From:	HNIDEY Emil
To:	SEN Edwards C; REP VegaPederson; SEN Beyer
Cc:	WIND Cory Ann
Subject:	DEQ rulemaking; Clean Fuels Program Corrections - Notification required under ORS 183.335(15)
Date:	Wednesday, June 15, 2016 9:53:00 AM

Dear,

- Senator Chris Edwards, Chair, Senate Environment and Natural Resources Committee
- Representative Jessica Vega-Pederson, Chair, House Energy and Environment Committee
- Senator Lee Beyer

The Department of Environmental Quality has opened public comment for proposed permanent changes to chapter 340-253-8010, 8020, 8030, and 8040 of the Oregon Administrative Rules.

Proposal Summary:

> DEQ proposes rule changes that would correct a miscalculation of how the clean fuel standards and the carbon intensity values of two fuel pathways were calculated in the rules adopted by the EQC on Dec. 9, 2015.
>
> It was discovered that the adopted rules omitted a necessary adjustment for the energy density of ethanol and biodiesel relative to the energy density of gasoline and diesel fuel. The miscalculation results in the clean fuel standards being lower than they should be and in the carbon intensity values for E10 (gasoline blended with 10 percent ethanol) and B5 (diesel blended with 5 percent biodiesel) being lower than they should be.
>
> The EQC adopted temporary rules on April 21, 2016 to correct the miscalculation described above; this rulemaking will make those corrections permanent.

The proposal is online at: Clean Fuels Program Corrections 2016. The Web page includes these documents:

> Invitation to Comment – fact sheet that outlines the proposal and opportunities to comment
>
> Proposed Rules – redline/strikethrough of the affected Oregon Administrative Rules
>
> Notice – information and analysis required by APA; Model Rules; DEQ statutes, rules and best practices; and federal regulations

The comment period closes at 4 p.m. on July 21, 2016. DEQ plans to take the final proposal, including any modifications made in response to public comments, to the Environmental Quality Commission for decision at its August 17-18 meeting in Boardman.

If you have questions or comments, please contact. Cory-Ann Wind, 503-229-5388, Wind.Cory@deq.state.or.us.

Sincerely,

Emil Hnidey

DEQ Air Rules Coordinator