

NOTICES OF PROPOSED RULEMAKING

A call-in number is available for the public hearing, please see website for details: http://www.oregon.gov/energy/CONS/Pages/Rulemaking-Energy_Incentive_Program.aspx

Rules Coordinator: Elizabeth Ross

Address: Department of Energy, 625 Marion St. NE, Salem, OR 97301

Telephone: (503) 373-8534

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Department of Environmental Quality
Chapter 340

Rule Caption: Infrastructure SIP PM2.5 Standard Update

Date:	Time:	Location:
8-18-15	5 p.m.	DEQ Headquarters, Rm. EQC B 811 SW 6th Ave. Portland, OR 97204

Hearing Officer: Staff

Stat. Auth.: ORS 468, 468.020, 468A & 468A.035

Stats. Implemented: ORS 468A, 468A.025 & 468A.035

Proposed Amendments: 340-200-0040, 340-202-0060, 340-250-0030

Last Date for Comment: 8-20-15, 4 p.m.

Summary: DEQ proposes the Oregon Environmental Quality Commission approve the proposed rules for incorporation into the Oregon Clean Air Act State Implementation Plan and submittal to the U.S. Environmental Protection Agency for its approval under the federal Clean Air Act. After the public notice period, DEQ will submit the proposed rules to EQC for approval. Following the commission's approval, DEQ will submit the proposed rules to EPA for its approval.

The proposed rule amendments incorporate a revised annual National Ambient Air Quality Standard for PM 2.5 and amend the definition of NAAQS to include PM 2.5 in Oregon's administrative rule. These changes will allow Oregon to meet Clean Air Act requirements and request that EPA approve Oregon's revised State Implementation Plan.

The proposal includes the following actions:

- Amend Oregon Administrative Rule 340-200-0040 to update the Oregon Clean Air Act State Implementation plan. If EQC adopts the amendments, the actions proposed in this rulemaking will be incorporated into and made part of the Oregon SIP.

- Amend OAR 340-202-0060(3) to incorporate the annual national primary ambient air quality standard for PM 2.5, adopted by the EPA, Dec.14, 2012, and effective on March 18, 2013.

- Amend OAR 340-250-0030(22) to include PM 2.5 as part of the definition of NAAQS.

In addition to the rule amendments outlined above, a "crosswalk" titled "Infrastructure SIP Submittal for Purposes of Clean Air Act Sections 110(a)(1) and (2) for the 2012 PM 2.5 NAAQS" is included with this proposal. The crosswalk is attached to this notice as Attachment B. The crosswalk identifies existing Oregon Administrative Rules and corresponding Oregon Revised Statutes that demonstrate DEQ has the necessary authorities in place to implement requirements of Sections 110(a)(1) and (a)(2) of the CAA with respect to the current NAAQS for PM 2.5. They are included for EQC approval and submittal to EPA as documentation that the infrastructure elements of the Oregon SIP meet the requirements of the CAA as they relate to the PM 2.5 NAAQS.

The interstate transport provision in the CAA, section 110(a)(2)(D)(i), (also called "the good neighbor" provision) requires each state to submit a SIP that prohibits emissions that will have certain adverse air quality effects in other states. This section of the SIP is due within three years of the EPA establishing a new or revised NAAQS. DEQ's State Implementation Plan addresses the interstate transport of PM 2.5. Note: The interstate transport submittal also addresses Sulfur Dioxide (SO₂), Nitrogen Dioxide (NO₂) and Lead (Pb) SIP standards updated in 2013.

Rules Coordinator: Meyer Goldstein

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

Telephone: (503) 229-6478

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Rule Caption: Clean Water State Revolving Fund

Date:	Time:	Location:
8-19-15	11 a.m.	811 SW 6th Ave. Portland, OR 97204
8-19-15	4 p.m.	811 SW 6th Ave. Portland, OR 97204
8-19-15	11 a.m.	221 Stewart Ave., Suite 201 Medford, OR
8-19-15	4 p.m.	221 Stewart Ave., Suite 201 Medford, OR
8-19-15	11 a.m.	475 NE Bellvue Dr., Suite 110 Bend, OR
8-19-15	4 p.m.	475 NE Bellvue Dr., Suite 110 Bend, OR
8-19-15	11 a.m.	700 SE Emigrant Ave., Suite 330 Pendleton, OR
8-19-15	4 p.m.	700 SE Emigrant Ave., Suite 330 Pendleton, OR
8-19-15	11 a.m.	165 E 7th Ave. Eugene, OR
8-19-15	4 p.m.	165 E 7th Ave. Eugene, OR

Hearing Officer: DEQ Staff

Stat. Auth.: 468.020 & 468.440

Other Auth.: HB 2451 (2015)

Stats. Implemented: ORS 468.423-468.440

Proposed Amendments: 340-054-0005, 340-054-0010, 340-054-0011, 340-054-0015, 340-054-0022, 340-054-0025, 340-054-0026, 340-054-0027, 340-054-0036, 340-054-0056, 340-054-0060, 340-054-0065, 340-054-0071, 340-054-0072

Proposed Repeals: 340-054-0100, 340-054-0102, 340-054-0104, 340-054-0106, 340-054-0108

Last Date for Comment: 08-24-15, 4 p.m.

Summary: DEQ proposes rule amendments for changes to the Clean Water State Revolving Fund program related to the 2014 federal Clean Water Act amendments. The amendments will align the program with new federal law and will create the following:

- Longer financing terms to all eligible borrowers, as authorized by House Bill 2451 [2015];

- An increase in the amount of principal forgiveness available with an allocation process that maximizes its benefits to borrowers. Eligibility is limited to municipalities or intermunicipal, interstate, or state agencies;

- Expanded eligibilities for various specific project types including allowing the construction of new decentralized wastewater systems;

- New incentives to a subset of borrowers that are subject to additional federal funding application requirements;

- Additional application requirements, some of which encourage fiscal and environmental sustainability in project designs, others that are specific to certain types of federal funding;

- Simplified rules through minor changes to existing rules.

Rules Coordinator: Meyer Goldstein

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Department of Fish and Wildlife
Chapter 635

Rule Caption: Amend rules related to the Malheur Lakes and Catlow Valley Redband Trout Conservation Plan.

Date:	Time:	Location:
9-4-15	8 a.m.	Best Western Oceanview Resort Lewis and Clark Ballroom 1 & 2 414 N Prom Seaside, OR 97138