December 22, 2010

Dennis McLerran, Regional Administrator

U.S. Environmental Protection Agency, Region 10

1200 Sixth Avenue

Seattle, WA 98101

RE: Revision to the Oregon State Implementation Plan: Correction to the Infrastructure Rule Changes

Dear Mr. McLerran:

The Oregon Department of Environmental Quality inadvertently left out the report addressing the interstate transport of ozone and fine particulate matter when we submitted the request for approval of revisions to the Oregon State Implementation Plan (SIP) from the Office of Air, Waste, and Toxics, State and Tribal Air Programs Unit of the U.S. EPA, Region 10 on June 23, 2010.

The Environmental Quality Commission adopted the “Oregon SIP Infrastructure for Addressing the Interstate Transport of Ozone and Fine Particulate Matter” as part of the revisions to the SIP under OAR 340-200-0040 on April 30, 2010. DEQ submits this correction to EPA as part of the SIP and pursuant to 40 CFR 51.104.

I certify that public notices that included the “Oregon SIP Infrastructure for Addressing the Interstate Transport of Ozone and Fine Particulate Matter” report were published in newspapers of general circulation on November 17, 2009, and in the Secretary of State’s Oregon Bulletin on December 1, 2009. The notices included a statement that adoption of the rules would revise the SIP. I further certify that a public hearing was held on December 18, 2009 in Oregon.

Thank you for your assistance with this correction to Oregon’s infrastructure rule changes SIP. We have attached the interstate transport report and the revised SIP submittal documents. The staff contact for this correction is Carrie Capp, Air Quality Planning, at 503-229-5035, and Margaret Oliphant, SIP Coordinator, at (503) 229-5687.

Sincerely,

Dick Pedersen,

Director

cc w/attachments: Donna Deneen, EPA, Region 10 (3 complete sets plus 2 additional copies of revised rules, Attachment 3)

cc w/o attachments: Margaret Oliphant, DEQ Air Quality SIP Coordinator

Andrew Ginsburg, DEQ Air Quality Administrator

Paul Koprowski, EPA Oregon Operations office

**Attachments:**

Attachment 1: Evidence that the state has adopted the revision

* 1. Staff Report, Agenda Item L of the April 28-30, 2010 EQC Meeting

Also see Certificate and Order for Filing Permanent Administrative Rules in Attachment 4.2

Attachment 2: Evidenced that the State has the necessary legal authority

2.1 See Attachment 1.1 “Commission Authority” (page 2 of Staff Report, Agenda Item L, April 28-30, 2010 EQC Meeting)

Attachment 3: Provisions Submitted for Approval, Effective May 21, 2010

3.1 Redline/Strikeout Version of adopted, amended and repealed SIP rules

 General Air Pollution Procedures and Definitions: OAR 340-200-: 0020, 0025, 0040.

 Ambient Air Quality Standards and PSD Increments: OAR 340-202-: 0060, 0090, 0130.

 Designation of Air Quality Areas: OAR 340-204-: 0010, 0030.

 Air Pollution Emergencies: OAR 340-206-: 0010, 0030.

3.2 Adopted and amended SIP rules submitted to Secretary of State

3.3 Oregon SIP Infrastructure for Addressing the Interstate Transport of Ozone and Fine Particulate Matter

Attachment 4: Evidence that the State followed the Administrative Procedures Act

4.1 Public notice in the Secretary of State’s Oregon Bulletin December 1, 2009

4.2 Certificate and Order for Filing Permanent Administrative Rules, filed and effective May 21, 2010

Attachment 5: Evidence of adequate public notice

5.1 Affidavit of Publication: The Oregonian, Notice of November 17, 2009 publication

Attachment 6: Certification of public hearing

6.1 See paragraph three of cover letter and Attachment 7.1

Attachment 7: Compilation of Public Comments and Department’s Response

7.1 Presiding Officer’s Report for Rulemaking Hearing on December 22, 2009, dated April 29, 2010

7.2 Summary of Public Comments and Agency Responses, dated December 31, 2009

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| **SIP Submittal Checklist** |
| **Included** | **Attachment** | **Title** |
|  **X** | **1** | **Evidence the State has Adopted the Revision** |
| **X** | 1.1 | Staff Report, Agenda Item L of the April 28-30, 2010 EQC Meeting See also Certificate and Order for Filing Permanent Administrative Rules in Attachment 4.2 |
| **X** | **2** | **Evidence that the State has the Necessary Legal Authority** |
| **X** | 2.1 | See Attachment 1.1 “Commission Authority” (page 2 of Staff Report, Agenda Item L, April 28-30, 2010 EQC Meeting) |
| **X** | **3** | **Provisions Submitted for Approval, Effective May 21, 2010** |
| **X** | 3.1 | **Redline/Strikeout Version of adopted, amended and repealed SIP rules**  |
| **X** |  General Air Pollution Procedures and Definitions: OAR 340-200-: 0020, 0025, 0040. |
| **X** | Ambient Air Quality Standards and PSD Increments: OAR 340-202-: 0060, 0090, 0130. |
| **X** | Designation of Air Quality Areas: OAR 340-204-: 0010, 0030. |
| **X** | Air Pollution Emergencies: OAR 340-206-; 0010, 0030. |
| **X** | 3.2 | **Adopted and amended SIP rules submitted to Secretary of State** |
| **X** | 3.3 | **Oregon SIP Infrastructure for Addressing the Interstate Transport of Ozone and Fine Particulate Matter** |
| **X** | **4** | **Evidence that the State followed the Administrative Procedures Act** |
| **X** | 4.1 | Public notice in the Secretary of State’s Oregon Bulletin December 1, 2009 |
| **X** | 4.2 | Certificate and Order for Filing Permanent Administrative Rules, filed and effective May 21, 2010 |
| **X** | **5** | **Evidence of Adequate Public Notice** |
| **X** | 5.1 | Affidavit of Publication: The Oregonian, Notice of November 17, 2009 publication |
| **X** | **6** | **Certification of Public Hearing** |
| **X** | 6.1 | See paragraph three of cover letter and Attachment 7.1 |
| **X** | **7** | **Compilation of Public Comments and Department's Response** |
| **X** | 7.1 |  Presiding Officer’s Report for Rulemaking Hearing on December 22, 2009, dated April 29, 2010  |
| **X** | 7.2 | Summary of Public Comments and Agency Responses, dated December 31, 2009 |

**Attachment 3**

Provisions Submitted for Approval, Effective May 21, 2010

**3.1** **Redline/strikeout version of adopted, amended and repealed SIP rules.**

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Air Pollution Emergencies: OAR 340-206-: 0010, 0030.

**3.2** **Adopted and amended SIP rules submitted to Secretary of State.**

**3.3 Oregon SIP Infrastructure for Addressing the Interstate Transport of Ozone and Fine**

 **Particulate Matter**