

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***  
A Statement of Need and Fiscal Impact accompanies this form

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Department of Environmental Quality

340

Agency and Division

Administrative Rules Chapter Number

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**RULE CAPTION**

Grants Pass Carbon Monoxide and Particulate Matter (PM10) Limited Maintenance Plans

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

| Hearing Date | Time      | Location  | Hearings Officer |
|--------------|-----------|---|------------------|
| 1-22-15      | 6:00 p.m. | Grants Pass City Council Chambers, 101 NW 'A' St, Grants Pass, OR | DEQ Staff        |

**RULEMAKING ACTION**

Secure approval of rule numbers with the Administrative Rules Unit prior to filing.

**ADOPT:**

**AMEND:**

OAR 340-200-0040

**REPEAL:**

**RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**AMEND AND RENUMBER:** Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**Statutory Authority:**

ORS 468.020 and 468A.025

**Other Authority:**

**Statutes Implemented:**

ORS 468A.025 and 468A.035

**RULE SUMMARY**

**Short summary**

DEQ proposes rules to update Oregon maintenance plans designed to protect air quality in Grants Pass for carbon monoxide (CO) and for particulate matter 10 microns and smaller (PM10) as required by federal law. Because CO and PM10 pollution levels have been very low and the area is unlikely to exceed health standards in the future, the area qualifies and DEQ proposes limited maintenance plans that streamline requirements and eliminate costly computer modeling requirements for transportation conformity analysis.

DEQ proposes the Oregon Environmental Quality Commission approve the proposed rules for incorporation into the Oregon Clean Air Act State Implementation Plan and submittal to the U. S. Environmental Protection Agency for its approval under the federal Clean Air Act.

**Brief history**

Under the Clean Air Act, EPA sets air quality standards to protect public health for six common air pollutants. EPA established the CO standard at 35 parts per million for a 1-hour average and at 9 parts per million for an 8-hour average. EPA established the PM10 standard at 150 micrograms per cubic meter for a 24-hour average and at 50 micrograms per cubic meter for an annual average. The Clean Air Act requires communities that exceed these health standards to adopt plans to achieve and maintain good air quality.

In addition to the PM10 standard, EPA adopted the PM2.5 standard in 1997, for smaller or fine particulate matter 2.5 microns in size or less, since the smaller inhalable particles have been found to pose a greater health risk. Grants Pass has never violated the PM2.5 standard.

In the mid to late 1980s, Grants Pass exceeded the 8-hour CO standard and the 24-hour PM10 standard. The area was designated as a

nonattainment area for CO in 1985 and for PM10 in 1990. In response, EQC adopted attainment plans with CO and PM10 control measures to reduce pollution levels within the urban growth boundary to meet the federal standards. This resulted in significant improvement in air quality and Grants Pass was reclassified to attainment for CO in 2000 and PM10 in 2002. EQC adopted the first maintenance plans for Grants Pass at that time.

EPA requires Oregon to establish second maintenance plans for the Grants Pass area to ensure compliance with the standards through 2025. EPA provides an option for states to adopt simplified plans, called limited maintenance plans, for low-risk areas like Grants Pass. Over the last 25 years, Grants Pass's CO and PM10 levels have steadily declined and the area is unlikely to exceed these standards again.

Regulated parties

The proposed rules affect the Middle Rogue Metropolitan Planning Organization. The proposed amendment of OAR 340-200-0040 to incorporate the limited maintenance plans into State of Oregon Clean Air Act Implementation Plan does not change the regulated parties.

The Agency requests public comment on whether other options should be considered for achieving the rule’s substantive goals while reducing negative economic impact of the rule on business.

|   |                        |                             |
|---|------------------------|-----------------------------|
| 01-26-2015 5:00 p.m.                            | Meyer Goldstein        | meyer.goldstein@state.or.us |
| Last Day (m/d/yyyy) and Time for public comment | Rules Coordinator Name | Email Address               |

\*The Oregon Bulletin is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation.