



# Air Toxics Alignment Rulemaking

Rules Advisory Committee Meeting 2: Session 1

**Oregon Department of Environmental Quality**

Feb. 2, 2021



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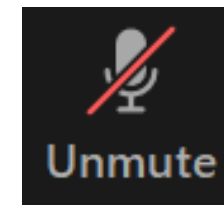
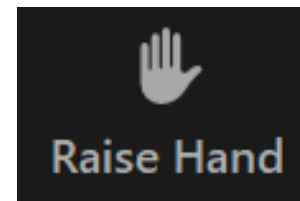
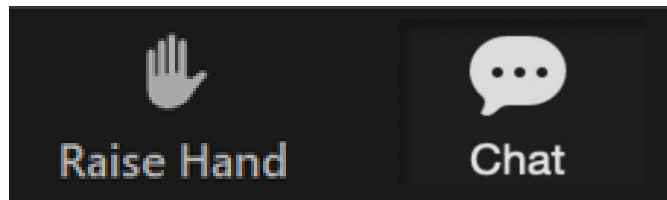
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# Committee Member Participation

The image shows a Zoom Webinar interface. At the top, it says "Zoom Webinar" and "You are viewing DEQ's screen". There are window control buttons (minimize, maximize, close) and an "Enter Full Screen" button in the top right corner. The main area is a large white rectangle representing the video feed. Below the video feed is a toolbar with several icons: a microphone with a slash (Unmute), a video camera with a slash (Start Video), a person icon with a '2' (Participants), a question mark icon (Q&A), a screen with an arrow (Share Screen), a speech bubble (Chat), and a three-dot menu (More). A red "Leave Meeting" button is in the bottom right corner. Three blue callout boxes with arrows point to specific icons: "Mute/Unmute" points to the microphone icon, "Start/Stop Video" points to the video camera icon, and "Access participant list and raise hand function" points to the Participants icon. Another blue callout box, "Chat with hosts and other committee members", points to the Chat icon.

# Questions?



\*9

\*6

# Opportunities for Public Participation



- Welcome! And thank you for your interest in attending today's committee meeting
- Informal public comment will take place in the next session on February 5 at 11 a.m.
- Additional opportunities for public comment this summer

**More info:  
[ORDEQ.org/AirToxics2021](https://ORDEQ.org/AirToxics2021)**

# Today's Agenda

- 1:00 p.m. Welcome & Introductions**
- 1:15 p.m. Opening Remarks – Ali Mirzakhali, DEQ & Gabriela Goldfarb, OHA**
- 1:25 p.m. Overview of Proposed Rules & RAC Materials for Meeting #2**
- 1:40 p.m. Proposed Updates to Cleaner Air Oregon**
- New Source Definition
  - Submittal Timelines
  - Aggregated/Exempt TEUs
  - New Source Review/Post-TACPA Modifications
  - Immediate Curtailment
- 3:30 p.m. 20-minute break**
- 3:50 p.m. Continued Discussion of Proposed Rules**
- 4:30 p.m. RAC Roundtable**
- 4:50 p.m. Closing Remarks and Next Steps**



# Meeting Protocols



- Mute your phone/computer when you are not speaking
- Share video during introductions and discussions, disable during presentations
- Be respectful
- Listen so we can solve problems together
- Raise your virtual hand to speak
- Speak for yourself
  - Speak as though you are right, listen as though you *may be wrong*.
- Let others speak without interrupting them



# Welcome and Introductions





# Opening Remarks



**Ali Mirzakhali**  
Air Quality  
Administrator



**Gabriela Goldfarb**  
Environmental Public  
Health Manager

# Session 1 Materials

## Rulemaking Guide

- Guide to navigating proposed rules and link to supplementary materials
- Table of proposed updates
- Draft rule language

## Rulemaking Guide and Proposed Rules: Division 245

Cleaner Air Oregon and Air Toxics Alignment and Updates 2021  
Advisory Committee Meeting 2, Session 1



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[www.oregon.gov/DEQ](http://www.oregon.gov/DEQ)

DEQ is a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.



State of Oregon  
Department of  
Environmental  
Quality



# Session 1 Materials

## Redline strikeout with annotations

(p) OAR 340-245-~~0300, 340-245-0310, and 340-245-0320~~, ~~Toxicity Reference Values~~, Process for Updating ~~Lists of Regulated Toxic Air Contaminants and Their~~ Risk-Based Concentrations, and ~~340-245-0320~~, Standards and Criteria for ~~Noncancer~~ Risk Action Levels for Existing Sources, describe the ~~list of authoritative sources that publish toxicity information that the EQC considers, upon the recommendation of DEQ, in consultation with OHA, to determine the RBCs, the~~ process of how the RBCs may be updated, and assignment of hazard index values based on health effects.

(q) OAR 340-245-0400, Cleaner Air Oregon Fees, specifies the permitting fees that apply to sources subject to the rules in this division; and

(r) OAR 340-245-~~80100 through 340-245-8050~~, Tables ~~1-3~~, include the established Risk Action Levels, ~~lists of the regulated toxic air contaminants, the values used to develop~~ Risk-Based Concentrations and the Level 1 Risk Assessment ~~Dispersion Factor Tables~~.

### GISKA Jonathan

These changes are related to the creation of division 247 and moving related TRV language and tables to that new division.

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These changes are related to the creation of division 247 and moving related TRV language and tables to that new division.

# Session 1 Materials


## Table of all Division 245 proposed updates

Rule [-0020]: Definitions		
	Include reference to other Toxic Air Contaminant rules	Alignment
(4)	Revise from average daily concentration to maximum daily concentration	Clarification
(11)(b)	Remove hyphen	Housekeeping
(23)	Added example	Clarification
(27)	Include reference to proposed rule section providing Immediate Curtailment Risk Reduction Plan requirements	Immediate Curtailment
(32)	Minor text edits	Housekeeping
(33)	Include relocation criteria in new source definition	New Source
(35)&(36)	Remove hyphen in "Nonresident"	Housekeeping
(48)	Remove text related to Source Risk Limit	Clarification
(49)	Table reference update	Alignment
(53)	Remove " <i>de minimis</i> " from definition	Correction
(54)	Revise language to include risk from Aggregated TEUs	Aggregated TEUs
(57)&(59)	Migrate definitions to division 247	Alignment

# Tables

## Proposed Updates for Tables

- Currently in Division 245 (-8010 through -8050)
- No chemicals are being added or removed
- No TRVs are changing

 <b>OAR 340-2457-80210</b> <b>Table 2-1 Toxic Air Contaminant Reporting Priority List</b>	
CASRN <sup>a</sup>	Chemical Name
75-07-0	Acetaldehyde
60-35-5	Acetamide
67-64-1	Acetone
75-05-8	Acetonitrile
98-86-2	Acetophenone
107-02-8	Acrolein
79-06-1	Acrylamide
79-10-7	Acrylic acid
107-13-1	Acrylonitrile
50-76-0	Actinomycin D
1596-84-5	Alar
309-00-2	Aldrin
107-05-1	Allyl chloride
7429-90-5	Aluminum and compounds <sup>b</sup>
1344-28-1	Aluminum oxide (fibrous forms)
97-56-3	<i>ortho</i> -Aminoazotoluene
6109-97-3	3-Amino-9-ethylcarbazole hydrochloride
68006-83-7	2-Amino-3-methyl-9H pyrido[2,3-b]indole
82-28-0	1-Amino-2-methylantraquinone
76180-96-6	2-Amino-3-methylimidazo-[4,5-f]quinoline
712-68-5	2-Amino-5-(5-Nitro-2-Furyl)-1,3,4-Thiadiazole
26148-68-5	A-alpha-c(2-amino-9h-pyrido[2,3-b]indole)
92-67-1	4-Aminobiphenyl
61-82-5	Amitrole
7664-41-7	Ammonia
7803-63-6	Ammonium bisulfate
6484-52-2	Ammonium nitrate
7783-20-2	Ammonium sulfate
62-53-3	Aniline
90-04-0	<i>o</i> -Anisidine
134-29-2	<i>o</i> -Anisidine hydrochloride



# Meeting 2 Overview

Keith Johnson, Cleaner Air Oregon Program  
Manager

# Goal of Proposed CAO Updates

Clarify or update requirements that:

- are confusing/ambiguous to DEQ and sources;
- have led to unintended outcomes in process, or assessments are not representative;
- can improve program efficiency for agency and facilities



# 245 Proposed Revisions

## Types of Changes:

- Alignment
- Clarification
- Consistency
- Correction
- Housekeeping
- Redundant
- Unintended Gap/Outcome



# **Division 245 Proposed Updates**

J.R. Giska, Cleaner Air Oregon  
Program Engineer

# Division 245 Discussion Topics

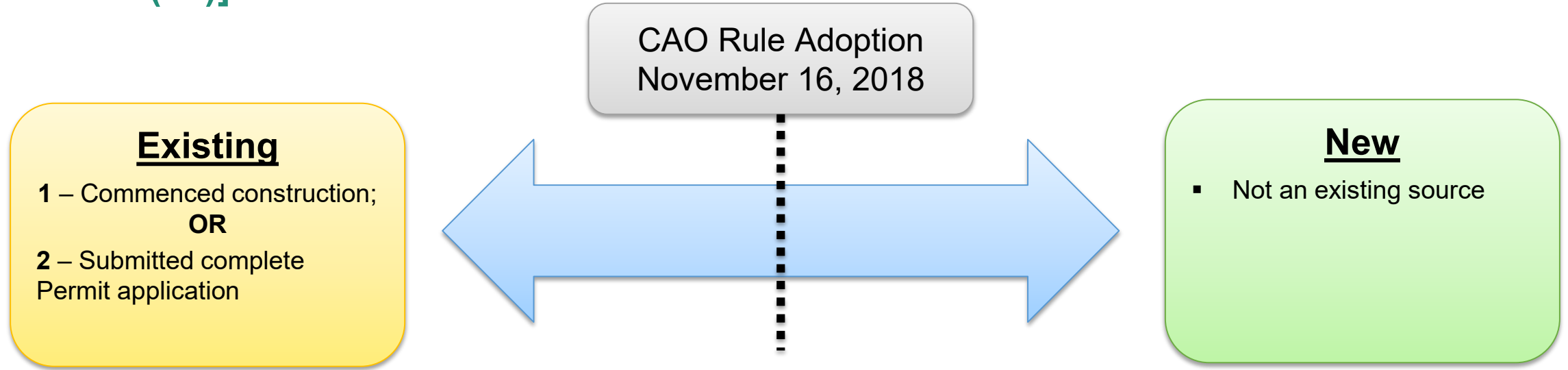
1. New vs. Existing Source Determination
2. Submittal Timelines for Existing Sources
3. Toxics Emissions Units: Aggregated & Exempt
4. Post-Permit and NSR Modifications
5. Immediate Curtailment Requirements

# 1. New vs. Existing Source Determination

## Challenge

More clarity is needed for determining when a source is considered “New” vs. “Existing”

[245-0020(33)]

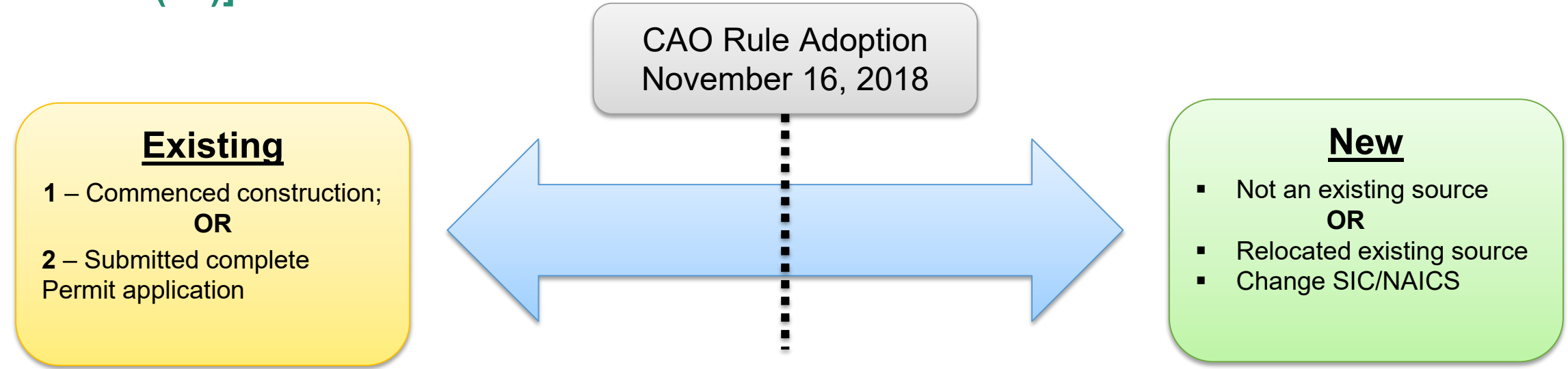


# 1. New vs. Existing Source Determination

## Initial Proposal

Include relocation and change in primary operations as indicated by SIC/NAICS code changes in new source definition.

[245-0020(33)]

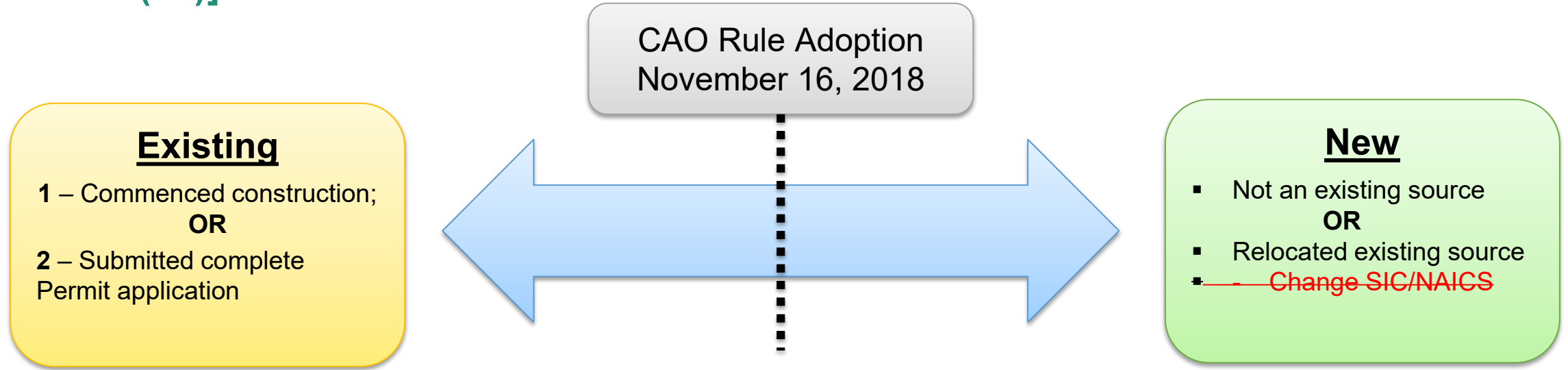


# 1. New vs. Existing Source Determination

## Revised Proposal

Include only relocation from adjacent or contiguous property in new source definition.

[245-0020(33)]



# Discussion/Questions?

## New Source Definition

(33) “New source” means a source that:

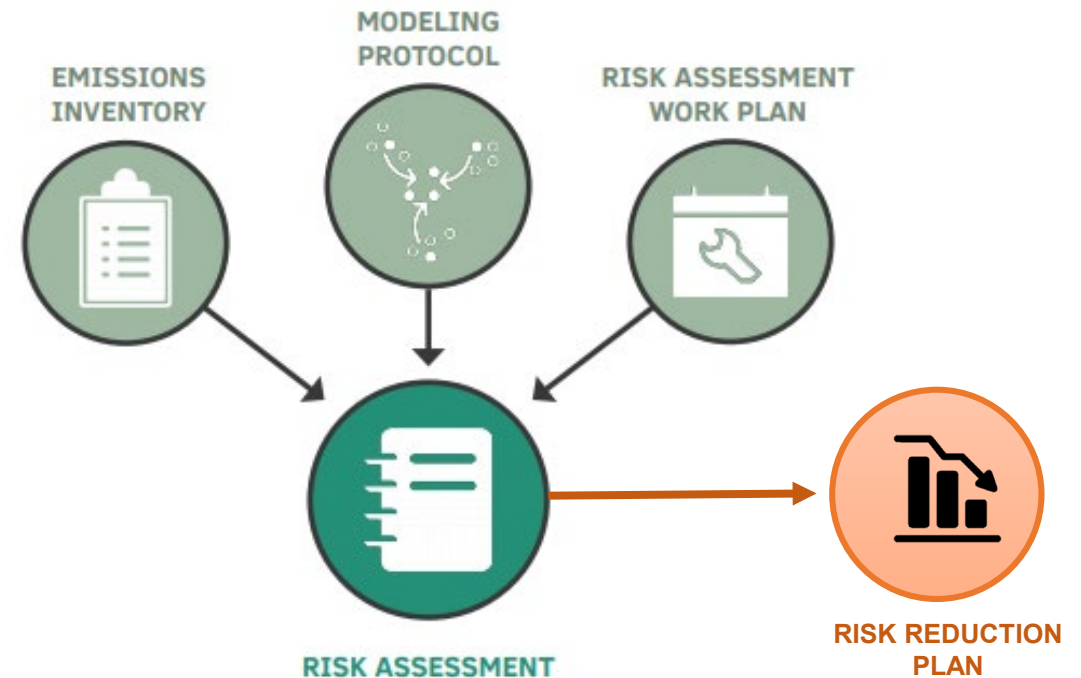
(a) Is not an existing source; or

(b) Was an existing source, but that has moved to a new location that is not contiguous or adjacent to its original facility location on or after <enter effective date of rules>.

# 2. Submittal Timelines for Existing Sources

## Challenge

- ❑ Adjust submittal timelines to better match with observations from implementation [245-0030]





# 2. Submittal Timelines for Existing Sources

Document	RA Level	Current	Initial Proposal	Timeline
Risk Assessment Work Plan (RAWP)	L3	60 days after EI <sup>1</sup>	No Change	No change
	L4		90 days after EI	Increase
Risk Assessment (RA)	L1 or L2	60 days after MP <sup>2</sup>	30 days after MP	Decrease
	L3 or L4	120 or 150 days after RAWP	30 days after RAWP	Decrease
Risk Reduction Plan (RRP)	Any	120 days after RA	45 days after RA	Decrease

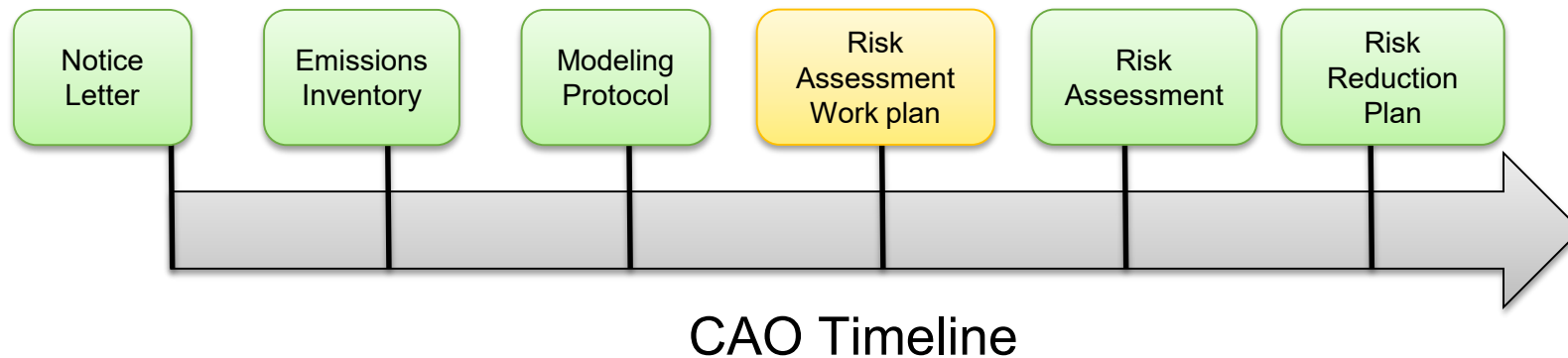
[245-0030]

[1] – “EI” is Emissions Inventory; [2] – “MP” is Modeling Protocol



# 2. Submittal Timelines for Existing Sources

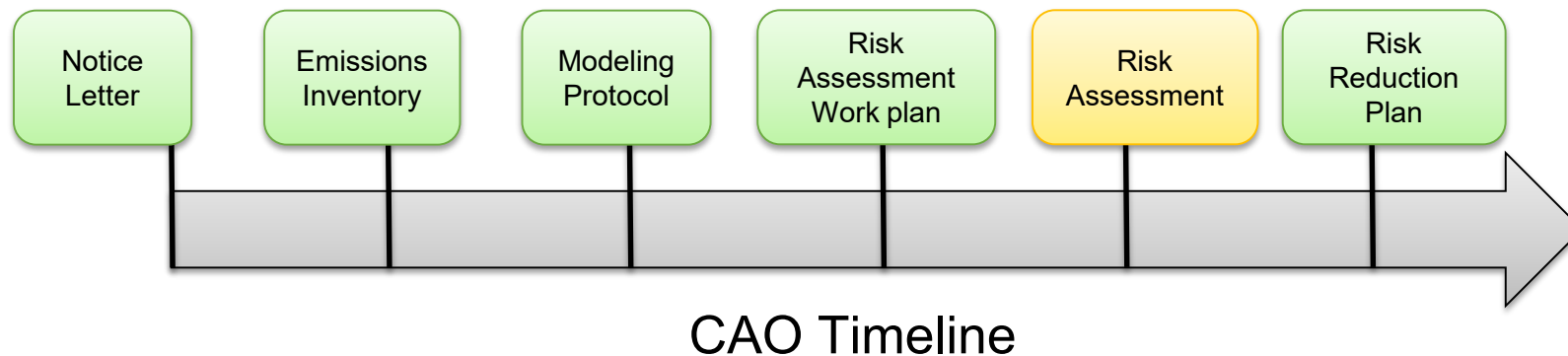
Document	Level	Current	Initial Proposal	Revised Proposal
Risk Assessment Work Plan (RAWP)	L3	60 days after Emissions Inventory	No change	
	L4		90 days after Emissions Inventory	



# 2. Submittal Timelines for Existing Sources

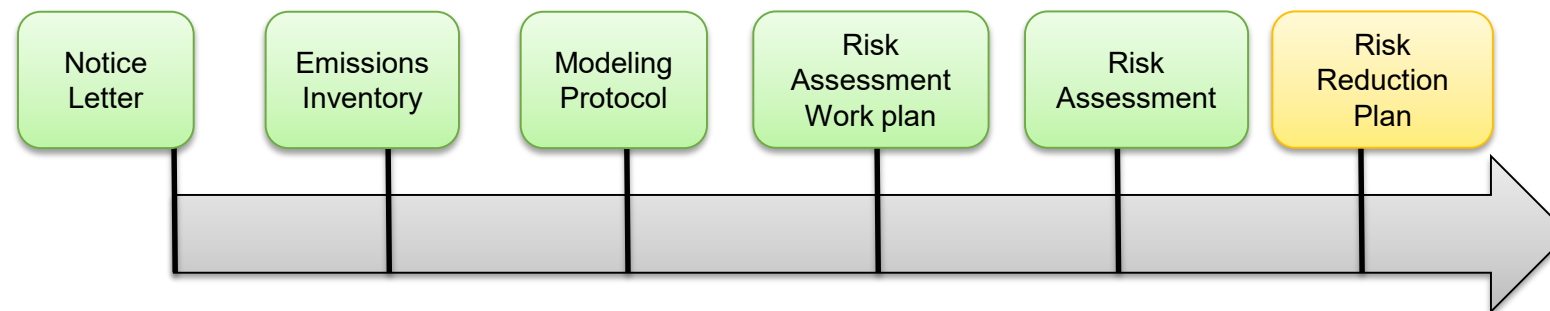
Document	Level	Current	Initial Proposal	Revised Proposal
Risk Assessment (RA)	L1 or L2	60 days after MP <sup>1</sup>	30 days after MP	60 days after MP
	L3	120 days after RAWP <sup>2</sup>	30 days after RAWP	60 days after RAWP
	L4	150 days after RAWP		90 days after RAWP

[1] – “MP” is Modeling Protocol; [2] – “RAWP” is Risk Assessment Work Plan



# 2. Submittal Timelines for Existing Sources

Document	Level	Current	Initial Proposal	Revised Proposal
Risk Reduction Plan (RAWP)	Any	120 days after Risk Assessment	45 days after Risk Assessment	No change



CAO Timeline



# **Discussion/Questions?**

## **Submittal Timelines**

- **Risk Assessment Work Plan**
  - **Risk Assessment**
  - **Risk Reduction Plan**

# 3.Toxics Emissions Units (TEUs)

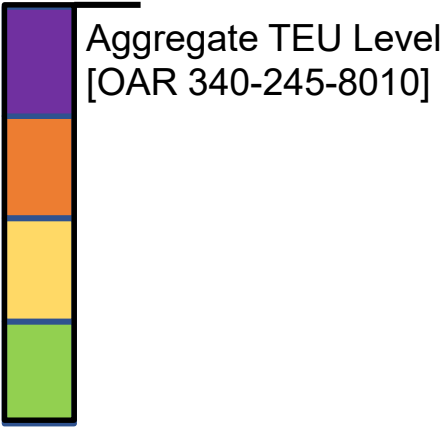
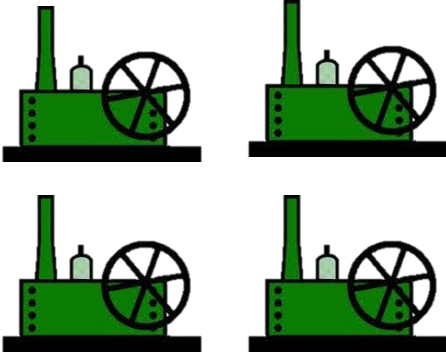
## Challenge

DEQ is considering how Exempt and Aggregated TEUs are accounted for in the risk assessment process.

Exempt



Aggregated



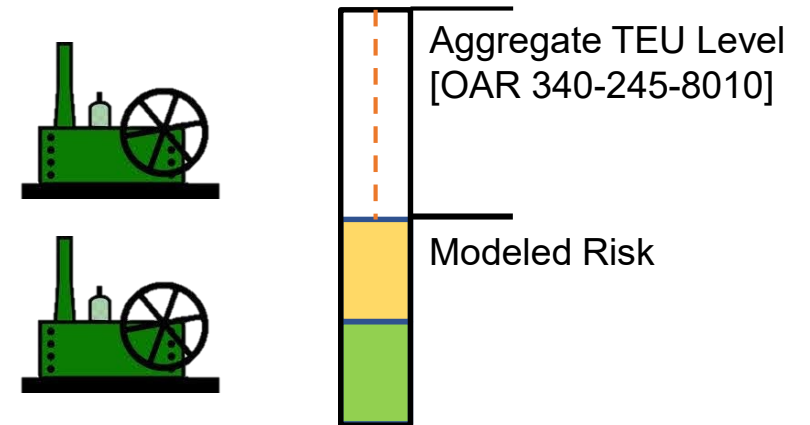
# 3. Toxics Emissions Units (TEUs)

## Initial Proposal – Aggregated TEUs (Revised - no changes)

Include Aggregated TEUs in source risk calculations - proposed updates may include:

- Update Source Risk definition and calculations to include Aggregated TEU risk  
[245-0020(54) & -0050(40)(c)]
- Allow sources to choose Aggregated TEU risk  
[245-0060(2)]

### Aggregated TEUs



# 3. Toxics Emissions Units (TEUs)

## Initial Proposal – Exempt TEUs

- ❑ Ensure consistency with EPA regulations for “significant” HAP emissions – i.e., >1,000 pounds per year
- ❑ Review and revise list of production activities that qualify as Exempt TEUs  
[245-0060(3)(a)(A)]
- ❑ Provide discretion to ensure significant TAC emissions are included in Risk Assessment



# 3.Toxics Emissions Units (TEUs)

## Revised Proposal – Exempt TEUs

- ~~☐ Ensure consistency with EPA regulations for “significant” HAP emissions~~
- ☐ Review and revise list of production activities that qualify as Exempt TEUs
  - Migrated a curated list into 245 rules [\[245-0060\(3\)\(a\)\(A\)\]](#)
- ☐ Provide discretion to ensure significant TAC emissions are included in Risk Assessment
  - Maintain current rule language requiring demonstration of exempt TEU determination [\[245-0060\(3\)\(a\)\(B\)\]](#)



# Discussion/Questions?

## Aggregated and Exempt TEUs

# 4. Post-Permit and NSR Modifications

## Challenge

DEQ is reviewing requirements for :

- Public Notice & Fees for permit modifications after a CAO Toxics Air Contaminant Permit Addendum (TACPA) has been issued  
[245-0100(8)]
- Major modifications requiring New Source Review (NSR)  
[245-0050(1)(b)]



# 4. Post-Permit and NSR Modifications

## Initial Proposal

- ❑ Adjust the levels of Public Notice and Fee requirements for a wider range of modification types
  
- ❑ Major modifications requiring New Source Review (NSR):\*
  - Require all NSR modifications perform a Risk Assessment, but also allow for DEQ discretion to exempt this requirement
  - Remove deadlines for this process for existing facilities

\*includes only existing facilities not yet called into Cleaner Air Oregon program

# 4. Post-Permit and NSR Modifications

## Revised Proposal – Public Notice and Fees

- ❑ Public Notice and Fees:
  - Specify level/type of risk increase requiring Category III Public Notice and Complex Technical Modification Fee
- ❑ NSR Modifications
  - Require all NSR modifications to provide an Emissions Inventory (EI) for DEQ review
  - DEQ may require a Risk Assessment (RA) if significant risk is estimated
  - DEQ must approve modification based on either EI or RA
  - Remove deadlines for this process for existing facilities



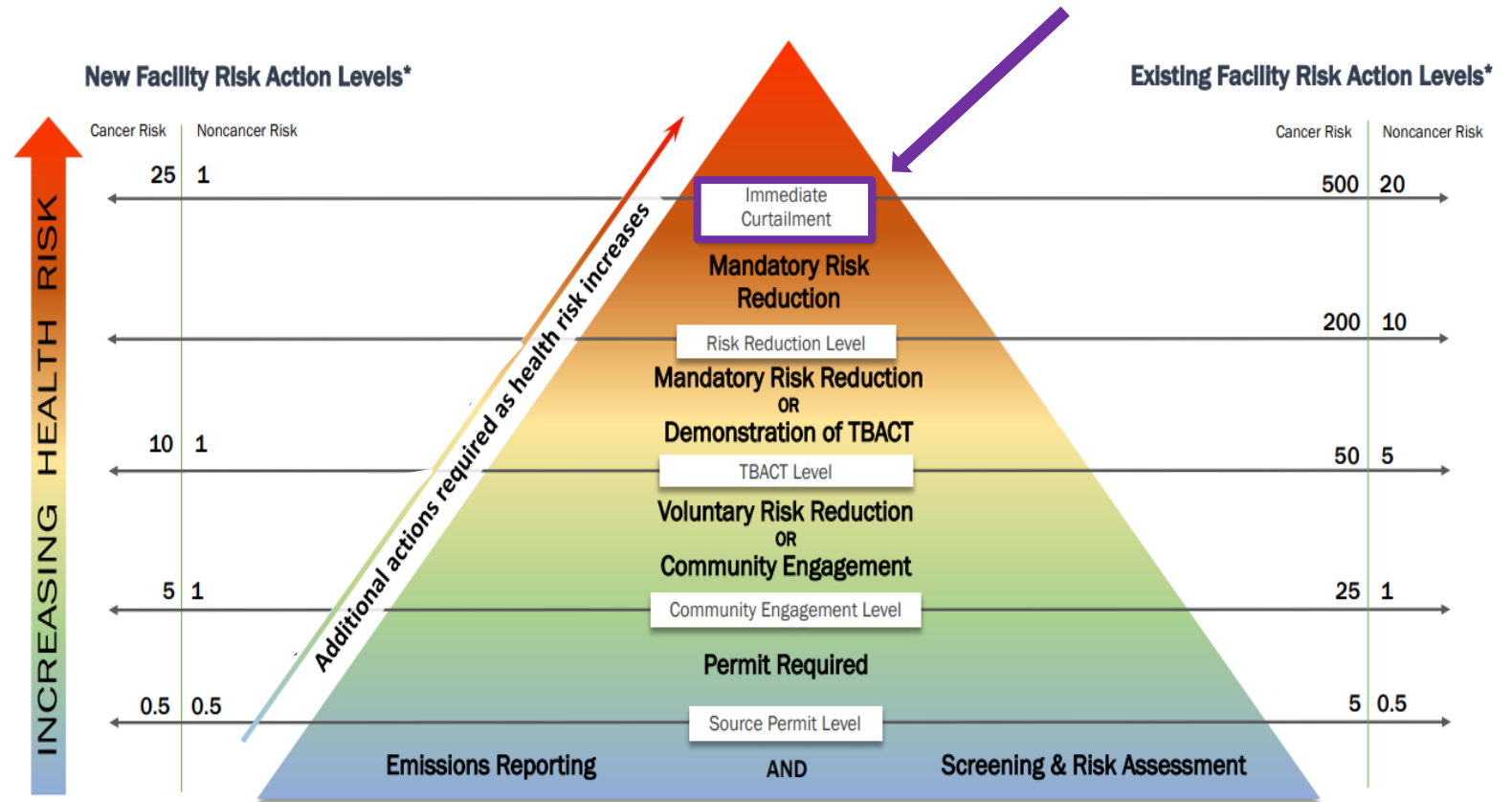
# **Discussion/Questions?**

## **Post-permit and NSR Modifications**

# 5.Immediate Curtailment Requirements

## Challenge

Clarify requirements and risk reduction procedures for facilities above the Immediate Curtailment Risk Action Level (RAL).



# 5. Immediate Curtailment Requirements

## Initial Proposal

- ❑ Require immediate reduction of risk to below the Immediate Curtailment Risk Action Level (RAL) **[245-0030(1)(g)]**
- ❑ Add section to Risk Reduction Rule that:
  - Provides the minimum requirements for this report
  - Allows DEQ to set interim risk levels for continuing operations**[245-0130]**



# 5. Immediate Curtailment Requirements

## Revised Proposal

Add section to Risk Reduction Rule that:

- Establishes timeline of 10 days for full implementation of the Immediate Curtailment Risk Reduction Plan (ICRRP) [245-0130]
- Require ICRRP to remain in effect until Risk Reduction Plan is implemented
- Provides the minimum requirements for the ICRRP
- ~~Allows DEQ to set interim risk levels for continuing operations~~  
[245-0130]



# Discussion/Questions?

## Immediate Curtailment





**Break**  
**20 minutes**



# **245 Proposed Updates Open Discussion**

**J.R. Giska, Cleaner Air Oregon  
Program Engineer**



# Goal of Proposed CAO Updates

Clarify or update requirements that:

- are confusing/ambiguous to DEQ and sources;
- have led to unintended outcomes in process, or assessments are not representative;
- can improve program efficiency for agency and facilities

# 245 Proposed Revisions

## Types of Updates:

- Alignment
- Clarification
- Consistency
- Correction
- Housekeeping
- Redundant
- Unintended Gap/Outcome

# Division 245 Rules

- **[-0020]** Definitions
- **[-0030]** Submittal and Payment Deadlines
- **[-0040]** Emissions Inventory
- **[-0050]** Risk Assessment Procedures
- **[-0060]** Toxic Emissions Unit
- **[-0100]** Toxic Air Contaminant Permit Addendum
- **[-0110]** Source Risk Limits
- **[-0120]** Community Engagement
- **[-0130]** Risk Reduction Plan Requirements
- **[-0140]** Pollution Prevention
- **[-0150]** Postponement of Risk Reduction
- **[-0200]** Risk Estimates
- **[-0210]** Modeling and Risk Assessment Work Plan Requirements

# [-0020] Defintions

Rule [-0020]: Definitions		
	Include reference to other Toxic Air Contaminant rules	Alignment
(4)	Revise from average daily concentration to maximum daily concentration	Clarification
(11)(b)	Remove hyphen	Housekeeping
(23)	Added example	Clarification
(27)	Include reference to proposed rule section providing Immediate Curtailment Risk Reduction Plan requirements	Immediate Curtailment
(32)	Minor text edits	Housekeeping
(33)	Include relocation criteria in new source definition	New Source
(35)&(36)	Remove hyphen in "Nonresident"	Housekeeping
(48)	Remove text related to Source Risk Limit	Clarification
(49)	Table reference update	Alignment
(53)	Remove " <i>de minimis</i> " from definition	Correction
(54)	Revise language to include risk from Aggregated TEUs	Aggregated TEUs
(57)&(59)	Migrate definitions to division 247	Alignment



# [-0040] Emissions Inventory

Rule [-0040]: Emissions Inventory		
(1)	Minor text edits	Clarification
(1)	Edits related to table migration to division 247	Alignment
(2)(a)	Remove triennial requirement	Flexibility
(2)(a)	Edit related to table migration to division 247	Alignment
(2)(a)	Minor text edit	Housekeeping
(2)(c)	Split "Revised EI" into section (3) as a separate category of EI	Clarification
(3)	Proposed section to clarify DEQ's ability to request updated EI	Clarification

# [-0040] Emissions Inventory (continued)

(4)(a)(B)	Minor text edits to clarify TAC emitting activities to be reported	Clarification
(4)(a)(B)(i)-(ii)	Reorder sub-paragraphs requirements	Consistency
(4)(a)(B)(i)(I)	Remove requirement for new or reconstructed sources to provide anticipated actual production – this is reported as requested PTE	Consistency
(4)(a)(B)(i)(I)-(III)	Include clarifying language for both annual and maximum daily activities and usage	Clarification
(4)(a)(B)(ii)	Specify requirements for triennial statewide emissions inventory submittals	Clarification
(4)(a)(C)	Remove language restricting reference materials to VOC-containing materials.	Correction
(4)(b)(B)	Update language to reference the TAC Priority List, rather than referencing RBCs, for required TAC reporting in the emissions inventory	Consistency
(4)(b)(B)(i)(I)	Allow existing source to be permitted on actuals if they choose	Flexibility
(4)(b)(B)(i)(II)&(III)	Clarify reporting requirements for all sources	Clarification
(4)(b)(B)(iii)	Specify requirements for triennial statewide emissions inventory submittals	Clarification
(3)(b)(C)(i)-(vi)	Provides detailed example list of reference materials required to be submitted along with EI for review and approval	Clarification

# [-0050] Risk Assessment Procedures

Rule [-0050]: Risk Assessment Procedures		
(1)(a)	Provide reference to section (6) for exempt source determinations	Consistency
(1)(b)	Revise language to include all NSR types, but remove requirement for performing a risk assessment	NSR Mods
(1)(b)(A)&(B)	Stipulate the requirements for approval of the modification if a risk assessment is required	NSR Mods
(1)(c)(B)(iii)	Add language to clarify that permit conditions limiting risk must not exceed Source Risk Limits during monitoring period	Clarification
(1)(c)(D)(iii)	Add language clarifying that all Significant TEUs must meet TBACT to operate above TBACT RAL, up to the Risk Reduction RAL	Clarification and Consistency
(1)(c)(E)	Include language referring to proposed section in [-0130] for sources above Immediate Curtailment level	Immediate Curtailment
(2)(a)(A)	Provide reference to section (6) for Exempt Source	Consistency
(4)(c)	Remove Aggregated TEUs from list of TEUs not included in a Risk Assessment	Aggregated TEUs
(5)(b)	Minor text edit	Clarification
(6)(a)	Provide citation to [-0060] for Exempt TEUs	Clarification

# [-0050] Risk Assessment Procedures (continued)

(7)(a)	Minor text edit	Clarification
(&)(a)(A)	Minor text edit	Clarification
7(a)(B)&(C)	Minor text edits to account for new sources in these paragraphs	Consistency
(8)	Table reference updates	Alignment
(8)(a)	Revise Level 1 Risk Assessment Tool to Level 1 Risk Assessment Dispersion Tables	Correction
(8)(b)	Table reference updates	Alignment
(8)(c)	Provide other specified criteria for when a Level 1 Risk Assessment would not be a valid choice	Clarification
(8)(c)	Revise Level 1 Risk Assessment Tool to Level 1 Risk Assessment Dispersion Tables and update table reference	Clarification & Alignment

# [-0060] Toxics Emissions Units

Rule [-0060]: Toxic Emissions Units		
Rule Title	“Toxics Emissions Units”	Correction
(1)	Update language to provide DEQ discretion to re-designate TEUs when they may be inappropriately designated in a permit or application	Unintended Gap
(1)(c)	Language update to distinguish the two separate ways of accounting for multiple emissions-producing activities routed to one stack	Clarification
(1)(e)	Allow DEQ to designate a TEU differently than in the existing AQ permit	Flexibility
(2)(b)	Allow source to choose how to assign risk from Aggregated TEUs in risk assessment, with choices in paragraphs (A) and (B)	Aggregated TEUs
(2)(c)	Clarify approval requirements for changing designation of Aggregated TEUs	Clarification
(2)(d)	Add rule reference for Risk Action Level [OAR 340-245-8010 Table 1]	Clarification

# [-0060] Toxics Emissions Units (continued)

(3)	Re-order subsections	Clarification
(3)(a)	Clarifies DEQ approval required for Exempt TEUs and provides examples of information that may be submitted for review	Exempt TEUs
(3)(b)	The previous rule reference has been replaced by a list of activities that qualify as Exempt TEUs	Exempt TEUs
(4)(b)	Minor text edits	Clarification
(4)(b)(B)&(D)	Include requirements for evaluating risk and DEQ approval of construction or modification of new TEUs in this case	Consistency
(4)(c)	Minor text edits and table reference updates	Clarification
(4)(c)(B)	Updates to construction or modification of Aggregated TEUs – including language for the different ways risk may be included from these TEUs and requiring DEQ approval.	Aggregated TEUs
(4)(c)(C)(i)(I)	Minor text edit	Consistency
(4)(c)(C)(i)(II)	Include reference to TBACT and TLAER Procedures rule [OAR 340-245-0220], and minor text edits	Consistency

# [-0100] Toxic Air Contaminant Air Permit Addendum

Rule [-0100]: Toxic Air Contaminant Permit Addendum		
(1)(a)	Replace “and” with “or” to distinguish including CAO permit conditions in a permit from an addendum	Clarification
(3)	Minor text edit	Clarification
(3)(a)-(n)	Remove some of these sub-sections, as the requirements already exist in other rules	Redundant
(4)(b)	Remove “preliminary” as this is undefined and is confusing	Clarification
(4)(c)	Remove this section as it is redundant with language and authority in OAR 340-245-0120(3)(c)	Redundant
(4)(d)	Update language to, “When DEQ has approved an application....”	Correction
(6)(a)	Update to match the application requirements in sub-section (3)	Consistency
(6)(f)&(g)	Remove - this information is already required in AQ permits.	Redundant
(7)(a)&(b)&(d)	Provide rule citations to the corresponding rules – i.e., [-0130], [-0220], and [-0210], respectively	Consistency
(7)(c)	Update language to, “Verify that no changes in zoning....”	Correction
(8)(a)(A)(ii)	Update language to, “Aggregated....”	Correction
(8)(a)(F)	Provide a timeline for revising risk assessment if zoning or land use changes around a facility in ways that could increase risk	Unintended Outcome
(8)(f)(A)(i)&(ii)	Update language to include finer resolution on the type of risk increase requiring category III public notice	Post-TACPA
(8)(f)(B)	Remove risk increase language for category I public notice	Post-TACPA

# [-0120] Community Engagement

## Rule [-0120]: Community Engagement

Rule [-0120]: Community Engagement		
(2)	Language update to clarify notification requirements for public meetings held if the source risk is greater than the Community Engagement RAL vs. any other public meetings	Clarification
(3)(a)	Clarify purpose and timing of public meeting	Clarification
(3)(b)	Public meeting reference for notification requirements	Clarification
(3)(c)	Language allowing flexibility for notification requirements for public meetings not required under (3)(a)	Clarification
(3)(d)(C)&(D)	Move childcare conditions to separate paragraph and provide language to allow DEQ to work with external providers when feasible	Clarification
(3)(e)	Language clarifying requirements for public meetings when held because the source risk is greater than the Community Engagement RAL	Clarification



# [-0130] Risk Reduction Plan Requirements

Rule [-0130]: Risk Reduction Plan Requirements		
Title	Update to, “Risk Reduction Requirements”	Clarification
(1)	Include reference to deadline for submittal in Submittal and Payment Deadlines rule [-0030]	Consistency
(2)(d)(A)	Revise “and” to “or”	Correction
(3)	Update to make this only available to facilities reducing risk from cancer or chronic noncancer source risk, and not acute source risk	Unintended Outcome
(4)	Update language from “implement” to “complete implementation of”	Correction
(4)(a)(A)(i)&(ii)	Remove sub-paragraphs (i)&(ii) to limit total maximum time for cancer and chronic noncancer to four years	Correction
(6)	Update language to, “...risk is less than or equal to the TBACT....” And clarify the following are requirements	Consistency & Clarification
(6)(a)	Minor text edit	Housekeeping
(6)(b)	Update language from “implement” to “complete implementation of”	Correction

# [-0130] Risk Reduction Plan Requirements (continued)

(6)(b)(A)	Provide language for chronic risk timelines separate from acute to mirror Risk Reduction Plan timelines. Reduce total, maximum implementation timeline to two years.	Correction
(6)(b)(B)	Provide language for acute risk timelines separate from chronic to mirror Risk Reduction Plan timelines. Reduce total, maximum implementation timeline to twelve months.	Correction
(6)(c)	Update language for flexibility based on Community Engagement rule	Clarification
(7)	Proposed section for providing requirements for Immediate Curtailment Reduction Plan	Immediate Curtailment
(8)	Proposed section to clarify DEQ authority if source does not comply with section (7)	Immediate Curtailment
(9)	Proposed section provides conditions required to terminate implementation of the Immediate Curtailment Risk Reduction Plan	Immediate Curtailment

# [-0140] Pollution Prevention & [-0150] Postponement of Risk Reduction

<b>Rule [-0140]: Pollution Prevention</b>		
(1)	Update language to, "...risk is greater than...."	Consistency
(3)(b)-(d)	Update language to, "..., but are not limited to, ...."	Flexibility
<b>Rule [-0150]: Postponement of Risk Reduction</b>		
(1)	Include language limiting postponement of risk to chronic risk	Correction
(2)(a)	Include reference to section (4) under this rule	Clarification
(5)(b)	Update language to, "...local Tribal bodies...."	Correction

# [-0200] Risk Estimates

Rule [-0200]: Risk Estimates		
Throughout	Update “risk ratios” to “risk”	Consistency
(2)	Update “Tool” to “Dispersion Tables”	Correction
(2)(a)&(4)(a)	Update language to, “...applicable exposure scenarios....”	Correction
(2)(c)(A)(i)	Clarifying language for stack vs. fugitive emissions and provide table reference updates	Clarification & Alignment
(2)(c)(A)(iii)	Table reference update	Alignment
(2)(c)(A)(vi)	Clarification for when a Risk Determination Ratio is required to be calculated and table reference update	Clarification & Alignment
(2)(c)(B)(i)	Clarifying language for stack vs. fugitive emissions and provide table reference updates	Clarification & Alignment
(2)(c)(B)(vi)	Clarification for when a Risk Determination Ratio is required to be calculated and table reference update	Clarification & Alignment
(2)(c)(C)	Table reference update	Alignment
(2)(c)(C)(i)&(ii)	Clarifying language for stack vs. fugitive emissions and provide table reference updates	Clarification & Alignment
(2)(c)(C)(iii)	Language providing criteria establishing when DEQ would not allow a Level 1 risk assessment	Correction
(3)(c)(D)	Clarification for when a Risk Determination Ratio is required to be calculated and table reference update	Clarification & Alignment
(5)	Table reference updates	Alignment

# [200-0020] Definitions – Regulated Pollutant

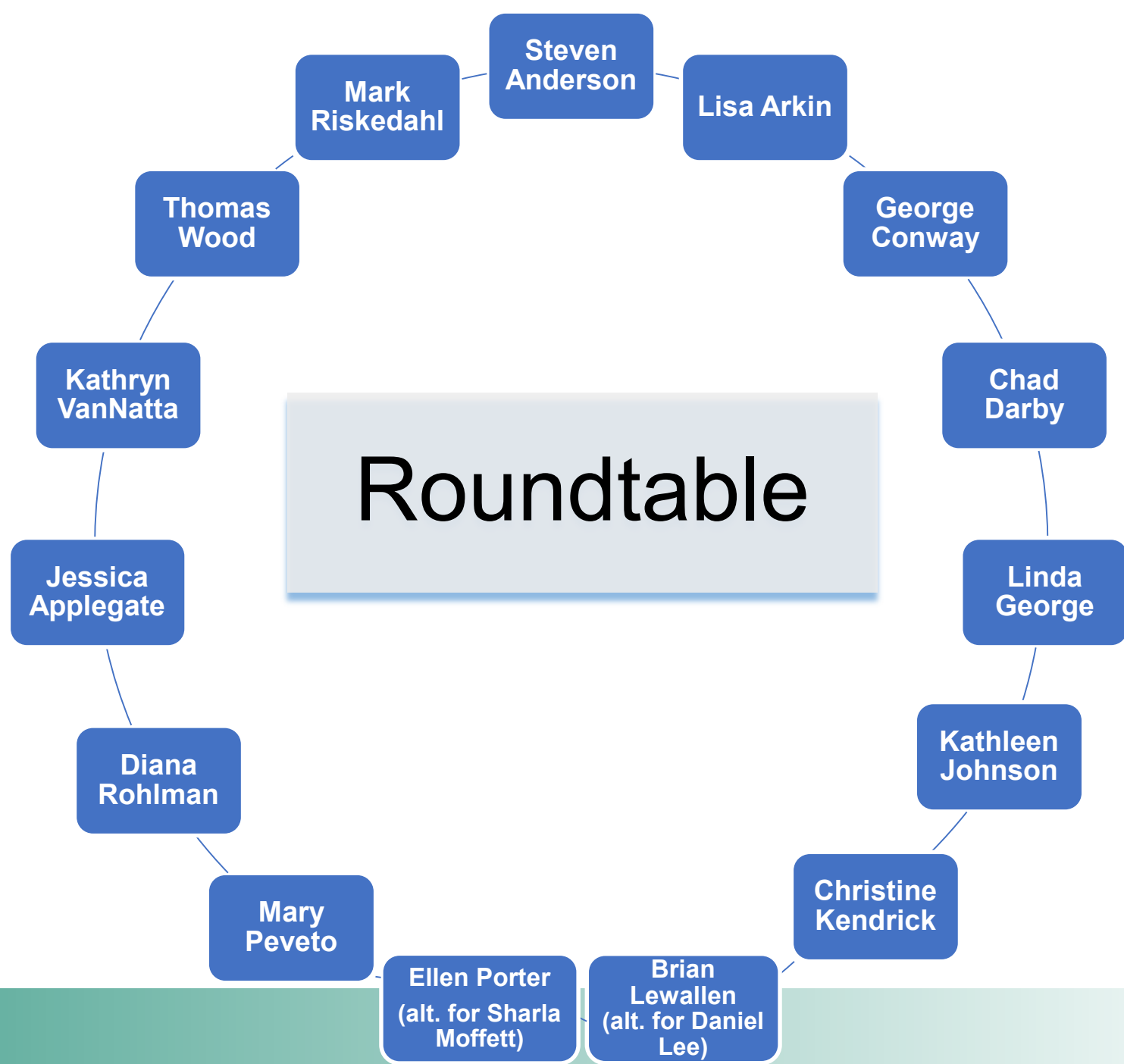
Definitions [OAR 340-200-0020]		
(134)(d)	Update language to include toxic air contaminants as “regulated air pollutant” or “regulated pollutant” in Divisions 209 and 210	Correction and Consistency



# Roundtable

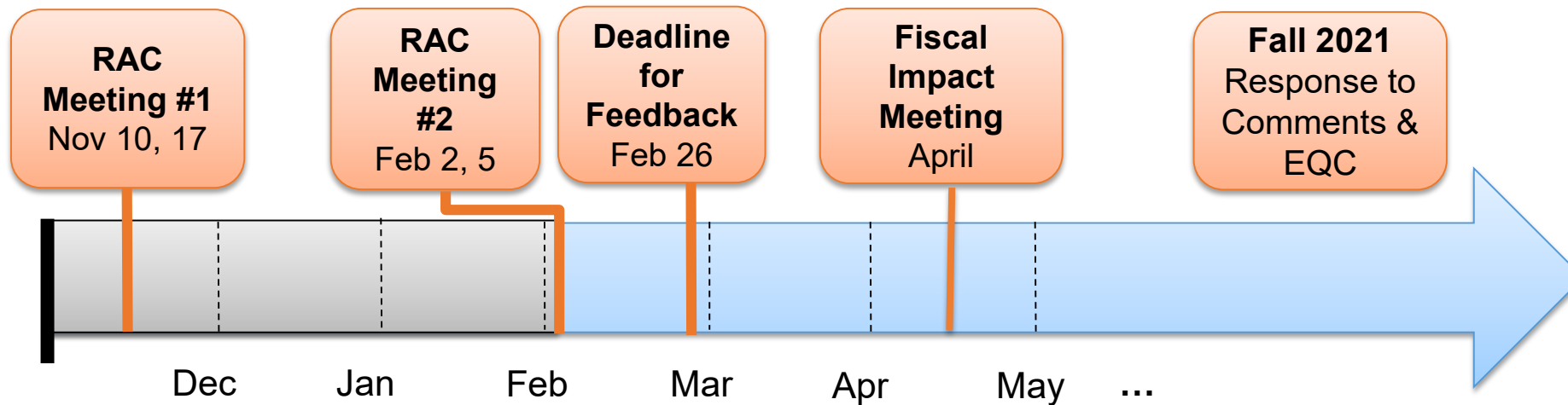
## Donna Silverberg





# Next Steps

**Deadline for written feedback: February 26**  
**Fiscal Impact meeting: April, to be scheduled**







# Thank you for attending!

**More info:**

[ORDEQ.org/AirToxics2021](http://ORDEQ.org/AirToxics2021)

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