**WHAY THIS IS IMPORTANT**

Updates to the Oregon State Implementation Plan are needed to ensure that Oregon has the appropriate rules, technical documentation and agreements in place to implement the federal Clean Air Act. The proposed rule revisions update Oregon’s infrastructure State Implementation Plan allowing for EPA approval.

**DEQ RECOMMENDATION AND EQC MOTION**

Adopt the proposed PERMANENT rules in Attachment A as part of chapter 340 of the Oregon Administrative Rules. Approve incorporating these rule amendments into the Oregon Clean Air Act State Implementation Plan under OAR 340-200-0040. AND authorize DEQ to submit them to the U.S. Environmental Protection Agency as revisions to the Oregon State Implementation Plan.

**BACKGROUND AND NEED FOR RUELMAKING**

Sections 110(a)(1) and (2) of the federal Clean Air Act requires states to submit changes to state implementation plan infrastructure elements to EPA for approval. A state implementation plan is a state plan for implementing portions of the Clean Air Act, and consists of narrative, rules, technical documentation and agreements. States maintain and periodically update their plans to incorporate new requirements, and EPA must approve each revision.

…………………….

The rules changes herein are divided into three sections for ease of reading, but are being submitted as one rulemaking. Because the crosswalks for each pollutant cover the same elements in the CAA (XXX-XXX), some redundancies occur in the formatting.

**EFFECT OF RULE**

This proposed rulemaking would update several rules as necessary to meet requirements of the federal Clean Air Act for Oregon’s state implementation plan infrastructure. These revisions include:

* Amend OAR 340-202-0100to reflect federal changes to National Ambient Air Quality Standards for Nitrogen Dioxide, adopted by the U.S. EPA February 9, 2010.
* Amend OAR 340-202-0070 to reflect federal changes to National Ambient Air Quality Standards for Sulfur Dioxide, adopted by the U.S. EPA June 22, 2010.
* Amend OAR 340-202-0130 to reflect federal changes to National Ambient Air Quality Standards for Lead, adopted by the U.S. EPA November 12, 2008.
* Adoption of crosswalk documents for Nitrogen Dioxide, Sulfur Dioxide and Lead into the state of Oregon Infrastructure State Implementation Plan. The crosswalks document the correlation between the Oregon Administrative Rules and corresponding Oregon Revised Statutes that authorize DEQ to implement federal Clean Air Act requirements.
* INTERSTATE TRANSPORT????

**COMMISSION AUTHORITY**

The commission has the authority to take this action under ORA 468.020, ORS 468A.025, and ORS468A.035

**STAKEHOLDER INVOLVEMENT**

???? Stakeholders were given the opportunity to provide input during the public hearing and comment period. Their comments are attached.

**PUBLIC COMMENT**

DEQ held a public comment period XXX 2013 to XXX 2013

**KEY ISSUES**

Updates to Oregon Administrative Rule are needed to assure that DEQ has the necessary authority to enforce the National Ambient Air Quality Standards in Oregon via the Oregon State Implementation Plan.

Interstate transport. The Oregon State Implementation Plan must include an assessment of the extent to which Oregon emission cause or contribute to violations of Natoinal Ambient Air Quality Standards in neighboring states. DEQ’s report, seen in attachment XXXX……

**NEXT STEPS**

If adopted, these proposed rules will be filed with the Secretary of State and submitted to the EPA for review and approval. The proposed rule changes will become effective in Oregon upon EQC approval. The state implementation plan will be officially revised when EPA published its approval in the Federal Register.

**ATTACHMENTS**

**ATTACHMENT A: 2010 NAAQS Nitrogen Dioxide SIP SUBMITTAL COMPLETENESS CRITERIA CHECKLIST**

**ATTACHMENT B: 2010 NAAQS Sulfur Dioxide SIP SUBMITTAL COMPLETENESS CRITERIA CHECKLIST**

**ATTACHMENT C: 2008 NAAQS Lead SIP SUBMITTAL COMPLETENESS CRITERIA CHECKLIST**

**AVAILABLE UPON REQUEST**