Primary and Secondary Ambient Air Quality Standards	http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&rgn=div5&view=text&node=40:2.0.1.1.1&idno=40
Nitrogen Dioxide NAAQS	
Federal Register Volume 75, Number 26 (Tuesday, February 9, 2010) [Rules and Regulations] [Pages 6473-6537] From the Federal Register [FR Doc No: 2010-1990] [[Page 6473]] Part III Environmental Protection Agency 40 CFR Parts 50 and 58	http://www.gpo.gov/fdsys/pkg/FR-2010-02-09/html/2010-1990.htm
ENVIRONMENTAL PROTECTION AGENCY 40 CFR Part 81 [EPA-HQ-OAR-2011-0572; FRL-9624-3] RIN-2060-AR06 Air Quality Designations for the 2010 Primary Nitrogen Dioxide (NO ₂) National Ambient Air Quality Standards	http://www.gpo.gov/fdsys/pkg/FR-2012-02-17/pdf/2012-3150.pdf#page=1
EPA Memorandum RE: Guidance Concerning the Implementation of the 1-hour NO ₂ NAAQS for the Prevention of Significant Deterioration Program (June 29, 2010)	http://www.epa.gov/NSR/documents/20100629no2guidance.pdf
EPA Memorandum RE: Additional Clarification Regarding Application of Appendix W Modeling Guidance for the 1-hour NO ₂ National Ambient Air Quality Standards	http://www.epa.gov/region7/air/nsr/nsrmemos/appwno2_2.pdf
Sulfur Dioxide NAAQS	
Sulfur Dioxide (SO ₂) Primary National Ambient Air Quality Standards (EPA)	http://www.epa.gov/ttnnaqs/standards/so2/s_so2_index.html
40 CFR Parts 50, 53, and 58 Primary National Ambient Air Quality Standard for Sulfur Dioxide; Final Rule	http://www.epa.gov/ttnnaqs/standards/so2/fr/20100622.pdf
Federal Register Volume 75, Number 119	http://www.gpo.gov/fdsys/pkg/FR-2010-06-

State Implementation Plan Status and Information (EPA)	http://www.epa.gov/airquality/urbanair/sipstatus/index.html
Status of SIP Requirements for Designated areas, Oregon Infrastructure Requirements by Pollutant (As of 06/09/2013) (EPA)	http://www.epa.gov/airquality/urbanair/sipstatus/reports/or_infrabypoll.html#x110_a_2_lead_2008
Appendix V to Part 51—Criteria for Determining the Completeness of Plan Submissions (CFR)	http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&SID=9fe615d9103aedef220e736c5ea1ecde8&rgn=div9&view=text&node=40:2.0.1.1.2.23.1.1.5.36&idno=40
OREGON ADMINISTRATIVE RULES	
Oregon Secretary of State (website)	http://www.sos.state.or.us/
OREGON REVISED STATUTES	
Oregon State Legislature (website)	http://www.leg.state.or.us/ors/home.htm
INTERSTATE TRANSPORT	
EPA Memorandum from Gina McCarthy RE: Next Steps for Pending Redesignation Requests and State Implementation Plan Actions Affected by the Recent Court Decision Vacating the 2011 Cross-State Air Pollution Rule (November 19, 2012)	http://www.epa.gov/airtransport/CSAPR/pdfs/CSAPR_Memo_to_Regions.pdf
DEQ DOCUMENTS	
2011 Air Quality Annual Report and Data Summaries (DEQ)	http://www.deq.state.or.us/eq/forms/annrpt.htm
2013 Oregon Annual Ambient Air Monitoring Network Plan (DEQ)	http://www.deq.state.or.us/eq/forms/2013AQMonNetPlan.pdf
Intergovernmental Agreement between DEQ and LRAPA (DEQ Agreement # 003-12)	Document available upon request from DEQ Headquarters 811 SW 6 th Ave. Portland, OR 97204
Intergovernmental Agreement between DEQ and LRAPA (DEQ Agreement # 003-12).	Document available upon request from DEQ Headquarters 811 SW 6 th Ave. Portland, OR 97204
TRAACS database query for small and large businesses performed June 07, 2013.	Document available upon request from DEQ Headquarters 811 SW 6 th Ave. Portland, OR 97204
TRAACS database query for fiscal impacts on government agencies performed June 25, 2013.	Document available upon request from DEQ Headquarters 811 SW 6 th Ave. Portland, OR 97204

Fee Analysis

This rulemaking does not involve fees.

Statement of fiscal and economic impact

ORS 183.335 (2)(b)(E)

1-hour Significant Impact Levels, EPA would be required to enforce these standards in Oregon, resulting in the same compliance costs borne by affected sources under the proposed amendments to state rules.

Table 3 quantifies the number of small and large businesses that emit SO₂, NO₂ or Pb as required by ORS 183.336. The information provided in this table is an estimate based on available 2011 data. The distinction between small and large businesses is made at the parent company level and not at the individual facility level here in Oregon. Some facilities may have 50 or fewer employees but are owned by a company that as a whole employs more than 50 staff.

TABLE 3: Number of small and large businesses affected

Permit Type	Number of Small Businesses	Number of Large Businesses	Unknown Number of Employees	Total Number of Facilities Per Permit Type
	Under 50 Employees	Over 50 Employees		
Air Contaminant Discharge Permit	337	501	1*	839
Title V Operating Permit	10	91	0	101
Total Per Size:	346	589	5	940
*Business not yet in operation as of June 7, 2013				
<i>Resource:</i> DEQ TRAACS Database				

It is important to note that this proposal has the potential to affect large and small businesses that emit NO₂, SO₂ and Pb similarly. This is because the size of a business may not correlate well with the emission rates associated with its activities. Emission rates are what trigger additional costs associated with PSD modeling, rather than the number of employees a business has on staff. For existing permitted industrial sources (large and small), air quality analysis modeling and other requirements are only triggered if that facility proposes to expand their operations in such a manner as to cause a significant increase of a criteria air pollutant.

Impact on large businesses (all businesses that are not small businesses below)

Major new or modified sources such as natural gas electrical generating facilities and data storage and processing server farm centers with multiple back-up diesel generators may need to conduct a PSD analysis to determine whether they exceed the new 1-hour primary NO₂ and SO₂ standards, and under some circumstances may need to purchase monitoring equipment necessary to demonstrate compliance with the NAAQS. Existing facilities undergoing PSD that are currently subject to NO₂ or SO₂ monitoring requirements may be able to use their existing monitoring equipment to demonstrate compliance with any new air quality analysis modeling requirements. Monitoring costs associated with newly constructed sources are dependent on the applicable requirements associated with the facility design. DEQ will work with new sources to determine the monitoring needs of a proposed facility.

Impact on small businesses (those with 50 or fewer employees) ORS 183.336

in 2014. Monitors used for measuring ambient levels of NO₂ against the 1-hour standard range on average from \$6,000-\$13,000. EPA is providing funding to install the roadway site and purchase monitoring equipment. ODEQ will monitor for NO₂ at this site using funds reallocated from the SE Lafayette monitor, as approved by the EPA in the 2012 monitoring network plan.

Monitoring – SO₂

EPA is in the process of developing national guidance for modeling and monitoring of SO₂ for comparison against the primary 1-hour SO₂ NAAQS, and DEQ will need to re-visit Oregon's compliance status once EPA's requirements are finalized. Pending final EPA national guidance or rule, DEQ may need to purchase monitoring equipment to measure ambient air concentrations of SO₂ to determine compliance with the 1-hour SO₂ NAAQS.

Monitoring - Pb

Historically, DEQ's air monitoring program has been focused on measuring ambient lead levels near industrial sources. To date all results show levels well below the NAAQS. DEQ is currently monitoring for lead in North Portland and the Hillsboro elementary school as part of the toxics monitoring program. Ambient lead levels near small airports is an emerging issue and states are awaiting the conclusion of new EPA monitoring research and guidance in 2014 to explore this area further.

Modeling for compliance with 1-hour NO₂ and SO₂ NAAQS

As a result of adopting the new 1-hour primary standard for NO₂ and SO₂, DEQ may be required to conduct a review of modeling submittals for sources that are required to undergo PSD analysis. It is unknown at this time the number of sources that may require a review of PSD modeling submittals by DEQ triggered by the 1-hour primary standards.

Future Rulemaking for final EPA SILs

If approved by the EQC, this proposal will adopt interim Significant Impact Levels (SILs) into Oregon rule for the primary 1-hour NO₂ and SO₂ standards, as provided in current EPA Guidance. When final SILs have been promulgated by EPA, DEQ will need to conduct a future rulemaking to align DEQ rules with the final federal 1-hour Significant Impact Levels.

As proposed, this rulemaking will retain the annual and 24-hour SO₂ ambient air quality standards currently in Oregon Administrative Rules until one year after EPA develops sulfur dioxide area designations for Oregon. At that point, DEQ will repeal the existing annual and 24-hour SO₂ ambient air quality standards, leaving the primary 1-hour and secondary 3-hour standards for SO₂ in Oregon rule.

Impact on other government entities other than DEQ

DEQ issues permits to state, federal and local government agencies in Oregon that engage in activities which emit regulated air pollutants in quantities for which air quality permits are required. Listed below are examples of local and state agencies that may be impacted by adoption of the proposed rule amendments.

- a. Local governments: The proposed rule amendments could have implications for Metro's regional transportation planning efforts as they pertain to the 1-hour NO₂ NAAQS with respect to near-roadway vehicle exhaust. DEQ will begin air quality

Relationship to federal requirements

DEQ determined this rule proposal is "in addition to federal requirements" as required under ORS 468A.327(1)(a) and OAR 340-011-0029(1)(a). This proposal would adopt the current National Ambient Air Quality Standards for SO₂, NO₂, and Lead into Oregon Administrative Rule, as well as 1-hour Significant Impact Levels for NO₂ and SO₂, making them part of the Oregon Clean Air Act State Implementation Plan (SIP).

Comment [ADG1]: I don't think this rulemaking is "in addition to federal requirements." I think it makes our rules equal to federal requirements.

The proposed rules incorporate the following federal regulations:

- 40 CFR Section 50.4, National primary ambient air quality standards for sulfur oxides (sulfur dioxide).
- 40 CFR Section 50.11, National primary and secondary ambient air quality standards for oxides of nitrogen (with nitrogen dioxide as the indicator).
- 40 CFR Section 50.16 National primary and secondary ambient air quality standards for lead.
- 40 CFR Section 50.17 National primary ambient air quality standards for sulfur oxides (sulfur dioxide).

The proposed rules incorporate the federal regulations above with the following modifications to the federal rule language:

- The units of the NO₂ and SO₂ primary 1-hour standards have been converted from parts per billion ("ppb") to parts per million ("ppm") for consistency with the ambient air quality standards found in Oregon Administrative Rule chapter 340, division 202.
- The federal rule language in 40 CFR incorporated into this rule included internal references to other parts of the Code of Federal Regulations. In places where this occurred, the rule amendments proposed herein were modified to provide external references to the CFR, as appropriate.

Comment [ADG2]: I think these changes are too small and technical to call this "in addition to." I would delete this paragraph and just say it is equal.

What alternatives did DEQ consider if any?

DEQ must adopt the proposed rule amendments to enable DEQ's implementation of the NAAQS for NO₂, SO₂ and Lead and to allow the EPA to approve the proposed amendments as revisions to the Oregon SIP. Because the proposed rule amendments are necessary to update infrastructure elements of the Oregon SIP to incorporate the revised NAAQS for NO₂, SO₂ and Pb in order to comply with the requirements of the Clean Air Act, DEQ has not considered other options for this proposal.

Land use

"It is the Commission's policy to coordinate the Department's programs, rules and actions that affect land use with local acknowledged plans to the fullest degree possible."

ORS 197.180, OAR 660-030

Land-use considerations

DEQ shares general rulemaking information with EQC through the annual DEQ Rulemaking Plan review and monthly status report. DEQ did not present additional information specific to this proposed rule revision beyond the annual rulemaking plan and the monthly rulemaking report.

Public notice

The August 2013 *Oregon Bulletin* will publish the Notice of Proposed Rulemaking with Hearing DEQ also:

- Posted notice on DEQ's webpage
<http://www.deq.state.or.us/regulations/proposedrules.htm> on July 15, 2013.
- E-mailed notice on July 15, 2013 to:
 - Approximately 6,300 interested parties through GovDelivery.
 - 266 stakeholders through GovDelivery using DEQ's TRAACS TV and Standard ACDP database query.
 - Two additional interested parties not subscribed to GovDelivery.
 - The following key legislators required under ORS 183.335:
 - Senator Jackie Dingfelder, Chair, Senate Committee on the Environment and Natural Resources.
 - Representative Jules Bailey, Chair, House Energy and Environment Committee.
- Mailed the notice by U.S. Postal Service to 16 stakeholders using DEQ's TRAACS TV and Standard ACDP database query on July 15, 2013.
- Sent notice to EPA on July 1, 2013.
- Published notice in The Oregonian July 15, 2013

Comment [AC3]: Update! There are three gov Delivery lists:
Rulemaking (5,586),
Air Quality Permits (2,196),
Title V Permit Program (1,975)
About 6,300 total subscribers when we remove
duplicates from these categories

Public hearings

DEQ plans to hold one public hearing. The table below includes information about how to participate in the public hearing.

Before taking public comment and according to Oregon Administrative Rule 137-001-0030, staff presenter will summarize the content of the notice given under Oregon Revised Statute 183.335 and respond to any questions about the rulemaking.

DEQ will add the names, addresses and affiliations of all hearing attendees to the interested parties list for this rule if provided on a registration form or the attendee list. DEQ will consider all oral and written comments received at the hearings listed below before finalizing the proposed rules. All comments will be summarized and DEQ will respond to comments on the Environmental Quality Commission staff report.

CAPP Carrie Ann

From: Garrahan Paul [Paul.Garrahan@doj.state.or.us]
Sent: Monday, July 15, 2013 12:31 PM
To: CAPP Carrie Ann
Subject: RE: RM-InfrBndl - FINAL DRAFT REVIEW

Carrie Ann: Based on my review of the proposed rule packet last week, and your explanation below regarding how you addressed my two outstanding comments, I approve the final rule packet for the NO2, SO2 and Pb Infrastructure SIP adoption.

Paul Garrahan
Assistant Attorney-in-Charge, Natural Resources Section
Oregon Department of Justice
971-673-1943 (Portland Office; T, Th & F)
503-947-4593 (Salem Office; M & W)

From: CAPP Carrie Ann [mailto:CAPP.Carrieann@deq.state.or.us]
Sent: Friday, July 12, 2013 9:39 AM
To: Garrahan Paul
Subject: RE: RM-InfrBndl - FINAL DRAFT REVIEW

Hi Paul,

Just a follow-up to let you know what was done with the final version of the notice and rules.

- The second (duplicative) copy of OAR 340-200-0020 Table 1 was deleted from the redlines, no changes made to OAR 340-202-0210 Table 1 (will likely be revised in a future rulemaking)
- The 10-hr SO2 and NO2 SILs were changed to 8.0 (this value is a conversion from µg/m3 to be consistent with other values in Table 1)

Thank you for all of your help in reviewing this rule package.

Respectfully,
CarrieAnn

Carrie Ann Capp
Natural Resource Specialist
Air Quality, Planning Section
Oregon Department of Environmental Quality, Headquarters

Leading by example
Empowering, emboldening
Accountability
Dynamic
Excellence
Reasoned, reflective
Strategic
Honor
Integrity
Purposeful

CAPP Carrie Ann

From: COLLIER David
Sent: Monday, July 15, 2013 11:20 AM
To: CAPP Carrie Ann; PAPISH Uri
Cc: NORDBERG Dave
Subject: RE: Evidence of approvals - due 1pm today

I approve.

Thanks
D

From: CAPP Carrie Ann
Sent: Monday, July 15, 2013 11:11 AM
To: PAPISH Uri
Cc: COLLIER David
Subject: RE: Evidence of approvals - due 1pm today
Importance: High

Uri and David,

Per Andrea's request, please send me an email approving the final Infrastructure SIP rulemaking packet for the record. I will cover the rest.

Thanks, CarrieAnn

Carrie Ann Capp
Natural Resource Specialist
Air Quality, Planning Section
Oregon Department of Environmental Quality, Headquarters

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From: CURTIS Andrea
Sent: Monday, July 15, 2013 11:06 AM
To: CAPP Carrie Ann; NORDBERG Dave
Cc: COLLIER David
Subject: Evidence of approvals - due 1pm today

Dave and Carrie Ann,

CAPP Carrie Ann

From: PAPISH Uri
Sent: Monday, July 15, 2013 11:50 AM
To: CAPP Carrie Ann; CURTIS Andrea
Cc: COLLIER David
Subject: RE: Evidence of approvals - due 1pm today

As the acting DA for Andy last week I reviewed rule materials and I'm ok with the SIP rulemaking going out.

Uri

From: CAPP Carrie Ann
Sent: Monday, July 15, 2013 11:11 AM
To: PAPISH Uri
Cc: COLLIER David
Subject: RE: Evidence of approvals - due 1pm today
Importance: High

Uri and David,

Per Andrea's request, please send me an email approving the final Infrastructure SIP rulemaking packet for the record. I will cover the rest.

Thanks, CarrieAnn

Carrie Ann Capp
Natural Resource Specialist
Air Quality, Planning Section
Oregon Department of Environmental Quality, Headquarters

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From: CURTIS Andrea
Sent: Monday, July 15, 2013 11:06 AM
To: CAPP Carrie Ann; NORDBERG Dave
Cc: COLLIER David
Subject: Evidence of approvals - due 1pm today

Dave and Carrie Ann,