From:	GRUNOW Greg
To:	WESTERSUND Joe; FELDON Leah; PALERMO Jaclyn; GARRAHAN Paul; KAUTH Dave; DAVIS George; JOHNSON Keith
Cc:	artglass2016
Subject:	RE: art glass rule: decisions left to make
Date:	Thursday, August 11, 2016 8:50:51 AM

My two cents below…

From: WESTERSUND Joe
Sent: Wednesday, August 10, 2016 2:06 PM
To: FELDON Leah; PALERMO Jaclyn; GARRAHAN Paul; KAUTH Dave; GRUNOW Greg; DAVIS George; JOHNSON Keith
Cc: artglass2016
Subject: art glass rule: decisions left to make

Hi All,

After our decision meeting last week there were a few decisions left unmade. Please weigh in with your thoughts below.

1. Should rule apply statewide?
    a. We don't know yet if there are facilities outside Portland that would be above the threshold.

    The rule should apply statewide. We are acting to regulate this industry group because we identified there is significant potential of health based risks for individuals with exposure to the uncontrolled emissions that result from these facilities. People throughout the state should be able to expect the same concern from DEQ for their health and welfare as individuals living in the Portland Metro area. The potential for health based risks is associated with the category of sources that we are working to regulate; it is not exclusive to the Portland Metro area. The rule contains specific criteria that triggers its applicability. If such facilities exist elsewhere in the state they should fall subject to the rule. If there are no other such facilities outside the Portland Metro area, the rule should still be made to be effective statewide so any new facility constructed elsewhere is constructed to meet the criteria of the rule.

2. Should the rule clarify that facilities can operate after submitting permit application, before DEQ issues the permit?
    a. We had a long and unresolved conversation [email attached] about whether operating before DEQ issues the permit is technically a violation.

    I think clarifying this in the rule is the easiest way to resolve this issue.

3. Since we're changing the source test methods, should we give extra time?
    a. Something like "X days from adoption or 60 days from baghouse install, whichever is later"?

    Joe, I do think we should allow extra time and I like the example language you've proposed.

4. Should we change the 24 hour Cr6 health benchmark in the rule from 36 ng/m3 to 5

ng/m3? [OHA comment attached.]

I would defer to OHA on this and make the indicated change if we/Paul can conclude that it was sufficiently addressed in the public notice to allow the change.

-Joe

Also needing a decision but already discussed: should the rule require a baghouse leak detection system? Jaclyn will decide based on info in previous email chain.

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