From:	Garrahan Paul
To:	GOLDSTEIN Meyer
Subject:	RE: for your review: draft Notice of Rulemaking for art glass rule
Date:	Tuesday, June 14, 2016 10:24:13

Meyer: See the "Practice Tip" on page 49 of the AG's Admin Law Manual. Then let me know if you have further questions.

Paul Garrahan
Oregon Department of Justice
971.673.1943 (Tue, Thu, Fri) (Portland)
503.947.4593 (Mon, Wed) (Salem)
503.929.7553 (Mobile)

From: GOLDSTEIN Meyer [mailto:meyer.goldstein@state.or.us]
Sent: Tuesday, June 14, 2016 10:09 AM
To: GARRAHAN Paul
Subject: FW: for your review: draft Notice of Rulemaking for art glass rule

Paul,

I have a question about your statement that we should adopt the rules as new and repeal the temporary rules. Do you mean we should formally state on the SOS filing that we are repealing the temporary rules?

I don't understand why this is different from every rulemaking we do. We always adopt the current version of a rule as a permanent rule. We don't repeal the existing rule. We just replace the existing rule with the new version of the rule that we adopt. Aren't we doing the same thing in this rulemaking? The rules really aren't new. They already exist as temporary rules? Its not like we're adopting rules where there are none now. The temporary rules are currently in effect and are the rules that we are replacing.

If you do think we are repealing the temporary rules, what do we have to do procedurally?

From: HNIDEY Emil
Sent: Tuesday, June 14, 2016 10:04
To: GOLDSTEIN Meyer
Subject: FW: for your review: draft Notice of Rulemaking for art glass rule

---

From: Garrahan Paul [mailto:paul.garrahan@state.or.us]
Sent: Tuesday, June 14, 2016 9:52 AM
To: WESTERSUND Joe <Joe.WESTERSUND@state.or.us>
Cc: artglass2016 <artglass2016@deq.state.or.us>; HNIDEY Emil <Emil.HNIDEY@state.or.us>; PALERMO Jaclyn <Jaclyn.PALERMO@state.or.us>; INAHARA Jill <Jill.INAHARA@state.or.us>; FELDON Leah <Leah.FELDON@state.or.us>; EMER Lydia <Lydia.EMER@state.or.us>

Subject: RE: for your review: draft Notice of Rulemaking for art glass rule

Joe: Attached are my redlined comments and suggested edits for your consideration. I think this looks very good. The most significant comment I have is regarding the adoption of permanent rules following similar temporary rules. I believe the proper approach is to treat the new, permanent rules as if the temporary rules did not exist. You are adopting them as new rules, and repealing the temporary rules—and you are not amending the temporary rules to make them permanent. I also have added some statutory references and made other edits in the "statutory authority" and "statutes implemented" sections. Please let me know if you have any questions, or would like to discuss my suggestions further.

Paul Garrahan
Oregon Department of Justice
971.673.1943 (Tue, Thu, Fri) (Portland)
503.947.4593 (Mon, Wed) (Salem)
503.929.7553 (Mobile)

From: WESTERSUND Joe [mailto:joe.westersund@state.or.us]
Sent: Monday, June 13, 2016 6:06 PM
To: HNIDEY Emil; PALERMO Jaclyn; INAHARA Jill; FELDON Leah; EMER Lydia; GARRAHAN Paul
Cc: artglass2016
Subject: for your review: draft Notice of Rulemaking for art glass rule

Hi All,

The draft Notice of Rulemaking for the permanent art glass rule is ready for your review.

If possible, please make your edits and comments to the version on Sharepoint:
http://deqsps/programs/rulemaking/lq/airtoxics2016/docs/artglass2016.rulemaking.notice.docx

Please view in 'All Markup' mode in Track Changes so you can see the comments.

If you don't have access to the version on Sharepoint or it's checked out when you need it, let me know and I can email you a copy or otherwise accommodate. A copy of the Appendix A tables are attached as PDF.

We have a hard deadline to submit this at the end of the day Wednesday, so let's pull this together as best we can.

Thank you for your help!

-Joe

Joe Westersund
Oregon Department of Environmental Quality
811 SW 6th Avenue, Portland, OR 97204
(503) 229-6240 office

westersund.joe@deq.state.or.us
Usual Schedule: 8am - 5pm, M-F

*****CONFIDENTIALITY NOTICE*****

This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.

****