



Considerations

Workbook Summary

Enter caption on 2Basics cell F2

Enter program name on 4Program worksheet - row 4 - quality

Brief description of rule proposal

Description entered on the 2Basics worksheet- row 5

Worksheets

		Do nothing severity rating	Risk rating low → high
1	Warm up		
2	Basics		
3	Stakeholders		
4	Program	<input checked="" type="radio"/>	
5	Environmental	<input checked="" type="radio"/>	
6	Timing		
7	Financial	<input checked="" type="radio"/>	
8	Legal	<input checked="" type="radio"/>	
9	Technical		
10	Policy		
11	Political		
12	Implementation		

Schedule

 legislative session

2013				2014				2015			
Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
<Start Effective>											
<AdvCom>											
<Notice>											
EQC											



Environmental

The proposed rules have no direct correlation to the environment.

The proposed rules involve

Compliance	<input checked="" type="radio"/> not involved
Penalties	<input checked="" type="radio"/> not involved
Permits, certifications	<input checked="" type="radio"/> not involved
Fees	<input checked="" type="radio"/> not involved
State Implementation Plan	<input checked="" type="radio"/> not involved
Land use rules	<input checked="" type="radio"/> not involved

Ideal

What we want to happen.

Ideal entered on 2Basics
worksheet- row 22

Reality

What we are trying to change.

Ideal entered on 2Basics
worksheet- row 25

Consequences

What will happen if we don't change.

Consequences entered on 2Basics
worksheet- row 28

Alternatives considered

Alternatives entered on 2Basics
worksheet - row 31

Research/data needed

Research/data needs entered on
2Basics worksheet - row 34







Models

Models that could be leveraged entered
on 2Basics worksheet - row 37

Public involvement

There is no expressed interest in
this proposal at this time. DEQ does
not plan to appoint an advisory
committee. We plan to ask the
committee to provide advice.

Affected parties

Business	 not affected
Manufacturing	 not affected
City/county/state	 not affected
Individuals	 not affected
Custom entry	 not affected
Custom entry	 not affected

Friday, September 07, 20



1 Warmed up

Action	Object	Driver

Optional discussion

Process improvement

Friday, September 07, 2012

2 Basics Enter caption on 2Basics cell F2

Enter caption on 2Basics cell F2

Brief description of rule proposal

Description entered on the 2Basics worksheet- row 5

Rulemaking type	permanent
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Chapter 340 divisions

Strengths/weaknesses going into rulemaking

The proposed rule...	option	Riskometer
Had prior public input	does not apply	6
Is backed by science	does not apply	6
Is backed by data	does not apply	6
Supports sustainability	does not apply	6
Supports strategic directions	does not apply	6
Furthers DEQ priorities	does not apply	6
Would make DEQ's work easier	does not apply	6
Would reduce DEQ costs	does not apply	6
	Risk average	6

Ideal - What do we envision?

Short Ideal entered on 2Basics worksheet- row 22

Long	blank
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Reality - What are we trying to change?

Short Ideal entered on 2Basics worksheet- row 25

Long	blank
------	-------

Consequences - What will happen if we do nothing?

Short Consequences entered on 2Basics worksheet- row 28

Long	blank
------	-------

Alternatives to rulemaking already considered or to explore

Short Alternatives entered on 2Basics worksheet - row 31

Long	blank
------	-------

Research or data needed to develop proposal

Short Research/data needs entered on 2Basics worksheet - row 34

Long	blank
------	-------

Models that could be leveraged for this proposal

Short

Models that could be leveraged entered on 2Basics worksheet - row 37

Long

blank

Land Use/SIP

Land use rules

State Implementation Plan

Out of the scope for this proposal

Topic	Reasoning

Compliance, penalties, permits, certifications, registrations and licensing

	Extent that proposal addresses listed items				
	n/a	Reduced	Involved	New	Expanded
Compliance	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>
Penalties	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>
Does not apply					
	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>
	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>
	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>
	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>
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	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>
Enter custom item here	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>
Enter custom item here	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>
Enter custom item here	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>	<div><div></div></div>

Reminders









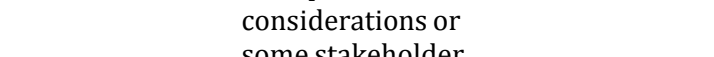
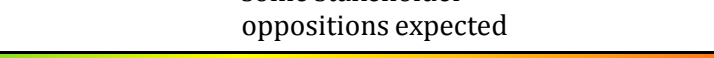




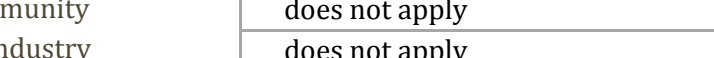
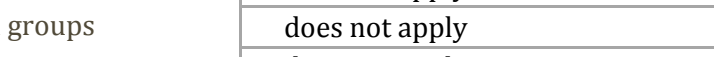
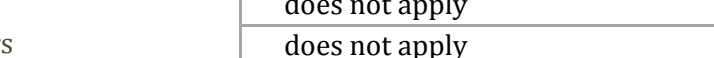
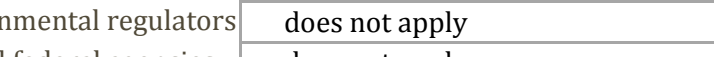
Process improvement

3 Stakeholders and public involvement

Enter caption on 2Basics cell F2

"The Legislative Assembly finds and declares that it is the policy of this state that whenever possible the public be involved in the development of public policy by agencies and in the drafting of rules. The Legislative Assembly encourages agencies to seek public input to the maximum extent possible before giving notice of intent to adopt a rule. The agency may appoint an advisory committee that will represent the interests of persons likely to be affected by the rule, or use any other means of obtaining public views that will assist the agency in drafting the rule." ORS 183.333

Affected parties

	Not involved	Involved	Previously unregulated	Number affected		
				10s	100s	1,000s
Business						
Manufacturing						
City/county/state						
Individuals						
Custom entry						
Custom entry						

Stakeholder complexity

Straight forward stakeholder considerations or no opposition expected

Multiple stakeholder considerations or some stakeholder oppositions expected

Complex stakeholder considerations or significant opposition expected



External stakeholder interest

Selecting an interest level indicates the group to the left is a stakeholder.

Group

Regulated community
Business and industry
Environmental groups
Public
State legislators
Federal environmental regulators
Other state and federal agencies
Local governments
Tribal nations

Interest

does not apply
does not apply
does not apply
does not apply
does not apply
does not apply
does not apply
does not apply
does not apply

Riskometer

6 7 8 9
6 7 8 9
6 7 8 9
6 7 8 9
6 7 8 9
6 7 8 9
6 7 8 9
6 7 8 9
6 7 8 9

Custom entry

does not apply

6 7 8 9

Custom entry

does not apply

6 7 8 9

Interest average

6 7 8 9

Optional stakeholder information

Advisory committee appointment



No advisory committee



Use a standing committee



Reconvene a committee



Convene a new committee

Type of committee (check all that apply)



Fiscal



Scientific



Policy



Rule language



Technical



Legally required



Implementation



Custom entry

No. of meetings

0

Describe appointment strategy

Describe how DEQ will use their input

Information meetings/hearings during public notice

Information meetings/hearings



Portland area



Regional

No. of meetings

0

Public notice



No public notice



Public notice, no hearing



Public notice with hearing



Re-notice

Optional hearing information

Reminders

Process improvement

September 7, 2012

4 Program

Enter caption on 2Basics cell F2

Program name

Enter program name on 4Program worksheet - row 4

Media

Program consequences of doing nothing

Severity

does not apply

6

- ☐ Loss of delegation
- ☐ Failure to keep commitment
- ☐ Failure to respond to legislature
- ☐ Increased difficulty doing business
- ☐ Unclear administrative rules
- ☐ Loss of reputation
- ☐ Enter custom consequences here
- ☐ Enter custom consequences here



Subject program considerations

Other DEQ program considerations

Dependencies

Not dependent on
success of other
projects/programs or
no legislation

Some dependence on
success of other
projects/programs or
legislation required

Fully dependent on
success of other
projects/programs or
potentially controversial
legislation needed

☒ Low



☐ Medium



☐ High

Optional dependency information

Include program
considerations in:

Committee charter
Message map
Proposal

Complexity

does not apply

6

Reminders

Process Improvement

Friday, September 07, 2012

5 Environmental

Enter caption on 2Basics cell F2

The proposed rules have no direct correlation to the environment.

The team does not need to complete this worksheet.

Environmental consequences of doing nothing

Severity

does not apply

6

- ☐ Science does not apply to Oregon
- ☐ Delay in public health protection
- ☐ Adverse effect on vulnerable populations
- ☐ Adverse effect on environmental justice communities
- ☐ Enter custom environmental consequence here
- ☐ Enter custom environmental consequence here

Describe environmental considerations

Environmental reach

Select the most expansive environmental reach of this proposed rule.

Local

Regional OR

Statewide

Regional US

National

Beyond



Links

2011-2015 EPA Strategic Plan

The proposed rules align with actions in the EPA Strategic Plan:

- ☐ Taking Action on Climate Change/Improving AQ
- ☐ Protecting America's Waters
- ☐ Ensuring Safety of Chemicals/Preventing Pollution
- ☐ Enforcing Environmental Laws
- ☐ Cleaning Up Communities/Advancing Sustainable Development

the Natural Step

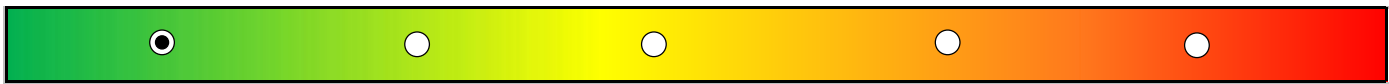
The proposed rules support the elimination of Oregon's contribution to:

- ☐ The progressive buildup of substances extracted from the Earth's crust (for example, heavy metals and fossil fuels)
- ☐

- ☐ The progressive buildup of chemicals and compounds produced by society (for example, dioxins, PCBs, and DDT)
- ☐ The progressive physical degradation and destruction of nature and natural processes (for example, over harvesting forests and paving over critical wildlife habitat)
- ☐ Conditions that undermine people's capacity to meet their basic human needs (for example, unsafe working conditions and not enough pay to live on)

Environmental data

<p>No new data; Leverage existing data or methods; No accuracy, applicability or reliability uncertainties; Easy to explain in common language</p>	<p>Some uncertainty about leveraging existing data, it's accuracy or applicability; Data or methods need translating into common language; Potential for stakeholder mistrust</p>	<p>Original or unique data; Potential sources of error; Challenging translation to common language; High probability for</p>
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Include environmental consideration in:

Committee charter ☐

Message map ☐

Proposal ☐

Complexity

does not apply

6

Reminders

Process Improvement

Friday, September 07, 2012

6 Timing

Enter caption on 2Basics cell F2

Rational for developing proposal now - drivers



Consider any challenges to the rulemaking for each activity below that may occurs during a legislative session (Q1 of even years, Q1 and Q2 of odd years.)

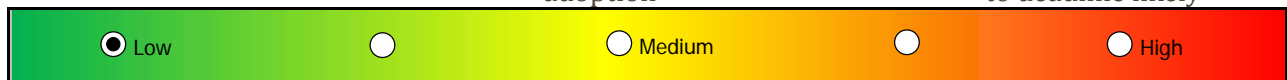
	START		END		
	Year	Qtr	Year	Qtr	
Start	2013	1			
Advisory committee	2013	1	2013	1	not involved
Rulemaking notice	2013	1	2013	1	not involved
EQC Action	2013	1			
Effective	2013	2			

Timing challenges

No challenge in meeting rule adoption

Compressed or extended timeframe for rule adoption

Difficult schedule, no contingencies allowed, uncontrolled changes to deadline likely



Include timing rational above in:

Committee charter

Message map

Proposal

Complexity

does not apply

6

Reminders

Process Improvement

Friday, September 07, 2012

Funding source

Rulemaking	
Implementation	

Financial consequences of doing nothing

Severity	does not apply
	6

- ☐ Loss of program funding
- ☐ Failure to address costs
- ☐ Loss of federal funding
- ☐ Insufficient funding
- ☐ Failure to address undue burden
- ☐ Enter custom financial consequence here
- ☐ Enter custom financial consequence here

Optional notes

Fees

Action		DAS Fee Approval
<input type="checkbox"/> Establish new fees	<input checked="" type="radio"/>	Does not apply
<input type="checkbox"/> Increase existing fees	<input type="radio"/>	Exempt under ORS 291.55(2)(d)
<input type="checkbox"/> Decrease existing fees	<input type="radio"/>	Exempt under ORS 291.55(2)(m)

Authority to adopt, amend or repeal fees:	ORS
---	-----

Fiscal impact on:

- Regulated community
- Small business (50 emp or less)
- Business and industry
- Local governments
- Other state or federal agencies
- Public
- DEQ
- Program -Air Quality
- Custom entry
- Custom entry

Impact	Riskometer
no fiscal impacts	6
no fiscal impacts	6
no fiscal impacts	6
no fiscal impacts	6
no fiscal impacts	6
no fiscal impacts	6
no fiscal impacts	6
no fiscal impacts	6
no fiscal impacts	6
no fiscal impacts	6
Fiscal impact average	6

Optional fiscal discussion

Invoicing system

- | | | |
|--|---|--|
| <input type="checkbox"/> Develop new | <input type="checkbox"/> CHRIS | <input type="checkbox"/> TRAACS |
| <input type="checkbox"/> Access database | <input type="checkbox"/> HazWaste Invoicing | <input type="checkbox"/> UST Invoice.new |
| <input type="checkbox"/> Access template | <input type="checkbox"/> SWIFT | <input type="checkbox"/> WQSIS |
| <input type="checkbox"/> Custom entry | <input type="checkbox"/> Custom entry | <input type="checkbox"/> Custom entry |

Description

Include description above in:

Committee charter	<input type="checkbox"/>
Message map	<input type="checkbox"/>
Proposal	<input type="checkbox"/>

Complexity

does not apply

6

Reminders

Process improvement

Friday, September 07, 2012

8 Legal

Enter caption on 2Basics cell F2

Current authority

links

links

Requirement

Dependencies

Legal consequences of doing nothing

Severity

does not apply

6

Optional notes

- ☐ Rules will not align with the law
- ☐ Risks noncompliance
- ☐ Failure to comply with Clean Water Act
- ☐ Failure to comply with Clean Air Act
- ☐ Failure to comply with Resource Conservation and Recovery Act
- ☐ Enter custom legal consequence here
- ☐ Enter custom legal consequence here

Describe legal consideration

Include description above in:

Committee charter

Message map

Proposal

Complexity

does not apply

6

Reminders

Process improvement

Describe technical considerations

Innovation

No new technology, development, methods, production or tools

New techniques but with stable application, known techniques but with new application

New or untried technology, development, methods or tools, high degree of complexity or uncertainty

●

Low

Medium

High

Infrastructure

No new infrastructure requirements

Infrastructure required, packaged software, data migration, some links to other internal or external systems

Significant infrastructure requirements, complex data migration, extensive or complex links to internal/external systems

●

Low

Medium

High

Include technical considerations below in:

Committee charter

Message map

Proposal

Complexity

does not apply

6

Reminders

Process improvement

Describe policy considerations

Policy risks

Policy is very clear, high assurance policy will be developed or no need for

Developing clear policy, some assurance clear policy will be developed

Policy lacks clarity, low assurance that clear policy will be developed

Low

Medium

High

Include policy consideraion below in:

Committee charter

Message map

Proposal

Complexity

does not apply

6

Reminders

Process improvement

11 Political

Enter caption on 2Basics cell F2

Describe political considerations

Include political consideration below in:

Committee charter

Message map

Proposal

☐☐☐

Complexity

does not apply

6

Reminders

Process improvement

Friday, September 07, 2012

Describe implementation considerations

does not apply
6

Include description below in:

Complexity

Committee charter	<input type="checkbox"/>
Message map	<input type="checkbox"/>
Proposal	<input type="checkbox"/>

Reminders

Process improvement