From: DAVIS George
To: GARRAHAN Paul; INAHARA Jill; MONRO David; DAVIS George; FELDON Leah; GOLDSTEIN Meyer
Subject: RE: airquality2016temp rules
Date: Saturday, March 12, 2016 17:31:46

Thanks, Paul. Some responses below.

Also, I would like to suggest that the temporary rule become effective 1 or 2 weeks after the EQC meeting. Reason is to give other affected facilities at least some chance to comply, otherwise they are instantly out of compliance. Rules shouldn't do that.

George

From: Garrahan Paul [paul.garrahan@state.or.us]
Sent: Saturday, March 12, 2016 11:01 AM
To: INAHARA Jill; MONRO David; DAVIS George; FELDON Leah; GOLDSTEIN Meyer
Subject: RE: airquality2016temp rules

Here are some of my comments and thoughts.

- Add permit requirement—cross-referencing the general “source of concern” category in div. 216.

I agree in general, we need to decide if a permit will be required.

- Address “clunky” use of term “owner/operator.” Define a single term. What term is defined in div. 200? “source”?

Agree, should also check div 234.

- Treatment of nickel is unclear. Says burn only in controlled furnace, then says you will set other limits if it proves a concern. Do we want to only allow use in controlled furnaces? Should there be an option to set a maximum usage rate in uncontrolled furnaces?

Nickel should not say burn only in controlled furnace. Nickel is ok to use either with restrictions if ambient monitoring suggests the need for restrictions, or else unrestricted.

- I think some general “catch-all” delegation of authority like in the last rule is appropriate for other metals at this time, because this temporary rule is designed to address the immediate concerns identified at these facilities, right?

Right, also need flexibility to handle other metals.

If asked about that, you can say that's your purpose, and that issues regarding other metals will be addressed in the later, permanent program rulemaking. (I say "permanent program" because you also may need to adopt these temporary rules as permanent rules to keep them in place because you likely won't be ready to adopt the permanent program rules by Sept. 15. You could call them the interim permanent rules.)

Let me know if you would like to discuss my comments further.

Paul Garrahan
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From: INAHARA Jill [mailto:jill.inahara@state.or.us]
Sent: Friday, March 11, 2016 5:30 PM
To: MONRO David; DAVIS George; FELDON Leah; GOLDSTEIN Meyer; GARRAHAN Paul
Subject: airquality2016temp rules

Hello all,
Very, very draft air toxics rule, not for sharing outside this select group.
Jill
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