Email to Legislators to be sent by Andrea on Monday, Dec. 16, 2013, including:

**Senate Environment and Natural Resources**

Senator Michael Dembrow, Chair, [Sen.MichaelDembrow@state.or.us](mailto:Sen.MichaelDembrow@state.or.us)

<http://www.leg.state.or.us/senate/>

**House Energy and Environment**Jules Bailey, Chair, Rep.JulesBailey@state.or.us

<http://www.leg.state.or.us/house/>

**Subject: DEQ proposes to incorporate Lane Regional Air Protection Agency rules into the State Implementation Plan**

Dear Senator Dembrow,

Dear Representative Bailey,

DEQ is proposing a rulemaking to incorporate LRAPA rules into the Oregon State Implementation Plan. This includes LRAPA rules for open burning, permit streamlining, New Source Review and Prevention of Significant Deterioration requirements for PM2.5 and greenhouse gases, and national emission standards for hazardous air pollutants. The LRAPA rules were adopted by the LRAPA Board of Directors several years ago and have been in effect in Lane County since their adoption.

Typically, DEQ submits LRAPA rules to the Environmental Quality Commission for incorporation into the State Implementation Plan upon adoption by the LRAPA Board. However, in this case, DEQ determined that the public notice process held jointly by DEQ and LRAPA several years ago did not meet requirements for State Implementation Plan rules, which are above and beyond requirements for normal rulemaking. Performing rulemaking is resource intensive and DEQ was unable to perform the additional public notice requirements until now.

DEQ will hold a 30-day public comment period to incorporate relevant portions of the LRAPA rules as a modification to the Oregon State Implementation Plan in OAR 340-200-0040. DEQ has authorized LRAPA to act as hearings officer on behalf of EQC for public comment. DEQ plans to bring its rulemaking to the EQC for consideration in March 2014.

There are three rulemaking packages. The rulemaking announcement and documents will be posted on the Internet as follows:

* [Open burning](http://www.oregon.gov/deq/RulesandRegulations/Pages/2013/LRAPAOB.aspx)
* [Permit streamlining](http://www.oregon.gov/deq/RulesandRegulations/Pages/2013/LRAPAPS.aspx)
* [Requirements for NSR, PSD and NESHAPs](http://www.oregon.gov/deq/RulesandRegulations/Pages/2013/LRAPAFED.aspx)

The public comment period on the proposal runs through January 27, 2014. Please let me know if you have any questions.

Sincerely,

**Andrea Gartenbaum**

Air Quality Division - Rules Coordinator

Oregon Department of Environmental Quality

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