**LRAPA Titles and DEQ Division AQ Rule Comparison**

Yellow highlighting are divisions that MAY need delegation language added.

Blue highlighting are the rules that are “open” in the current draft rulemaking.

| **DEQ division** | **Has LRAPA Reference?** | **Needs LRAPA Reference? (Revise?)** | **Corresponding LRAPA Title** | **Comment** |
| --- | --- | --- | --- | --- |
| 200 | Yes | Yes (revise general) | 12 |  |
| 202 | Yes | Yes (No) | 50 |  |
| 204  Area designations | No—doesn’t have reference | No (No) | 29 | I don’t think it needs a reference. Designating AQ areas is an EQC job. |
| 206 | No | No (No) | 51 | Agree no change; DEQ should retain statewide emergency authority and not cede it to LRAPA |
| 208 | No | Yes—limited? (No) | 32 and 39 | Does LRAPA want to be able to implement the visible and fugitive emissions rules?  LRAPA has to implement the visible and fugitive emissions rules because they are more stringent than current rules but they may not want to go to the 6-minute average but keep the current 3 minutes in 60 minutes. |
| 209 | No | No (No) | 31 |  |
| 210 | No | Yes (Remove or modify: ‘applies in all areas of the state’) | 34 | Include standard delegation language |
| 212 | No | Yes (Remove or modify: ‘applies in all areas of the state’) | 35 | Include standard delegation language |
| 214 | No | Yes (Remove or modify: ‘applies in all areas of the state’) | 36 | Include standard delegation language |
| 215 | Yes | Yes (No) | None |  |
| 216 | Yes | Maybe - Partial | 37 | Continue portable permit reciprocity |
| 218 | Yes | Yes (No) | None |  |
| 220 | No | Yes (No | None | Division 220 is referenced in 218, etc., so okay without; but probably should add it to avoid any confusion whether LRAPA has authority to collect Title V fees under Div. 220 |
| 222 | No | Yes (No) | 42 | Include standard delegation language—LRAPA establishes PSELs, right? Same comments as for Div. 220  Yes, LRAPA establishes PSELs in their permits |
| 223 | No | No. | None | Shouldn’t regional haze remain an EQC responsibility?  Yes per Brian Finneran |
| 224 | Yes | Yes –partial | 38 | LRAPA would like Offsets, SILs, to apply in Lane Co |
| 225 | No | Yes - total | 40 | LRAPA would like SILs, to apply in Lane Co  Agree—same comment as for Divs. 220 & 222 |
| 226 | No | Yes (Remove or modify: ‘applies in all areas of the state’—which is applicable only to grain loading rule) | 32 | More restrictive grain loading applies in Lane Co  Use standard delegation lang. for grain loading rule only. |
| 228 | No | Yes (Remove or modify: ‘applies in all areas of the state’) | 32 | More restrictive grain loading applies in Lane Co  Use standard delegation lang. |
| 230 | No | Yes (Remove or modify: ‘applies in all areas of the state’) | 30 | LRAPA needs DEQ updated division to apply for CISWI and HIMWI (Jerry currently addressing in ‘federal updates’ RM) |
| 232 | No | No (No) | NA | Does DEQ implement VOC rules statewide?  No, it only applies in PDX, Medford and Salem |
| 234 | No | No (No) | 33 | Does DEQ implement wood products rules statewide?  No |
| 236 | No | No (No) | 32, 33 | Does DEQ implement specific industries rules statewide?  No |
| 238 | Yes  238-0090 | Yes (No) | 46 | Jerry addressing NSPS update in ‘federal updates’ RM |
| 240 | No | No (No) | None |  |
| 242 | No | No (No) | NA |  |
| 244 | Yes  244-0020 | Yes (No) | 44 | Has ‘finding’ and mechanism language |
| 246 | Yes (partial) | Yes (No) | None |  |
| 248 | Yes (limited tied to Div. 244)  248-0110(10) | Yes (No) | 43 | Retain authority for asbestos contractor investigations |
| 250 | No | No (No) | None |  |
| 252 | Yes | Yes (No) | None |  |
| 253 | No | No (No) | None | Clean fuels is a statewide program |
| 254 | Yes (awkward lang.) | Yes (No) | 20 | Indirect Sources  Lang. should be amended at next opportunity. |
| 256 | No | No (No) | None |  |
| 257 | No | No (No) | None |  |
| 258 | No | No (No) | None |  |
| 259 | No | No (No) | None |  |
| 260 | No | No (No) | None |  |
| 262 | Yes | Yes (No) | None |  |
| 264  Open Burning | No | No (No)  Maybe? Does DEQ want to retain dual authority—or pass full responsibility to LRAPA? | 47 | LRAPA Open Burning rules don’t reference “forced-air pit incineration” -so okay |
| 266  Field Burning | NO (refers to Lane Co) | NO (No) | None | Lane Co. is simply referenced. There is no delegation, nor should there be (right?).  Right, DEQ runs field burning in Lane County per Brian Finneran |
| 268  Emission Reduction Credits | No | Yes? (Remove or modify: ‘applies in all areas of the state’) | 41 | Don’t we want LRAPA to implement credits program?  Yes since these need to be tied to individual permits |