From:	GOLDSTEIN Meyer
To:	SEN Edwards C; SEN Roblan; REP McKeown; REP Witt
Cc:	ballast2016
Subject:	DEQ rulemaking - notice to legislators - ballast water program and noise regulations - ballast2016
Date:	Friday, April 15, 2016 11:15:34

Dear,

- Senator Edwards
- Senator Roblan
- Representative McKeown
- Representative Witt

The Department of Environmental Quality has opened public comment for proposed permanent changes to division 340-143 (ballast water management) and 340-035 (noise regulations) of the Oregon Administrative Rules.

Proposal Summary:

DEQ proposes the following changes to OAR 340, division 143 that will:

- Require vessel operators to conduct a mid-ocean saltwater flush of empty ballast tanks prior to ballasting and subsequently de-ballasting from such tanks while in state waters, and
- Retain ballast water exchange requirements, in addition to meeting new federal ballast water discharge standards, for a subset of vessel arrivals that represent a high risk for transporting aquatic invasive species to low-salinity harbors in Oregon.

DEQ also proposes changes to OAR 340, division 35, DEQ noise control regulations. The changes will move tables and reference documents from a source that is external to the official published version of the rules and incorporate those documents into the official published version of the rules on the Oregon Secretary of State's web page.

DEQ no longer operates a noise control program. DEQ has no ability to investigate or respond to noise issues, or to provide advice or interpretation about the noise regulations. These changes are purely administrative and do not change DEQ's policies or practices about the noise regulations.

The proposal is online at: Ballast water rulemaking

The Web page includes a link to a document titled "Notice Packet" that contains these documents:

- Invitation to Comment – fact sheet summarizing the proposal and opportunities to comment
- Proposed Rules – two versions- redline/strikethrough of the affected Oregon Administrative Rules and draft version with all proposed changes accepted
- Notice – legally required information and analysis

The comment period closes at 4 p.m. on Monday May 23, 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 2016 meeting.

If you have questions or comments, please contact:

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Sincerely,

Meyer Goldstein

DEQ Agency Rules Coordinator