


State of Oregon
Department of Environmental Quality

Memorandum

Date: Oct. 25, 2017
To: Environmental Quality Commission
From: Richard Whitman, Director 
Subject: Agenda item G, Informational item: Cleaner Air Oregon updates
Nov. 2-3, 2017, EQC meeting

Why this is important DEQ staff will present the proposed draft rules for the Cleaner Air Oregon program, describe the outreach and engagement timelines for gathering public comment on the proposed rules and provide other program updates. The commission will be asked to take action on proposed rules in July 2018.

Program background and timeline Governor Kate Brown launched the Cleaner Air Oregon regulatory reform in April 2016 after air toxics data showed gaps in the federal and state regulatory authorities and responses. The program is a statewide initiative to reform the regulations that control industrial air toxics emissions.

Since April 2016, DEQ and the Oregon Health Authority have worked together with a formal rules advisory committee, a technical workgroup, community members and relevant local, state and federal agencies to develop a comprehensive and health-based program and associated rules.

The commission has the regulatory authority for the approval of rules, and DEQ intends to bring proposed rules for commission action in July 2018 following a two-month public comment period, public hearings and other opportunities for enhanced community engagement across Oregon.

Community engagement DEQ staff, with partners from the Oregon Health Authority, attended three community-based workshops in early October. These workshops were organized by EPA and community groups in Portland, The Dalles and Corvallis. The workshops were organized to help prepare community members to provide effective public comment once the draft rules were released.

At each of the three meetings, DEQ staff provided technical and contextual information about the proposed draft rules, the review process and eventual next steps for commission review and consideration in summer 2018.

Public hearings DEQ opened the public comment period Oct. 20, 2017, with the release of the draft proposed rules. Those draft rules are included as a link at the end of this

report. DEQ intends to hold public hearings across the state, at which staff will present a summary of the proposed draft rules and accept comments on the proposal. DEQ will close the public comment period Dec. 22, 2017, after which program staff will review all comments, making technical and policy changes as appropriate, respond to the comments, and prepare the final draft proposed rules for commission consideration.

The public hearings will be opportunities for any person to present formal comment on the proposed draft rules and related program materials. DEQ has scheduled hearings across the state in an attempt to gather broad input through verbal comments, and people may also provide comments online, via email or via U.S. postal mail until Dec. 22, 2017.

Hearings are scheduled:

- Nov. 15, 2017: Medford
- Nov. 16, 2017: Coos Bay
- Nov. 20, 2017: Corvallis
- Nov. 28, 2017: Pendleton
- Nov. 29, 2017: Portland
- Dec. 2, 2017: Portland

**EQC
involvement**

DEQ staff will present an informational update and status report to the commission in spring 2018. DEQ expects to bring proposed rules for commission consideration in July 2018.

**Links for
supporting
materials**

- A. Cleaner Air Oregon homepage: <http://www.oregon.gov/deq/aq/cao/Pages/default.aspx>
- B. Summary rules guide: <http://www.oregon.gov/deq/Rulemaking%20Docs/cao-pn-rulesGuide.pdf>
- C. Draft rules: <http://www.oregon.gov/deq/Rulemaking%20Docs/cao-pn-Div245.pdf>
- D. Overview fact sheet: <http://www.oregon.gov/deq/FilterDocs/cao-overviewfs.pdf>
- E. Heath fact sheet: <http://www.oregon.gov/deq/FilterDocs/cao-healthfs.pdf>
- F. F. Business fact sheet: <http://www.oregon.gov/deq/filterDocs/cao-businessfs.pdf>

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