From:	WILLIAMS Karen
To:	Infrastructure2018
Subject:	FW: AQ Infrastructure/Interstate Transport SIP
Date:	Wednesday, June 20, 2018 08:43:06

Karen Font Williams | Air Quality Planner
DEQ Air Quality Division
700 NE Multnomah St., Ste. 600 | Portland, OR 97232
(503) 229 - 5519

From: ORMAN Michael
Sent: Monday, June 11, 2018 8:35 AM
To: GOLDSTEIN Meyer <Goldstein.Meyer@deq.state.or.us>; MIRZAKHALILI Ali <Mirzakhalili.Ali@deq.state.or.us>; WILLIAMS Karen <WILLIAMS.Karen@deq.state.or.us>; HNIDEY Emil <HNIDEY.Emil@deq.state.or.us>
Cc: BENNETT Nancy <Bennett.Nancy@deq.state.or.us>
Subject: Re: AQ Infrastructure/Interstate Transport SIP

Meyer,

Karen mentioned that Emil and her are meeting with you today to go over the details in the rule package. A temporary rule may be an option. Since this is a SIP update, I would assume that temporary rulemaking is not option; EPA will want the rule to be permanent and in force before they review. That being said, I'm new to SIPs and the rulemaking process. Please discuss your concerns about completing an accelerated permanent rulemaking with Karen and Emil and I'll follow-up with then to determine next steps.

Sincerely,

Michael R. Orman, PE*
Air Quality Planning Section Manager
Oregon Department of Environmental Quality
700 NE Multnomah St., Suite 600
Portland, OR 97232
Tel: (503) 229-6595
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Licensed in Arizona (64193) and Oregon (93001PE)

-------- Original message --------
From: GOLDSTEIN Meyer <Goldstein.Meyer@deq.state.or.us>
Date: 6/11/18 8:16 AM (GMT-08:00)
To: MIRZAKHALILI Ali <Mirzakhalili.Ali@deq.state.or.us>, WILLIAMS Karen <WILLIAMS.Karen@deq.state.or.us>, HNIDEY Emil <HNIDEY.Emil@deq.state.or.us>, ORMAN Michael <ORMAN.Michael@deq.state.or.us>
Cc: BENNETT Nancy <Bennett.Nancy@deq.state.or.us>

Subject: AQ Infrastructure/Interstate Transport SIP

I suggest doing this as a temporary rulemaking. There is no requirement for public notice, a public hearing, or public comment. You just draft your rules and EQC staff report, and take it to EQC. You could continue working on the permanent rulemaking, but at a schedule that makes it far less likely to create errors, legal problems, or other issues that could either invalidate the rule or require redoing it. You could take the temporary to EQC in September, and the permanent to EQC in Spring 2019.

Temporary rules are authorized under ORS 183.335(5).
A temporary rule expires after six months. It can be replaced by a permanent rule, but not another temporary one.

In order to justify adopting a temporary rule, DEQ must show, and EQC must find, that failing to act promptly will result in serious prejudice to the public interest or the interest of affected parties.

From: MIRZAKHALILI Ali
Sent: Friday, June 08, 2018 16:30
To: GOLDSTEIN Meyer <Goldstein.Meyer@deq.state.or.us>; WILLIAMS Karen <WILLIAMS.Karen@deq.state.or.us>; HNIDEY Emil <HNIDEY.Emil@deq.state.or.us>; ORMAN Michael <ORMAN.Michael@deq.state.or.us>
Subject: RE: Rulemaking planning form for AQ Infrastructure/Interstate Transport SIP

Several months to draft and approve notice is not acceptable, please resolve this as soon as possible. Thanks.

From: GOLDSTEIN Meyer
Sent: Friday, June 8, 2018 4:19 PM
To: WILLIAMS Karen <WILLIAMS.Karen@deq.state.or.us>; HNIDEY Emil <HNIDEY.Emil@deq.state.or.us>; ORMAN Michael <ORMAN.Michael@deq.state.or.us>; MIRZAKHALILI Ali <Mirzakhalili.Ali@deq.state.or.us>
Subject: RE: Rulemaking planning form for AQ Infrastructure/Interstate Transport SIP

There is no way this can begin public comment on June 25, 2018. It takes several months to draft and have approved a rulemaking notice. Then, the notice must be filed with the Secretary of State by the 15th of the month in order to be published on the first of the next month in the Oregon Bulletin. We are required by law to hold a public hearing on all rulemakings, and cannot hold the hearing until after the notice is published in the Oregon Bulletin. I'm not clear what your October date is about, but rules are not adopted until approved by the EQC. EQC is meeting in September and November.

Karen, please call me at 503-381-2690 so we can discuss this.

Meyer Goldstein

DEQ Agency Rules Coordinator
503-229-6478
811 SW 6th Ave.
Portland,OR 97204
Telecommute Fri. 7 a.m. - 4 p.m.
503-512-9028

From: WILLIAMS Karen
Sent: Friday, June 08, 2018 3:59 PM
To: GOLDSTEIN Meyer; HNIDEY Emil
Subject: Rulemaking planning form for AQ Infrastructure/Interstate Transport SIP

Meyer and Emil,

Here is the rulemaking planning form for the Infrastructure and Interstate SIP submission, due October 1, 2018. To meet this deadline, EPA has agreed to review a preliminary draft within one week. Presuming minimal revisions necessary, public comment would begin on June 25. Michael Orman and Ali Mirzakhalili have approved this expedited schedule. Thank you for presenting this to the Director next week to be placed on the rulemaking docket.
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