**Rulemaking Timelines:**

* Notice of Proposed Rulemaking to Sec. of State: Feb. 15
	+ Includes: draft fiscal, proposed rules, announcement, other rulemaking documents
	+ Will have one public hearing in Portland around Mar. 19
* Public Comment Period: Mar. 1 – April 1
* EQC Adoption: June 19-20
* Submit to EPA for approval: July 31

**Fiscal Notes:**

* Submitted as part of the proposed rule package to the Secretary of State
* Developed to inform DEQ, the public, and EQC of the potential economic impacts of specific proposed rules
* Describes all direct and indirect economic impacts to DEQ and other state agencies, regulated community, the general public, local governments, and small and large businesses
* In considering economic effects, the agency shall utilize available information to project any significant economic effect of that action
* Need to assess impact to small businesses: "Small business" means a corporation, partnership, sole proprietorship or other legal entity formed for the purpose of making a profit, which is independently owned and operated from all other businesses and which has 50 or fewer employees (per 183.310(10)).
	+ Toxics Reps: AOI, Oregonians for Food and Shelter, OR Farm Bureau
	+ NPS Reps: AOI, Oregonians for Food and Shelter, OR Farm Bureau, OR Forest Industries Council, and OR Small Woodlands Association
* The fiscal impact analyzes costs based on proposed rule changes—not on existing rules/criteria

**DEQ Analysis of Fiscal Impacts:**

* Generally, DEQ does not anticipate any significant fiscal impacts related to the proposed changes for toxics to the general public, small or large businesses, local governments/cities, or to DEQ
* DEQ is not proposing new criteria—only correcting criteria (e.g. Se FW chronic); reinstating criteria inadvertently removed from Table 33B (FW As and SW Cr VI); or providing clarifying footnotes/intro table lang. (e.g. pesticides)
	+ Other criteria (not in red) are the regulatory consequences of anticipated EPA approval and disapproval actions. For criteria disapproved, criteria revert back to last EPA approved criteria (Table 20), if exists. Therefore, these are not part of the proposed rule changes.
	+ Any new or revised criteria were assessed for fiscal impacts back in 2004
* Regulated businesses, including municipalities, and DEQ will need to do some minor recordkeeping to update records to correctly reference currently effective criteria
* DEQ anticipates that the proposed changes to the rules will benefit the regulated community by consolidating 3 tox tables into 1. Also, it will likely benefit the regulated community and DEQ by promptly responding to EPA’s disapproval action. According to the CFR’s, if the state does not adopt the changes specified by EPA R10 within 90 days of the disapproval, EPA must “promptly propose and promulgate” the standard.  Therefore, if we do not act, the risks are that EPA promulgates for us, or if they do not, that they are challenged for not doing so (“promptly” is not well defined). Although DEQ is not responding to all EPA disapproval actions…