

From: [COLLIER David](#)
To: [GARTENBAUM Andrea](#)
Cc: [EMER Lydia](#); [VANDEHEY Maggie](#)
Subject: RE: RM-GPLMP Agreement to resource rulemaking
Date: Friday, June 20, 2014 10:23:47 AM

Thanks Andrea

I agree with the priority placement of the Grants Pass Limited Maintenance rulemaking. Also as we discussed, I'd like to keep the Regional Haze plan update rulemaking on track for a March 2015 EQC adoption.

Do rules that have been adopted by the EQC (like smoke management and Clean Fuels Phase-1 were yesterday) stay on the priority list until the secretary of state filing is completed, and then drop off?

From: GARTENBAUM Andrea
Sent: Friday, June 20, 2014 9:51 AM
To: COLLIER David
Cc: EMER Lydia; VANDEHEY Maggie
Subject: RM-GPLMP Agreement to resource rulemaking

David,

Like we talked about, please reply with your agreement to resource the rulemaking Grants Pass Limited Maintenance Plans for CO and PM10. Contingent on Dick adding it to the agency [plan](#), I agree to take on this rulemaking as Rules Group Lead.

We want to resource this rulemaking now because it would save Grants Pass at least \$30K and considerable staff time by removing their requirement to conduct conformity analysis. Also, the Clean Air Act requires we update their limited maintenance plans for these pollutants.

The attachments show rulemakings *In Progress* and *Ideas*. Those *In Progress* are prioritized and resourced with the tentative addition of Grants Pass. *Ideas* are not resourced and not on the agency plan.

Thank you,

Andrea Gartenbaum

Rules Group Lead
Operations Division
Oregon Department of Environmental Quality
503-229-5946
gartenbaum.andrea@deq.state.or.us

Rank	Division	Section	Project Name	Desired EQC Date	Tentative Content Expert (Not resourced)	Rules Group Lead (Not resourced)
1	ES	AQ Planning	Eugene Springfield Limited Maintenance Plan for CO	3/15/15	Brian Finneran	Not resourced
2	ES	AQ Planning	Regional Haze Plan	3/15/15	Brian Finneran	Not resourced
3	ES	AQ Planning	PM2.5 annual National Ambient Air Quality Standards	10/21/15	Nancy Cardwell	Not resourced
4	OPS	HW and Tanks	Hazardous Waste & Tanks Federal Rules Adoption	TBD		Not resourced
5	ES	AQ Planning	Low Emission Vehicle program - Align with California's program	12/16/15	Dave Nordberg	Not resourced
6	ES	AQ Planning	Air Toxics Benchmark and other possible air toxics program rules	12/16/15		Not resourced
7	ES	AQ Tech Services	Greenhouse gas reporting program	TBD	Colin	Not resourced
8	OPS	Community and	UIC Program - Updates	TBD	Derek Sandoz	Not resourced
9	ES	WQ Standards	Turbidity Standards	TBD	Aron Borok	Not resourced
10	ES	AQ Planning	Heat Smart woodstoves rules	12/16/15	Carrie Ann Capp	Not resourced
11	ES	AQ Planning	Klamath Falls maintenance plan for PM2.5	TBD	Rachel Sakata	Not resourced
12	ES	AQ Planning	Indirect Source permit - Eliminate CO requirements	TBD		Not resourced
12	ES	AQ Planning	Indirect Source permit - Add requirements for clean diesel	TBD		Not resourced
14	?	OPS Rulemaking	Omnibus rulemaking - 2015	TBD	Team	Not resourced

Rank	Division	Section	Project Name	EQC Date (Updated)	Content Expert	Rules Group Lead
1	ES	AQ Planning	Clean Fuels Phase 2	1/7/15	Cory Ann Wind	Maggie
2	ES	AQ Ops	Title V CPI Fee - 2014 Increase	8/27/14	Gregg Dahmen	Andrea
3	ES	AQ Planning	Grants Pass Maintenance plans for CO and PM10	1/7/15	Brian Finneran	Andrea
4	ES	AQ Planning	Clean Fuels Program Updates (Phase 1)	6/19/14	Cory Ann Wind	Andrea
5	Ops	AQ Ops	ACDP Fee Increase	6/19/14	Gregg Dahmen	Andrea
6	Ops	Surface WQ	WQ Permit Fees - 2014 Increase	8/27/14	Angela Parker	Maggie
7	OPS	WQ Standards and Assessments	WQ Standards - Ammonia	1/7/15	Andrea Matzke	Maggie Vandehey
8	Ops	AQ Ops	Permitting Program Updates	1/7/15	Jill Inahara	Andrea
8	Ops	AQ Ops	Update Oregon's air quality rules to address federal regulations	1/7/15	Jerry Ebersole	Andrea
10	ES	AQ Planning	Oregon Smoke Management Plan Review	6/19/14	Brian Finneran	Andrea
Adopted and still in progress:						
	Ops	AQ Ops	Incorporate LRAPA Rules Into SIP - Permit streamlining	3/21/14	Andrea	Andrea
	Ops	AQ Ops	Incorporate LRAPA Rules Into SIP - Permitting requirements	3/21/14	Andrea	Andrea
	Ops	AQ Ops	Incorporate LRAPA Rules Into SIP - Open burning	3/21/14	Andrea	Andrea
	Ops	AQ Ops	Diesel Grants	3/21/14	Kevin Downing	Andrea
	ES	AQ Planning	Metro Transportation Conformity Measure Substitution	12/11/13	Dave Nordberg	Andrea
	Ops	AQ Ops	Federal AQ rule updates	3/19/13	Jerry Ebersole	Andrea
	ES	AQ Planning	Infrastructure SIP for NO2, SO2 & lead	10/18/13	Carrie Ann Capp	Andrea
	Ops	AQ Ops	ACDP Fee Increase (temporary)	10/18/13	Andrea	Andrea
	Ops	AQ Ops	Diesel Grants (Temporary)	10/18/13	Kevin Downing	Andrea
	ES	AQ Planning	Clean Fuels Program Updates (temporary)	12/11/13	Cory Ann Wind	Andrea
	ES	AQ Planning	Oregon Low Emission Vehicles	12/11/13	Dave Nordberg	Andrea
	Ops	OCE	Update civil penalties rules	12/11/13	Jenny Root	Maggie
	Ops	Surface WQ	Annual WQ Fee Increase - 2013		Chris Clipper	Maggie Vandehey
	Ops	Community and Program	Clean Water SRF		Katie Foreman	Maggie Vandehey



Considerations

Workbook Summary

Grants Pass Limited Maintenance Plans for CO and PM10

State Implementation Plan - air quality

Brief description of rule proposal

Grants Pass meets the federal air quality standards for PM10 and CO. The Clean Air Act requires 10-year maintenance plans for these pollutants. This rulemaking is the second maintenance plan, which applies until 2024. A major consideration is the urgency to complete this rulemaking by the end of the year. This will remove the requirement for costly computer modeling for the transportation conformity analysis, which is not needed due to the low pollution levels in this community. This also allows the option of adopting a "limited" maintenance plan, which are simpler and easier plans to adopt for communities which have improved air quality. Both will require a State Implementation Plan revision and submittal to EPA.

Worksheets:		Do nothing severity rating	Risk rating low → high
1	Warm up		
2	Basics		
3	Stakeholders		
4	Program		
5	Environmental		
6	Timing		
7	Financial		
8	Legal		
9	Technical		
10	Policy		
11	Political		
12	Implementation		

Schedule

legislative session

2014				2015				2016			
Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
		<Start	---	Effective>							
			<Notice>								
				EQC							







Environmental

The proposed rules:

- address an environmental problem indirectly.
- have a local environmental reach.
- align with 1 action in the EPA Strategic Plan.

- do not have a selection for Natural Step support at this time.

The proposed rules involve

Compliance	 reduced
Penalties	 not involved
Permits, certifications	 not involved
Fees	 not involved
State Implementation Plan	 involved
Land use rules	 not involved

Ideal

What we want to happen.

Maintenance plans help keep CO and PM10 levels in Grants Pass below harmful levels and help prevent the community from exceeding federal health standards.

Reality

What we are trying to change.

We are updating Grants Pass's 10-year maintenance plans for CO and PM10 as required by the Clean Air Act.

Consequences

What will happen if we don't change.

If we do not update the plans, we will not be in compliance with the Clean Air Act. By adopting limited maintenance plans for the next ten years, Grants Pass local government will see significant cost savings by not having to conduct modeling associated with conformity analysis.

Alternatives considered

There are no alternatives because the updating the plans is required by Clean Air Act.

Research/data needed

We are using existing emissions inventory and monitoring data.







Models

DEQ and other states have developed similar plans that can be used as models for this rulemaking.

Public involvement

Interest in this proposal is low/medium. DEQ does not plan to appoint an advisory committee.

Affected parties

Business	 not affected
Manufacturing	 not affected
City/county/state	 affects under 100 currently regulated
Individuals	 not affected
Custom entry	 not affected
Custom entry	 not affected



Resources

Grants Pass Limited Maintenance Plans for CO and PM10

Workbook summary

1	Project record	Estimated hours	
2	Risks	Low	High
3	Core Team	599	1238
4	Advisors	89	218
5	Interested Staff and EQC	6	48
6	Other Divisions	0	0
7	Regions	0	0
8	Financial Services	0	0
9	Communications and Outreach	3	24
10	Organizational Services	0	0
11	Technical Services	40	80
12	Compliance and Enforcement	0	0
13	LEAD	0	0
14	Intergovernmental	120	250
15	Custom Participants	0	0
16	Leadership Team	14	56
Total hours		871	1,914
Intergovernmental		(120)	(250)
		751	1664
2012 DEQ avg. staff cost per hour		X \$58	X \$58
Estimated cost		\$43,558	\$96,512

Resource risks

Organizational

Low

Capability

Low

Skills and Experience

Low

Resources

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From: [HAMMOND Joni](#)
To: [*DEQ - Leadership Team](#); [CALDERA Stephanie](#)
Cc: [COLLIER David](#); [FINNERAN Brian](#); [GARTENBAUM Andrea](#); [VANDEHEY Maggie](#)
Subject: RM-GPLMP:Addition to the DEQ Rulemaking Plan Grants Pass Limited Maintenance Plans for CO and PM10
Date: Monday, June 30, 2014 7:17:25 AM
Attachments: [DEQRulemakingPlan2014JuneUpdate.pdf](#)
[image003.png](#)

On behalf of Dick, I have added Grants Pass Limited Maintenance Plans for CO and PM10 to the DEQ Rulemaking Plan. The proposed rules would:

- Update maintenance plans for CO and PM10. The plans would apply into 2025 and meet the Clean Air Act 10-year maintenance plan requirements for these pollutants.
- Allow the community to adopt a simplified "limited" maintenance plans because it has low CO and PM10 pollution.
- Eliminate the need for costly computer modeling for the transportation conformity analysis.
- Revise the State Implementation Plan for submittal to EPA.

Staff drafted two workbooks to help me make this decision. They considered potential risks and identified resources needed to successfully develop and implement the proposed rules. The attachment to this email summarizes staff's initial analysis. It also includes the updated placemat and plan.

You are welcome to review the attachment and provide consultation at any time throughout the rulemaking process. You may also view ongoing rulemaking activity through the links below.

Title	Grants Pass Limited Maintenance Plans for CO and PM10
Sponsoring Manager	David Collier
Technical Lead	Brian Finneran
Rules Group Lead	Andrea Gartenbaum
Air Program Manager	Uri Papish
SharePoint	LINK
Rulemaking Web page	LINK (to be activated at public notice)

Click on this [LINK](#) to view the process staff used to recommend that I add Grants Pass Limited Maintenance Plans for CO and PM10 to the DEQ Rulemaking Plan.

If there are major challenges associated with this rulemaking, I will share that information with you.

Stephanie, please add this information to the Director's Report to determine how the commissioners want to be involved before the meeting when they adopt, amend or repeal the proposed rules. Please let Brian and Andrea know how the commissioners want to be involved and

they will add it to the schedule.

Emails about this rulemaking are part of the required rulemaking record. You are not responsible for maintaining any emails about this rulemaking if Brian Finneran is on the **To...** or **Cc...** line.