

Invitation to Comment

Updating Oregon's air quality rules to address federal regulations

DEQ invites input on proposed permanent rule amendments and adoptions to chapter 340 of the Oregon Administrative Rules, proposed state plan to implement Federal Emission Guidelines and proposed delegation request to implement Federal Plan Requirements.

DEQ proposal

The Oregon Department of Environmental Quality proposes the following rule amendments and adoptions to implement new and amended federal air quality regulations. The proposal would affect OAR 340 division numbers 230, 238 and 244.

Specifically, the amendments would align Oregon's rules with the following recent changes to federal emission standards:

- Adopt new and amended federal air quality regulations. This includes adopting:
 - new federal standards for boilers and process heaters, stationary internal combustion engines, nitric acid plants, and crude oil and natural gas production, transmission and distribution;
 - newly amended federal standards; and
 - rules to implement new federal emission guidelines for commercial and industrial solid waste incineration units; and adopting the federal plan for hospital, medical, and infectious waste incinerators.
- Adopt rules to implement the federal Emission Guidelines for commercial and industrial solid waste incineration units.
- Adopt by reference the federal plan for hospital, medical, and infectious waste incinerators.
- Update the adoption of previously adopted National Emission Standards for Hazardous Air Pollutants and New Source Performance Standards.

DEQ requests public comment on the following documents:

- State plan to implement the federal Emission Guidelines for commercial and industrial solid waste incineration units; and
- Delegation request to implement the Federal Plan Requirements for hospital, medical, and infectious waste incinerators.

Rulemaking goal

This rulemaking would update DEQ rules to ensure Oregon regulations are up to date with federal air quality regulations. This would ensure compliance with Oregon's obligation to EPA under the Performance Partnership Agreement and delegation approval.

This rulemaking also seeks to protect public health, implement federally-delegated programs that regulate hazardous air pollutants and other air pollutants, and improve Oregon's implementation of these programs.

DEQ requests public comment on whether to consider other options for achieving these rule's substantive goals while reducing negative economic impact of the rule on business.

Who does this affect?

This rulemaking regulates:

- Facilities subject to newly promulgated National Emission Standards for Hazardous Air Pollutants and New Source Performance Standards;
- Facilities subject to the proposed rules and state plan to implement the federal Emission Guidelines for commercial and industrial solid waste incineration units;
- Facilities subject to the Federal Plan Requirements for hospital, medical, and infectious waste incinerators;
- Facilities and equipment subject to recently amended National Emission Standards for Hazardous Air Pollutants.

Attend a hearing

DEQ invites you to attend one of the public hearings listed below. The presiding officer will provide a brief overview of the proposal before inviting your spoken or written comment.

Portland, 5:00 p.m., Dec. 18, 2013, DEQ Headquarters Building, Room EQC A on the 10th Floor, 811 SW 6th Ave, Portland, OR, 97204. Presiding Officer: Gregg Dahmen



Submit written comments

Online
[Comment form](#)

By mail
Oregon DEQ
Attn: Jerry Ebersole
811 SW 6th Avenue
Portland, OR 97204

By fax
503-229-5675
Attn: Jerry Ebersole

At hearing
See Attend a hearing

Comment deadline
5 p.m. on Dec. 23, 2013

If unable to attend the hearing in person, you can also participate by conference line at the following locations:

DEQ - Bend Regional Office
Conference Room
475 NE Bellevue Dr., Suite 110
Bend, OR 97701

DEQ - Medford Regional Office
Conference Room
221 Stewart Ave, Suite 201
Medford, OR 97501

Comment deadline

To consider comments on the proposed rules, state plan, and delegation request, DEQ must receive the comment by
5 p.m. on Monday, Dec. 23, 2013.

More information

The Rule Proposal and Notice for this rulemaking are on DEQ's website:
<http://www.oregon.gov/deq/RulesandRegulations/Pages/2013/aqfedregs.aspx>

Sign up for notices

Sign up to receive rulemaking notices by email:
<http://www.oregon.gov/deq/RulesandRegulations/Pages/2013/RulemakingActivities.aspx>.

What has happened so far?

Documents used to develop proposal

DEQ relied on the following documents when considering the need for the proposed rule and to prepare the rulemaking documents.

- [Code of Federal Regulations](#)
- [Federal Register](#)
- [Oregon Revised Statutes](#)
- [Oregon Administrative Rules](#)

The list of new and amended National Emission Standards for Hazardous Air Pollutants and New Source Performance Standards proposed for Environmental Quality Commission adoption includes links to the Federal Register.

What will happen next?

We will review all comments

DEQ will prepare a written response to each comment or summary of similar comments received by the comment deadline. DEQ may modify the rule proposal, state plan, and delegation request based on the comments.

Comments and responses will become part of the staff report that will go to the Oregon [Environmental Quality Commission](#) for final decision.

Present proposal to the EQC

The Environmental Quality Commission is the board that reviews all proposed changes to division 340 of the Oregon Administrative Rules. The commission adopts, rejects, or adopts with changes, any proposed rule.

DEQ plans to take the final proposal including any modifications made in response to public comments to the commission for decision at its March 2014 meeting.

Upon EQC adoption, DEQ would submit the rules to U.S. Environmental Protection Agency to update our New Source Performance Standard and National Emission Standards for Hazardous Air Pollutants delegation and request delegation of the Federal Plan Requirements for hospital, medical and infectious waste incinerators. DEQ would also submit a plan to EPA to implement the federal Emission Guidelines for commercial and industrial solid waste incineration units.

Accessibility information

You may review copies of all websites and documents referenced in this announcement at:

Oregon DEQ Floor 10
811 SW 6th Avenue
Portland, OR 97204

To schedule a review, call Jerry Ebersole at 503-229-6974.

Please notify DEQ of any special physical or language accommodations or if you need information in large print, Braille or another format. To make these arrangements, contact DEQ Communications and Outreach at 503-229-5696 or call toll-free in Oregon at 1-800-452-4011; fax to 503-229-6762; or email to deqinfo@deq.state.or.us. Hearing impaired persons may call 711.