From: GOLDSTEIN Meyer
To: SAKATA Rachel; HNIDEY Emil; levzev2017
Subject: RE: appointing rulemaking advisory committee members
Date: Thursday, June 21, 2018 2:18:11 PM

As this is an air rulemaking, Rachel, you should be communicating with Emil.

Before you can contact potential ac members, Emil must email the list of proposed members, with a brief description of their background or the reason for choosing them, along with a summary of the rulemaking, to the director. The director must approve the proposed members before they can be appointed.

Please remember to cc the outlook mailbox for this rulemaking, levzev2017, on all emails concerning this rulemaking.

From: SAKATA Rachel
Sent: Thursday, June 21, 2018 2:08 PM
To: GOLDSTEIN Meyer <Goldstein.Meyer@deq.state.or.us>
Cc: ORMAN Michael <ORMAN.Michael@deq.state.or.us>; MIRZAKHALILI Ali <Mirzakhalili.Ali@deq.state.or.us>
Subject: RE: appointing rulemaking advisory committee members

Hi Meyer,

As I mentioned, I need to quickly pull together a fiscal advisory committee for my Low Emission Vehicle (LEV) rulemaking. I would ideally like to hold this meeting in late July or early August at the latest, since we need to go out on public notice in August, in order for us to get to the November EQC meeting (we have to have rules in place by January 2, 2018, per DOJ advice). What do I need to do to get the rulemaking advisory committee "approved"? This should be relatively straightforward since we are just adopting California's LEV rules by reference, but we want to be sure we've had a fiscal review committee provide feedback before we go out on public notice. I've already identified members we'd like to participate in the committee, highlighted below:

Oregon Environmental Council – Jana Gastellum
Manufacturers of Emission Controls Association – need to identify a person
Oregon Electric Vehicle Association – Gary Graunke
Forth – Jeff Allen
Northwest Automotive Trades Association - Darrell Fuller
Alliance of Automobile Manufacturers – Steve Douglas
Global Automakers – Julia Rege

In the past, the LEV rules have not had an advisory committee. However, I've selected these folks based on their knowledge, interest, and involvement through comments on previous LEV rulemakings.

Please let me know if I can proceed with contacting them directly so I can start scheduling a meeting. I know we need to go through the formal process of appointing members, etc., but with

summer schedules and all I want to try and figure out calendars as soon as possible.

Thanks,
Rachel

From: GOLDSTEIN Meyer
Sent: Wednesday, May 02, 2018 8:41 AM
To: *DEQ - Leadership Team <ADLT@deq.state.or.us>; PALERMO Jaclyn <PALERMO.Jaclyn@deq.state.or.us>; ORMAN Michael <ORMAN.Michael@deq.state.or.us>; LIVENGOOD David <Livengood.David@deq.state.or.us>; PICKERELL Loretta <PICKERELL.Loretta@deq.state.or.us>; DOUGHTEN Ron <DOUGHTEN.Ron@deq.state.or.us>; STOCUM Jeffrey <STOCUM.Jeffrey@deq.state.or.us>; PRESTON Gerry <PRESTON.Gerry@deq.state.or.us>; HNIDEY Emil <HNIDEY.Emil@deq.state.or.us>; GILLES Bruce A <GILLES.Bruce@deq.state.or.us>; WIGAL Jennifer <WIGAL.Jennifer@deq.state.or.us>; YAP Anita <YAP.Anita@deq.state.or.us>; STURDEVANT Debra <STURDEVANT.Debra@deq.state.or.us>; FOSTER Eugene P <FOSTER.Eugene@deq.state.or.us>; CALDERA Stephanie <caldera.stephanie@deq.state.or.us>; ACOMB Jeannette <Acomb.Jeannette@deq.state.or.us>; AERNE Melissa <AERNE.Melissa@deq.state.or.us>; BOROK Aron <Borok.Aron@deq.state.or.us>; ELBEL Elizabeth <Elbel.Elizabeth@deq.state.or.us>; HENDRIX Donald <HENDRIX.Donald@deq.state.or.us>; HNIDEY Emil <HNIDEY.Emil@deq.state.or.us>; INAHARA Jill <INAHARA.Jill@deq.state.or.us>; LAWRENCE Lee Ann <LAWRENCE.LeeAnn@deq.state.or.us>; MACMILLAN Susan <MacMillan.Susan@deq.state.or.us>; MARTIN Michele <MARTIN.Michele@deq.state.or.us>; PETERS Bill N. <PETERS.Bill@deq.state.or.us>; SAKATA Rachel <SAKATA.Rachel@deq.state.or.us>; SCHEEL Mitch <SCHEEL.Mitch@deq.state.or.us>; WESTERSUND Joe <WESTERSUND.Joe@deq.state.or.us>; WIND Cory Ann <WIND.Cory@deq.state.or.us>
Subject: appointing rulemaking advisory committee members

Hello All.

I have recently heard of some confusion about the procedure we should follow when looking for and appointing members to rulemaking advisory committees. This message is to clarify how DEQ currently does this.

It is important to understand that, legally, EQC holds the authority to appoint advisory committee members. Only people EQC has specifically authorized can formally appoint committee members, which is done by signing a formal appointment letter. Currently, EQC has authorized only the director to make these appointments and sign the appointment letters. The director in turn has authorized the deputy director also to make these appointments.

There had been a DEQ signature policy that seemed to authorize program managers to sign these letters. However that policy has been superseded by recent action by EQC to specifically delegate the appointment authority only to the director.

The director and EQC have expressed an interest in being notified about advisory committee formation further in advance and in being more involved in committee member selection. We can accommodate this interest by having rule writers and programs inform me as soon as they determine they will be forming a rulemaking

advisory committee. I can then keep the director and Stephanie Caldera (who supports EQC) advised of ongoing and upcoming advisory committee activity. I will also specifically notify the director and Stephanie about potential committee members identified by the rule writer or program before we notify those committee members, so that there is management and EQC input into committee member selection.

Please let me know if you have any questions about this.

Meyer Goldstein
DEQ Agency Rules Coordinator
503-229-6478
8-12: (Lloyd building)
1-5: (VIP tech center)
Telecommute Fridays 7 a.m. – 4 p.m.

Have questions about DEQ rulemaking procedures? Try looking here: Rulemaking Resources