

NOTICES OF PROPOSED RULEMAKING

lish a process for granting, retracting, and restoring time credits for eligible offenders in accordance with the provisions of ORS 137.633.

Rules Coordinator: Janet R. Worley

Address: Department of Corrections, 2575 Center St. NE, Salem, OR 97301-4667

Telephone: (503) 945-0933

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Rule Caption: Possession and Storage of Personal Firearms for Corrections Officers at Department of Corrections Facilities

Stat. Auth.: ORS 179.040, 423.020, 423.030, 423.075

Other Auth.: 2014 Or Laws, Ch 88

Stats. Implemented: ORS 179.040, 423.020, 423.030, 423.075

Proposed Adoptions: 291-016-0120

Proposed Amendments: 291-016-0020

Last Date for Comment: 8-1-14, 4 p.m.

Summary: HB 4035 from the 2014 legislative session directs the Oregon Department of Corrections to allow corrections officers employed by the department to possess a firearm in the officer's personal vehicle when the vehicle is parked in a department parking lot if the department has not provided secure storage for the firearms, and the officer is present at the department in an official capacity.

Currently, employees are prohibited from possessing or storing personal firearms on buildings or grounds owned or occupied by the department. These rules are necessary to establish procedures and employee responsibilities for corrections officer to possess and securely store personal firearms at Department of Corrections prisons and non-prison facilities.

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Department of Environmental Quality Chapter 340

Rule Caption: Air quality permitting, Heat Smart, and gasoline dispensing facility updates

Date:	Time:	Location:
7-16-14	6 p.m.	811 SW Sixth Ave., EQC A Portland, OR 97204
7-16-14	6 p.m.	475 NE Bellevue Dr., Suite 110 Bend, OR 97701
7-16-14	6 p.m.	221 Stewart Ave., Suite 201 Medford, OR 97501

Hearing Officer: George Davis

Stat. Auth.: ORS 192, 468 & 468A

Stats. Implemented: ORS 183, 192, 468, 468A, 477, 2009 OL Ch. 754

Proposed Adoptions: 340-200-0035, 340-202-0225, 340-204-0300, 340-204-0310, 340-204-0320, 340-206-8010, 340-206-8020, 340-206-8030, 340-206-8040, 340-208-0005, 340-212-0005, 340-214-0005, 340-216-8010, 340-216-8020, 340-222-0035, 340-222-0046, 340-222-0048, 340-222-0051, 340-222-0055, 340-224-0025, 340-224-0034, 340-224-0038, 340-224-0045, 340-224-0055, 340-224-0245, 340-224-0250, 340-224-0255, 340-224-0260, 340-224-0270, 340-224-0500, 340-224-0510, 340-224-0520, 340-224-0530, 340-224-0540, 340-226-0005, 340-226-8010, 340-234-0005, 340-234-0540, 340-236-0005, 340-236-8010, 340-240-0050

Proposed Amendments: 340-200-0010, 340-200-0020, 340-200-0025, 340-200-0030, 340-200-0040, 340-200-0050, 340-200-0100, 340-200-0110, 340-200-0120, 340-202-0010, 340-202-0020, 340-202-0050, 340-202-0070, 340-202-0100, 340-202-0110, 340-202-0130, 340-202-0200, 340-202-0210, 340-202-0220, 340-204-0010, 340-204-0020, 340-204-0030, 340-204-0040, 340-204-0050, 340-204-0060, 340-204-0070, 340-204-0080, 340-204-0090, 340-206-0010, 340-206-0020, 340-206-0030, 340-206-0040, 340-206-0050, 340-206-0060, 340-206-0070, 340-208-0010, 340-208-0110, 340-208-0210, 340-208-0300, 340-208-0310, 340-208-0320, 340-208-0450, 340-209-0010, 340-209-0020, 340-209-0030, 340-209-0040,

340-209-0050, 340-209-0060, 340-209-0080, 340-210-0010, 340-210-0020, 340-210-0100, 340-210-0110, 340-210-0120, 340-210-0205, 340-210-0215, 340-210-0225, 340-210-0230, 340-210-0240, 340-210-0250, 340-212-0010, 340-212-0110, 340-212-0120, 340-212-0130, 340-212-0140, 340-212-0150, 340-212-0200, 340-212-0210, 340-212-0220, 340-212-0230, 340-212-0240, 340-212-0250, 340-212-0260, 340-212-0270, 340-212-0280, 340-214-0010, 340-214-0100, 340-214-0110, 340-214-0114, 340-214-0130, 340-214-0200, 340-214-0210, 340-214-0220, 340-214-0300, 340-214-0310, 340-214-0320, 340-214-0330, 340-214-0340, 340-214-0350, 340-214-0360, 340-216-0010, 340-216-0020, 340-216-0025, 340-216-0030, 340-216-0040, 340-216-0052, 340-216-0054, 340-216-0056, 340-216-0060, 340-216-0062, 340-216-0064, 340-216-0066, 340-216-0068, 340-216-0070, 340-216-0082, 340-216-0084, 340-216-0090, 340-216-0094, 340-218-0010, 340-218-0020, 340-218-0030, 340-218-0040, 340-218-0050, 340-218-0060, 340-218-0070, 340-218-0080, 340-218-0090, 340-218-0100, 340-218-0110, 340-218-0120, 340-218-0140, 340-218-0150, 340-218-0160, 340-218-0170, 340-218-0180, 340-218-0190, 340-218-0200, 340-218-0210, 340-218-0220, 340-218-0230, 340-218-0240, 340-220-0010, 340-220-0020, 340-220-0060, 340-220-0070, 340-220-0080, 340-220-0090, 340-220-0100, 340-220-0110, 340-220-0120, 340-220-0130, 340-220-0140, 340-220-0150, 340-220-0160, 340-220-0170, 340-220-0180, 340-220-0190, 340-222-0010, 340-222-0020, 340-222-0030, 340-222-0040, 340-222-0041, 340-222-0042, 340-222-0060, 340-222-0080, 340-222-0090, 340-224-0010, 340-224-0020, 340-224-0030, 340-224-0040, 340-224-0050, 340-224-0060, 340-224-0070, 340-225-0010, 340-225-0020, 340-225-0030, 340-225-0040, 340-225-0045, 340-225-0050, 340-225-0060, 340-225-0070, 340-226-0010, 340-226-0100, 340-226-0110, 340-226-0120, 340-226-0130, 340-226-0140, 340-226-0210, 340-226-0310, 340-226-0320, 340-226-0400, 340-228-0010, 340-228-0020, 340-228-0100, 340-228-0110, 340-228-0120, 340-228-0130, 340-228-0200, 340-228-0210, 340-228-0300, 340-232-0010, 340-232-0020, 340-232-0030, 340-232-0040, 340-232-0050, 340-232-0060, 340-232-0080, 340-232-0085, 340-232-0090, 340-232-0100, 340-232-0110, 340-232-0120, 340-232-0130, 340-232-0140, 340-232-0150, 340-232-0160, 340-232-0170, 340-232-0180, 340-232-0190, 340-232-0200, 340-232-0210, 340-232-0220, 340-232-0230, 340-234-0010, 340-234-0100, 340-234-0140, 340-234-0200, 340-234-0210, 340-234-0220, 340-234-0240, 340-234-0250, 340-234-0270, 340-234-0500, 340-234-0510, 340-234-0520, 340-234-0530, 340-236-0010, 340-236-0310, 340-236-0320, 340-236-0330, 340-236-0400, 340-236-0410, 340-236-0420, 340-236-0440, 340-236-0500, 340-240-0010, 340-240-0020, 340-240-0030, 340-240-0100, 340-240-0110, 340-240-0120, 340-240-0130, 340-240-0140, 340-240-0150, 340-240-0160, 340-240-0180, 340-240-0190, 340-240-0210, 340-240-0220, 340-240-0250, 340-240-0300, 340-240-0320, 340-240-0330, 340-240-0340, 340-240-0350, 340-240-0360, 340-240-0400, 340-240-0410, 340-240-0420, 340-240-0430, 340-240-0440, 340-240-0510, 340-240-0550, 340-240-0560, 340-240-0610, 340-242-0400, 340-242-0410, 340-242-0420, 340-242-0430, 340-242-0440, 340-242-0500, 340-242-0510, 340-242-0520, 340-242-0600, 340-242-0610, 340-242-0620, 340-242-0630, 340-244-0040, 340-244-0232, 340-244-0234, 340-244-0236, 340-244-0238, 340-244-0239, 340-244-0240, 340-244-0242, 340-244-0244, 340-244-0246, 340-244-0248, 340-244-0250, 340-246-0230, 340-262-0450, 340-264-0010, 340-264-0020, 340-264-0030, 340-264-0040, 340-264-0050, 340-264-0060, 340-264-0070, 340-264-0075, 340-264-0078, 340-264-0080, 340-264-0100, 340-264-0110, 340-264-0120, 340-264-0130, 340-264-0140, 340-264-0150, 340-264-0160, 340-264-0170, 340-264-0175, 340-264-0180, 340-268-0010, 340-268-0020, 340-268-0030, 340-222-0043, 340-222-0045, 340-224-0080, 340-224-0100, 340-225-0010, 340-225-0090

Proposed Repeals: 340-208-0100, 340-208-0200, 340-208-0600, 340-209-0070, 340-214-0400, 340-214-0410, 340-214-0420, 340-214-0430, 340-218-0250, 340-222-0070, 340-225-0090, 340-226-0200, 340-228-0400, 340-228-0410, 340-228-0420, 340-228-0430,

NOTICES OF PROPOSED RULEMAKING

340-228-0440, 340-228-0450, 340-228-0460, 340-228-0470, 340-228-0480, 340-228-0490, 340-228-0500, 340-228-0510, 340-228-0520, 340-228-0530, 340-234-0300, 340-234-0310, 340-234-0320, 340-234-0330, 340-234-0340, 340-234-0350, 340-234-0360, 340-234-0400, 340-234-0410, 340-234-0420, 340-234-0430, 340-236-0100, 340-236-0110, 340-236-0120, 340-236-0130, 340-236-0140, 340-236-0150, 340-236-0200, 340-236-0210, 340-236-0220, 340-236-0230, 340-236-0430, 340-240-0170, 340-240-0230, 340-240-0310, 340-242-0700, 340-242-0710, 340-242-0720, 340-242-0730, 340-242-0740, 340-242-0750, 340-242-0760, 340-242-0770, 340-242-0780, 340-242-0790, 340-264-0190

Last Date for Comment: 7-31-14, 5 p.m.

Summary: Short summary

DEQ proposes to streamline, reorganize and update Oregon's air quality permit rules. The Source Sampling Manual Volumes I and II and Continuous Monitoring Manual are part of the proposed rules.

DEQ also proposes changes to statewide particulate matter emission standards and the preconstruction permitting program. The changes would help Oregon comply with the U.S. Environmental Protection Agency's ambient air quality standard for fine particulates, commonly called PM_{2.5} and protect air quality through Oregon's permitting programs.

In addition, DEQ proposes rules to:

- Expand preconstruction permitting flexibility for small facilities,
- Allow DEQ to use technology such as teleconferencing for public meetings to improve community outreach, and
- Improve program implementation by proposing minor amendments to:

- The woodstove replacement program called Heat Smart, and
- The gasoline dispensing facility rules.
- This document describes the proposed rules under the following nine categories:

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

DEQ proposes the Environmental Quality Commission approve the proposed rules for incorporation into Oregon's State Implementation Plan. With EQC's approval, DEQ would submit the proposed rules to the U. S. Environmental Protection Agency to be included in revisions to the State Implementation Plan required under the Clean Air Act.

Note: See DEQ's crosswalk of rules changes, including the rules in the State Implementation Plan, for details.

Regulated parties

The proposed rules affect:

- All businesses, agencies, local governments and other entities holding air quality permits;
- Businesses and other entities required to submit construction approval notices;
- Businesses and other entities that sell small solid fuel boilers; and

-Businesses and other entities that dispense less than 10,000 gallons of gasoline a month.

Request for other options

During the public comment period, DEQ requests public comment on whether to consider other options for achieving the proposed rule's substantive goals while reducing any negative economic impact of the rules on business.

DEQ requests public comment on the ability of owners and operators of equipment to meet the proposed particulate standards, specifically the proposed grain loading and opacity standards.

Since DEQ is clarifying that state rules apply to Lane Regional Air Protection Agency unless they adopt their own rules, DEQ also requests public comment on which existing LRAPA rules are equivalent to or more strict than DEQ's proposed rules to ensure that LRAPA is authorized and required to implement in Lane County any new state rules that are more strict than existing LRAPA rules.

Rules Coordinator: Maggie Vandehey

Address: Department of Environmental Quality, 811 SW Sixth Ave., Portland, OR 97204-1390

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Department of Fish and Wildlife Chapter 635

Rule Caption: Rule Amendments Related to the 2015 Oregon Sport Fishing Regulations.

Date:

8-1-14

Time:

8 a.m.

Location:

Oregon Fish and Wildlife
Commission Hearing
4034 Fairview Industrial Dr. SE
Salem, OR 97302

Hearing Officer: Oregon Fish and Wildlife Commission

Stat. Auth.: ORS 496.138, 496.146, 496.162, 497.121 & 506.119

Stats. Implemented: ORS 496.004, 496.009, 496.138, 496.146, 496.162, 506.109 & 506.129

Proposed Adoptions: Rules in 635-011, 635-013, 635-014, 635-016, 635-017, 635-018, 635-019, 635-021, 635-023, 635-039, 635-500

Proposed Amendments: Rules in 635-011, 635-013, 635-014, 635-016, 635-017, 635-018, 635-019, 635-021, 635-023, 635-039, 635-500

Proposed Repeals: Rules in 635-011, 635-013, 635-014, 635-016, 635-017, 635-018, 635-019, 635-021, 635-023, 635-039, 635-500

Last Date for Comment: 8-1-14, 8 a.m.

Summary: These rules modify sport fishing regulations for finfish, shellfish, and marine invertebrates for 2015. Housekeeping and technical corrections to the regulations may occur to ensure rule consistency.

Rules Coordinator: Therese Kucera

Address: Department of Fish and Wildlife, 4034 Fairview Industrial Dr. SE, Salem, OR 97302

Telephone: (503) 947-6033

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Rule Caption: Adopt and Amend Rules for Commercial Dungeness Crab Fisheries.

Date:

8-1-14

Time:

8 a.m.

Location:

4034 Fairview Industrial Dr. SE
Salem, OR 97302

Hearing Officer: Oregon Fish and Wildlife Commission

Stat. Auth.: ORS 506.036, 506.109, 506.119 & 506.129

Other Auth.: HB 3262 (2013), HB 4049 (2014)

Stats. Implemented: ORS 506.109, 506.129, 506.306 & 508.936

Proposed Adoptions: Rules in 635-005

Proposed Amendments: Rules in 635-005

Proposed Repeals: Rules in 635-005

Last Date for Comment: 8-1-14, 8 a.m.

Summary: The adopted and amended rules for commercial Dungeness crab fisheries will implement recent legislation and recommendations of the Coastal Dungeness Crab Tri-State Committee. House Bill (HB) 4049, passed in 2014, changed provisions related