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division administrator, lead manager, lead staff, division rule coordinator

Subject:        **DEQ rulemaking; Title V Consumer Price Index 2016 - Notification required under** [**ORS 183.335(15)**](http://www.leg.state.or.us/ors/183.html)

Dear,

* Senator Richard Devlin, Co-Chair, Ways and Means Sub-Committee, Natural Resources
* Representative Kathleen Taylor, Co-Chair, Ways and Means Sub-Committee, Natural Resources

The Department of Environmental Quality has opened public comment for proposed permanent changes to chapter 340 Division 220 of the Oregon Administrative Rules.

Proposal Summary:

The proposed rules would increase Title V permit fees for 2016 and 2017 by the change in the consumer price index as authorized by the federal Clean Air Act and state law, including the:

 Annual base fees assessed to all Title V sources regardless of emission quantities;

 Emission fees assessed per ton of emissions from individual sources per calendar year; and

 Specific activity fees assessed when a source owner or operator modifies a permit.

The proposed rules would increase fees in two phases. This approach would save administrative costs by holding a single public notice and comment period for two rulemakings. The proposed fee increase effective for invoice year 2016 is 0.45 percent based on the Bureau of Labor Statistics September 2015 consumer price index for the period September 2014 to August 2015. The proposed fee increase for invoice year 2017 is an additional 0.45 percent. It is an estimate identical to the 2016 increase.

The proposal is online at: [Title V CPI 2016](http://www.oregon.gov/deq/RulesandRegulations/Pages/2016/RTitleVCPI2016.aspx).

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 Monday, February 22, 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 June 2016 meeting in Portland.

If you have questions or comments, please contact Susan Carlson, 503-229-6918, [Carlson.Susan@deq.state.or.us](mailto:Carlson.Susan@deq.state.or.us).

Sincerely,

Emil Hnidey

DEQ Air Rules Coordinator