From: HNIDEY Emil
To: WESTERSUND Joe
Cc: JOHNSON Keith; EMER Lydia; INAHARA Jill; PALERMO Jaclyn; artglass2016
Subject: FW: FYI- Bullseye not attending fiscal committee meeting tomorrow
Date: Friday, May 27, 2016 11:34:21 AM

Hello Joe,

Here is the response I got back from Paul.

Emil

From: Garrahan Paul [mailto:paul.garrahan@state.or.us]
Sent: Friday, May 27, 2016 11:31 AM
To: HNIDEY Emil <Emil.HNIDEY@state.or.us>
Cc: FELDON Leah <Leah.FELDON@state.or.us>
Subject: RE: FYI- Bullseye not attending fiscal committee meeting tomorrow

Emil: I spoke briefly with Leah about this. The statute requires you to obtain "the committee's" input on the bill, which I think would be interpreted to mean the group as a whole needs to consider the impact, and not just individual members providing individual input. And I think that committee members should all have the opportunity to consider all information provided by all the other committee members. So my recommendation is that you invite Eric Durren to provide Bullseye's information in some written form, distribute it to the whole committee, and then have another committee meeting to allow for consideration of it and the committee's final recommendations on the fiscal impact statement (i.e. answering the key questions they're statutorily required to answer). If Eric can't provide written input, you could also just let him present it orally at the start of that meeting.

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

From: HNIDEY Emil [mailto:emil.hnidey@state.or.us]
Sent: Friday, May 27, 2016 9:41 AM
To: GARRAHAN Paul
Subject: FW: FYI- Bullseye not attending fiscal committee meeting tomorrow

Hello Paul,

We have a fiscal advisory committee meeting today for our permanent art glass rulemaking. Bullseye Glass was appointed to the committee but will be unable to attend today's meeting. Since they are one of the principle parties affected by this rulemaking we want to make sure that we get their input on the fiscal impact statement. Can we solicit their input outside of the committee meeting or should we wait till the public comment period?

Thanks.

Emil

From: FELDON Leah
Sent: Friday, May 27, 2016 9:36 AM
To: HNIDEY Emil <HNIDEY.Emil@deq.state.or.us>; WESTERSUND Joe <WESTERSUND.Joe@deq.state.or.us>
Cc: JOHNSON Keith <JOHNSON.Keith@deq.state.or.us>; EMER Lydia <EMER.Lydia@deq.state.or.us>; INAHARA Jill <INAHARA.Jill@deq.state.or.us>; PALERMO Jaclyn <PALERMO.Jaclyn@deq.state.or.us>; artglass2016 <artglass2016@deq.state.or.us>
Subject: RE: FYI- Bullseye not attending fiscal committee meeting tomorrow

Yes, please. I would like to get their input as a member of the committee.

From: HNIDEY Emil
Sent: Friday, May 27, 2016 8:28 AM
To: WESTERSUND Joe
Cc: JOHNSON Keith; EMER Lydia; INAHARA Jill; PALERMO Jaclyn; FELDON Leah; artglass2016
Subject: RE: FYI- Bullseye not attending fiscal committee meeting tomorrow

Hello Joe,

I think that we might want to check with DOJ about this. Since everyone has an opportunity to attend the meeting and will also have the opportunity to submit comments on the fiscal during the comment period, it may look as though we are providing special treatment to someone if we reach out to them individually. I understand the importance of getting their feedback on this since they are one of the primary parties affected, I'm just unsure of what method would be the most appropriate in getting their input.

If you would like me to ask Paul, let me know.

Emil

From: WESTERSUND Joe
Sent: Thursday, May 26, 2016 6:12 PM
To: HNIDEY Emil <HNIDEY.Emil@deq.state.or.us>
Cc: JOHNSON Keith <JOHNSON.Keith@deq.state.or.us>; EMER Lydia <EMER.Lydia@deq.state.or.us>; INAHARA Jill <INAHARA.Jill@deq.state.or.us>; PALERMO Jaclyn <PALERMO.Jaclyn@deq.state.or.us>; FELDON Leah <FELDON.Leah@deq.state.or.us>
Subject: RE: FYI- Bullseye not attending fiscal committee meeting tomorrow

Hi Emil,

I'm thinking I could just email Eric to ask for his thoughts, even though he won't be at the fiscall advisory committee meeting tomorrow.

Are there any special considerations why we couldn't solicit and consider that input from him as a committee member?

-Joe

From: FELDON Leah
Sent: Thursday, May 26, 2016 5:41 PM
To: WESTERSUND Joe <WESTERSUND.Joe@deq.state.or.us>; HNIDEY Emil <HNIDEY.Emil@deq.state.or.us>; INAHARA Jill <INAHARA.Jill@deq.state.or.us>; PALERMO Jaclyn <PALERMO.Jaclyn@deq.state.or.us>
Cc: JOHNSON Keith <JOHNSON.Keith@deq.state.or.us>; EMER Lydia <EMER.Lydia@deq.state.or.us>
Subject: RE: FYI- Bullseye not attending fiscal committee meeting tomorrow

Hmm – sorry to hear that. Thank you for the notice, Joe.

Joe – in following all rules of course, is there a way to solicit written input from Mr. Durrin since he is officially a committee member who is simply and unexpectedly unable to attend? I would like to extend that offer to him if possible and in line with our committee/rulemaking rules. Bullseye is likely the company most financially impacted and not having their perspective on that end of the spectrum is a shame and could cause our fiscal impact statement to be lacking.

From: WESTERSUND Joe
Sent: Thursday, May 26, 2016 5:35 PM
To: HNIDEY Emil; FELDON Leah; INAHARA Jill; PALERMO Jaclyn
Subject: FYI- Bullseye not attending fiscal committee meeting tomorrow

FYI- Bullseye not attending fiscal committee meeting tomorrow.

-Joe

From: Eric Durrin [mailto:ericdurrin@bullseyeglass.com]
Sent: Thursday, May 26, 2016 5:31 PM
To: WESTERSUND Joe <WESTERSUND.Joe@deq.state.or.us>
Subject: RE: agenda for Friday's advisory committee meeting

Hello Joe,

I regret to inform you that I will not be able to attend the meeting tomorrow. I am confident that you, and the committee, will be able to successfully review the fiscal impact study.

Regards,

Eric Durrin | Bullseye Glass Co. | 503-232-8887x103

From: WESTERSUND Joe [mailto:WESTERSUND.Joe@deq.state.or.us]
Sent: Tuesday, May 24, 2016 5:08 PM
To: Abe Fleishman (abef@northstarglass.com); Al Hooton (al@glassalchemy.com); Amanda Jarman - Eastside Portland Air Coalition (amanda@fundraisingnerd.com); Chris Winter (chris@crag.org); Eric Durrin; Jacob Sherman (jdbsherman@gmail.com); Mark Riskedahl (riskedahl@gmail.com); Paul Trautman (ptrautman@gmail.com)
Cc: artglass2016
Subject: agenda for Friday's advisory committee meeting

Greetings, Committee Members,

An agenda for Friday's meeting is attached. As noted, the biggest part of the meeting is discussing the draft fiscal impact calculation and narrative, and getting your recommendations on these four questions:

1. Would the rule have a fiscal impact?
2. If so, what is the extent of that impact?
3. Would the rule have a significant adverse impact on small businesses?
4. If so, can the economic input be reduced, consistent with the public health and safety purpose of the rule?

Asking a fiscal advisory committee these specific questions is a part of the formal rulemaking process. [ORS 183.333(3)] I plan to go around the table for each of these questions, so each committee member will have a chance to give their answer if they wish.

After the meeting I'll write up a Notice of Rulemaking, which will include a summary of the committee members' recommendations. DEQ will consider your recommendations but is not required to adopt them. The Notice of Rulemaking will be part of the package that goes out for public comment and ultimately to the Environmental Quality Commission (EQC).

Advisory committee meetings are open for the public to attend, but not to participate in. I've set aside 20 minutes at the end of the meeting in case audience members want to ask questions or make comments. I'll encourage them to limit that to comments & questions about the fiscal impact, since the public comment period and public hearing will be coming up later.

I've also attached an updated version of the fiscal impact calculations and narrative. The main change is that ACPD permit fees for Tier 1 CAGMs are lower than in my previous estimate. I used the 'track changes' feature in the narrative to make it easier to see what's changed.

Feel free to call or email me if you have questions. I look forward to working with you on Friday- see you at 9am!

-Joe

Joe Westersund
Dry Cleaner Program Coordinator

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

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