



United States
Department of
Agriculture

Forest
Service

Pacific
Northwest
Region

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503-808-2468

File Code: 2580

Date:

Mr. Dick Pedersen
Oregon Department of Environmental Quality
811 SW 6th Avenue
Portland, OR 97204

Dear Mr. Pedersen:

On Thursday August 27, 2014, the Forest Service was made aware by a member of the public that an Oregon DEQ rulemaking proposal is underway that will make changes to OAR 340 division numbers 200, 202, 24, 206, 208, 209, 212, 214, 216, 218, 220, 222, 224, 225, 226, 228, 232, 234, 236, 240, 242, 244, 246, 262, 264, and 268. Until this time we were unaware of the proposal and in reviewing the online invitation to comments, we realize the deadline has been extended from July 31 to August 14 and then to August 28, 2014.


The fact that the Forest Service was just made aware of this rule making reveals the weaknesses in the current method of communicating proposed rule changes which potentially affects lands which the Forest Service has jurisdictional responsibility. We request that DEQ work with the Forest Service on improvements in the current method of communicating proposed rule makings in the future to ensure adequate time to review and provide comment. I've asked Jerry Ingersoll, Acting Director of Natural Resources (503-808-2955), to coordinate with your staff to arrange an opportunity for dialogue.


In the meantime, we are formally requesting a two week extension in the comment period to specific sections of this proposed rulemaking which may affect lands managed by the USDA Forest Service. Our review will focus specifically on changes which may affect Class I areas, the Columbia River Gorge National Scenic Area, and those changes which may affect our ability to conduct prescribed burning. At first glance, this appears to include the following sections: (1) changes to the New Source Review preconstruction permitting program, (2) update to the particulate matter emission standards, (3) establishment of two new state air quality designations, and (4) designation of Lakeview as a state sustainment area, (5) Definitions, (6) Designations of PSD areas, and (7) Re-designations of PSD areas.



We appreciate your consideration of this request. We would like to express appreciation to your staff that made efforts to assist us on August 27, 2014, when we contacted them about this situation and our lack of information regarding the proposal. I look forward to meeting you in person as we continue to build a collaborative relationship between our agencies.

Sincerely,



 JAMES M. PEÑA
Regional Forester

cc: Jill Inahara, Oregon DEQ, Inahara.jill, Leah Feldon, Oregon DEQ, Feldon.leah, Lynn Burditt, Rick Graw, Jerry Ingersoll