From:	HNIDEY Emil
To:	SEN Edwards C; REP VegaPederson; SEN Beyer
Cc:	WESTERSUND Joe
Subject:	DEQ rulemaking; Art Glass Permanent Rules 2016 - Notification required under ORS 183.335(15)
Date:	Wednesday, June 15, 2016 4:09:00 PM

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 340-244-0010, 340-244-9000, 340-244-9010, 340-244-9020, 340-244-9030, 340-244-9040, 340-244-9050, 340-244-9060, 340-244-9070, 340-244-9080, 340-244-9090 of the Oregon Administrative Rules.

Proposal Summary:

> Air toxics emissions from certain types of industrial businesses like colored art glass manufacturers are not fully regulated under federal requirements. Based on sampling DEQ has concluded that uncontrolled furnaces used in such colored art glass manufacturing are more likely than not to emit potentially unsafe levels of certain metals, including arsenic, cadmium, hexavalent chromium and nickel. The permanent rules that DEQ proposes for EQC adoption are intended to protect the public health and the environment by ensuring the air emissions from colored art glass facilities do not cause unsafe levels of metals in the air nearby.
>
> EQC adopted temporary rules on April 21, 2016 and this proposed rulemaking will make those rule changes permanent. If no action is taken those rules will expire 180 days after adoption, on October 18, 2016. DEQ is also seeking comment on possible rule modifications that would make the proposed permanent rules apply to more sources than do the temporary rules.

The proposal is online at: Art Glass Permanent Rules 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 5 p.m. on July 29, 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 a special meeting to be scheduled for September or

October 2016.

If you have questions or comments, please contact. Joe Westersund, 503-229-6240. Westersund.Joe@deq.state.or.us.

Sincerely,

Emil Hnidey

DEQ Air Rules Coordinator