

The DEQ Rulemaking Process and 2022 Agency Rules Agenda

Item H

Feb. 3-4, 2022, EQC meeting

Framework

1. Legal requirements
2. Public transparency
3. Making quality rules

Legal steps for rule adoption

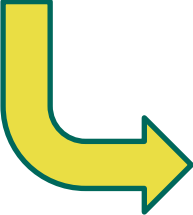
1. Notice to the Public
2. Opportunity for Public to Comment
3. Public Hearing
4. EQC Adoption
5. File with Secretary of State
6. Retain the rulemaking record

What do rules do?

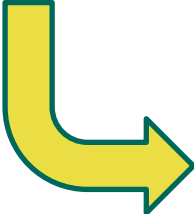
- Rules are an extension of legislatively adopted statutes
- Rules have the power of law
- Rules tell affected parties:
 - What they may do
 - What they must do
 - What they may not do

DEQ rule project approval process

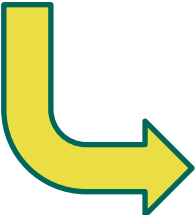
Need for new/revised rules occurs: Program needs, legislative action, petition, federal changes



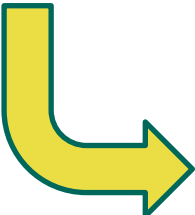
Program manager and DA agree on need



Program completes planning documents



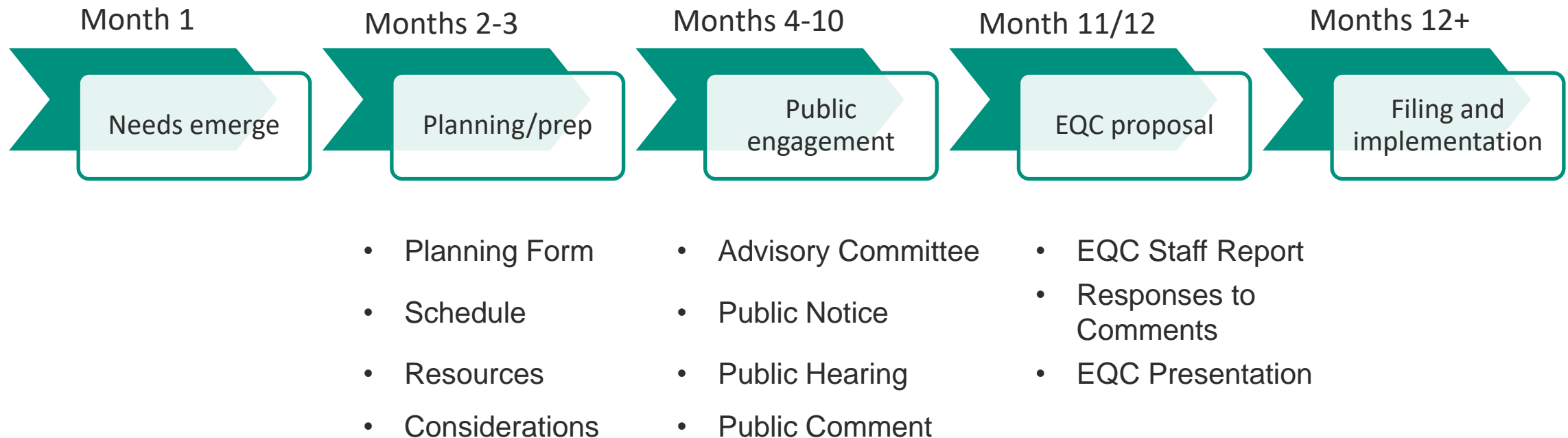
Leadership Team approves proposed plan



Project placed on DEQ Rulemaking Plan



Rulemaking sequence and timeline



Advisory Committees

- Discretionary for DEQ, not legally required
- Can help:
 - Obtain stakeholder/public input
 - Address technical issues
 - Aid transparency
 - Provide information on any racial equity impacts
- Fiscal Impact
 - Review DEQ Fiscal Impact Statement
 - Assess fiscal impact on small businesses

DEQ Rulemaking Plan

Jan. 30, 2022	2022											
	January	February (2/3-4)	March (3/31-4/1)	April	May (5/19-20)	June	July (7/21-22)	August	September (9/22-23)	October	November (11/17-18)	December
1) Regional Haze Plan Adoption		E										
2) (Total Maximum Daily Load)TMDL 2022		E										
3) Air Quality Definitions 2022	H		E									
4) Zero Emission and Electric Vehicle Rebate 2021	H				E							
5) Title V CPI Phase II					E							
6) Asbestos Fees 2022		N	H				E					
7) CWSRF Principal Forgiveness 2022			N	H			E					
8) Waste Tire Update 2022			A		N	H			E			
9) Hazardous Waste Rules 2022		A		N	H				E			
10) Commute Options 2021					N	H			E			
11) Clean Fuels Program Expansion 2022	A		A		A	N	H		E			
12) Water Quality Fees 2022					A	N	H		E			
13) Air Quality Permitting Updates 2022	A		A		N	H					E	
14) Stage II GDF Rule Review and Update 2022	A		A	A		N	H				E	
15) Fish and Aquatic Life Use Updates 2022				A		N	H				E	

A – Advisory Committee * N – Providing Notice (opening comment period) * H – Public Hearing * E – Propose at EQC meeting



Thank you

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DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.

