

State of Oregon
Department of Environmental Quality

Memorandum

Date: Nov. 3, 2014
To: Environmental Quality Commission
From: Dick Pedersen, Director
Subject: Agenda item Q, Action item: Update to filing authority delegation
Nov. 5-7, 2014, EQC meeting

Background DEQ's Agency Rules Coordinator is responsible for filing materials with the Secretary of State on behalf of DEQ. That responsibility is a delegated authority given by the commission.

Maggie Vandehey, DEQ's long-time rules coordinator, is retiring and her authorization must be rescinded and her position's replacement given the appropriate administrative authority to file rules and take other administrative actions on behalf of DEQ.

If approved and signed, DEQ will file the withdrawal of rulemaking, attachment A, with the Secretary of State and it becomes effective immediately. The delegation of administrative functions, attachment B, is retained by DEQ and would allow Meyer Goldstein, the new Agency Rules Coordinator, to provide administrative functions for the agency with no lapse in authority.

DEQ recommendation and EQC motion DEQ recommends that the commission authorize the Chair O'Keeffe to sign the rulemaking delegation withdrawal, as seen in attachment A, and authorize Chair O'Keeffe to sign an updated delegation of administrative functions, as seen in attachment B.

Attachments A. Withdrawal of previous rulemaking authority delegation
B. Delegation of specified administrative functions

*Report prepared by Stephanie Caldera
from information provided by DEQ staff*

Removal of Previous Delegation of Rulemaking Authority

Oregon Environmental Quality Commission

Oregon Administrative Rules Chapter 340

The Oregon Environmental Quality Commission hereby withdraws the delegation of rulemaking authority to Maggie Vandehey issued Dec. 10, 2009, (OAR Chapter 340). This withdrawal of delegated authority is effective immediately.

Jane O’Keeffe
Chair, Oregon Environmental Quality Commission
Nov. 7, 2014

Delegation of Administrative Functions

The Oregon Environmental Quality Commission delegates to the Director the authority to commence rulemaking proceedings. The Commission further delegates to the Director, Commission Assistant and Agency Rules Coordinator the authority to take all ministerial actions necessary for rulemaking under ORS 183.325 to 183.410, OAR 340.020, OAR 137, division 1, and OAR 340, division 11, including, but not limited to, publication of notice of proposed rules, taking of public comment on proposed rules, holding public hearings on proposed rules, and filing of documents with the Secretary of State, Legislators and Legislative Counsel.

Jane O'Keeffe
Chair, Oregon Environmental Quality Commission
Nov. 7, 2014