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Subject: Courtesy Copy: DEQ extends public comment period for proposed revisions to air quality permitting, Heat Smart, and gasoline dispensing facility rules to Aug. 14, 2014 and adds hearings
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This is a courtesy copy of an email bulletin sent by Andrea Gartenbaum.

This bulletin was sent to the following groups of people:

Subscribers of Air Quality Permits, Rulemaking, Title V Permit Program public (6819 recipients)

DEQ extends public comment period for proposed revisions to air quality permitting, Heat Smart, and gasoline dispensing facility rules to Aug. 14, 2014 and adds hearings

DEQ received a request from Neighbors for Clean Air to extend the public comment period for the proposed air quality permitting, Heat Smart, and gasoline dispensing facility updates, which had been scheduled to close on July 31, 2014. DEQ is extending the public comment period for this rulemaking until **Thursday, Aug. 14, 2014 at 5:00 p.m.** to provide additional time for comment.

DEQ received a request from Associated Oregon Industries to increase opportunities for people to attend public hearings. DEQ is adding Springfield and Pendleton to the July 16, 2014 public hearings.

Considering recent action by the U.S. Supreme Court, DEQ requests public comment on the applicability of Oregon's Prevention of Significant Deterioration requirements and Title V operating permit program requirements for greenhouse gases. DEQ requests public comment on whether Oregon's rules should be retained as they are, revised to agree with the court's ruling, or revised in other ways.

In 2011, the Oregon Environmental Quality Commission adopted Oregon rules equivalent to the U.S. Environmental Protection Agency's greenhouse gas regulations known as the Tailoring Rule. On June 23, 2014, the U.S. Supreme Court invalidated portions of the federal Tailoring Rule. As a result of the court's ruling, industrial sources of air pollution are no longer subject to federal air quality requirements known as Prevention of Significant Deterioration for greenhouse gases alone. In addition, as a result of the court's ruling, industrial sources are no longer subject to federal Title V permitting requirements for greenhouse gases alone. The ruling retains the requirement that industrial sources triggering Prevention of Significant Deterioration for other pollutants and which also emit greenhouse gases are required to perform Best Available Control Technology analysis for greenhouse gases under specific conditions. The court's action does not invalidate any part of Oregon's rules and those rules remain in effect in Oregon.

As originally announced June 16, 2014, DEQ proposes rule revisions to:

- Clarify and update air quality rules
- Update particulate matter emission standards
- Change permitting requirements for emergency generators and small natural gas or oil-fired equipment
- Establish two new state air quality area designations, "sustainment" and "reattainment," to help areas avoid and more quickly end a federal nonattainment designation
- Designate Lakeview as a state sustainment area while retaining its federal attainment designation
- Change the New Source Review preconstruction permitting program
- Modernize methods allowed for holding public hearings and meetings
- Re-establish the Heat Smart woodstove replacement program exemption for small commercial solid fuel boilers regulated under the permitting program
- Remove annual reporting requirements for small gasoline dispensing facilities

DEQ requests public comment on the proposed rules. To consider comments on the proposed rules, DEQ must receive the comment by **5:00 p.m., Aug 14, 2014**. DEQ will hold public hearings **Jul. 16, 2014**. [Click here](#) to view the rulemaking documents and details about the public comment period, including the time and location of hearings and how to submit comments.

DEQ plans to take the final proposal including any modifications made in response to public comments to the Environmental Quality Commission for decision at the commission's January 2015 meeting. If adopted, DEQ will submit

the rules to the U.S. Environmental Protection Agency as a revision to the State Implementation Plan as required by the Clean Air Act.

Questions? Contact Jill Inahara at 503-229-5001 or inahara.jill@deq.state.or.us. In Lane County, contact Max Hueftle at 541-736-1056 or max@lrpa.org.

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