

Staff Report

June 10, 2026

AQ Fees 2026

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DEQ recommendation to the DEQ Director

The Oregon Department of Environmental Quality recommends that the Director, as delegated by then Environmental Quality Commission, adopt the proposed rules in Attachment A as part of Chapter 340 of the Oregon Administrative Rules.

Introduction

DEQ invited public input on a proposed rulemaking to increase fees for the Title V and Asbestos programs by 3%, as authorized under ORS 468A.315(2), 468A.345(3) and 468A.750(4). On March 12, 2026, the EQC delegated authority to the DEQ Director to approve fee increases for the Title V and Asbestos programs.

DEQ held a public comment period for this rulemaking from April 16th, 2026, until May 22, 2026.

Statement of need

What need would the proposed rule address?

Title V

Approval of this fee increase will allow the Title V program to cover DEQ's costs to operate the Title V program. Costs include a portion of air quality monitoring, planning and agency central services, such as accounting and human resources. Federal and State law authorize DEQ to increase fees.

Asbestos

Approval of this fee increase will allow the Asbestos Program to maintain current service levels, operating in a way that protects public and worker health by providing technical assistance, collaborating with local, state, and federal agencies, conducting abatement project inspections, and investigating and addressing violations that endanger public health.

How would the proposed rule address the need?

Both programs require funding increases to continue to provide essential program services to Oregonians and maintain the public health benefits associated with program functions. ORS 468A.315, 468A.345 and ORS 468A.750 allows DEQ to increase fees up to 3% to accommodate anticipated costs associated with administering the Title V and Asbestos programs. Annual costs associated with administering the Title V and Asbestos programs have risen by more than 3%. While the 3% increase does not cover the additional expenses of the program, the 3% fee increase will prevent a larger increase to businesses in the future.

How will DEQ know the rule addressed the need?

By increasing fees, DEQ can offset the increased costs of administering the Title V and Asbestos Programs. This rulemaking will help maintain necessary service levels for these programs.

Federal relationship

ORS 183.332, 468A.327 and OAR 340-011-0029 requires DEQ to attempt to adopt rules that correspond with existing equivalent federal laws and rules unless there are reasons not to do so. In this case, the proposed rules differ from applicable federal requirements. As required by OAR 340-011-0029(1)(a), DEQ provides the following reasoning and alternatives analysis for adopting these rules.

Relationship to federal requirements

What are the scientific, economic, technological, administrative and other reasons for exceeding applicable federal requirements?

Title V

The Title V Program is not different from, or in addition to, applicable federal requirements and imposes a stringency equivalent to the federal requirements. The proposed rules implement the federal requirements of the Clean Air Act and EPA rules (40 CFR Part 70) that Oregon's Title V operating permit program be fully funded through permit fees.

Asbestos

Oregon is required to operate an asbestos program. In order to address federal requirements, the asbestos program must maintain an adequate operating budget. There are no federal stipulations regarding asbestos fees, but DEQ's program is designed to meet federal asbestos requirements and be a fee-based program. The fee increase in this rulemaking ensures DEQ can fulfill our obligations to maintain an effective asbestos program.

The DEQ Asbestos program relies on fees to support continuation of the program. The proposed fee increase is necessary to help ensure that federal requirements continue to be met.

What alternatives did DEQ consider and why are you not pursuing them?

DEQ considered the following alternatives:

Federal law requires DEQ to perform requisite program services to retain delegation of the Title V program. Federal law also requires DEQ to fund the permit program entirely by permit fees. DEQ could decline to administer the program, shifting the program from DEQ to EPA; however, DEQ has chosen not to pursue this alternative to maintain regulatory consistency for the regulated public and people of Oregon.

DEQ considered not proposing adoption of the fee increases for Asbestos programs. DEQ determined that failure to raise fees by inflation would undermine the effectiveness of these programs and compromise existing levels of service.

DEQ did not pursue these alternatives because of the following:

DEQ did not pursue these alternatives because it would not achieve the purpose of accommodating routine increases in service costs associated with these programs. For both programs, the legislature provided authority to annually increase fees by the amount associated with the anticipated increase in the cost of administering the programs, or by 3% whichever is lower. DEQ has determined that costs associated with administering both programs have actually increased by much more than 3%, according to bi-annual budgets. Therefore, a fee increase is necessary to maintain current service levels.

Rules affected, authorities, supporting documents

Lead division

Air Quality Planning

Program or activity

Title V and Asbestos Programs

Chapter 340 action, amend:

- 340-220-0030
- 340-220-0040
- 340-220-0050
- 340-248-0180
- 340-248-0260

Statutory authority - ORS

- 468.020
- 468.065
- 468A.315(2)
- 468A.345(3)
- 468A.750(4)

Statutes implemented – ORS

- 468.020
- 468.065
- 468A.040
- 468A.050
- 468A.315
- 468A.345
- 468A.750

Documents relied on for rulemaking

Title V

- [2023-2025 Legislatively approved budget](#)
- [Oregon Revised Statutes – Air Quality](#)

Asbestos

- [List of Accredited Training Providers](#)

- [List of Licensed Asbestos Abatement Contractors](#)

Rules summary

As OAR 166-500-0030(1)(e) requires, the following are included to provide a brief summary of the proposed new rules and existing rules affected by this rulemaking.

OAR chapter 340, division 220 and 248

Rule Number	Rule Title	Explanation
OAR 340-220-0030, OAR 340-220-0040, OAR 340-220-0050	Title V Operating Permit Program Fees	3% fee increase to maintain service levels for the Title V Program.
OAR 340-248-0180, OAR 340-248-0260	Asbestos Program Fees	3% fee increase to maintain service levels for the Asbestos Program.

Fee analysis

The proposed rule changes would increase existing fees. The EQC met on March 12, 2026, and delegated authority to DEQ's Director to adopt a fee increase for the Asbestos and Title V programs. ORS 468A.315(2), 468A.345(3) and 468A.750(4) authorize these fee increases.

Brief description of proposed fees

DEQ is proposing a fee increase to support air quality program fees for Fiscal Year 2027 by 3% above the FY 2026 fees for the Title V and Asbestos programs

The fee increase rulemaking consists of the following:

OAR 340-220-0030, 340-220-0040 and 340-220-0050

- Title V Operating Permit Program Fees

OAR 340-248-0180 and 340-248-0260:

- Asbestos Program Fees

Reasons

The proposed fee increase is necessary to maintain current service levels for the Title V and Asbestos programs. DEQ's goal is to incrementally raise fees annually, when appropriate, rather than adopt larger fee adjustments less frequently. However, the regular 3% fee increase does not always keep pace with inflation and the increasing cost of services, especially for programs that are all or predominantly fee funded. Therefore, DEQ may periodically seek larger fee increases.

Services the fee increase would support include a portion of air quality monitoring, planning and agency central services, such as accounting and human resources. The fees would also address increased program and staff costs to maintain current service and staff levels.

Fee proposal alternatives considered

DEQ considered the following alternatives:

- No fee increases, which could require DEQ to reduce program staffing. Without a fee increase, the program will eliminate legislatively approved positions over the next few years, impacting the agency's ability to deliver on core responsibilities.
- Increasing annual fees at differing rates and in differing amounts in order to reduce fiscal impacts to source categories that have lower emissions levels.

Fee payer

Title V

Fee payers are Title V permit holders from across the state including many of the largest industrial facilities in the state and are the largest point sources of air pollution in the state. These facilities are mainly large employers and produce items for local, regional and national consumption. Title V permit holders are an important part of the Oregon economy.

Asbestos

Fee payers for the asbestos program are asbestos abatement contractors, certified asbestos workers and supervisors, and accredited asbestos training providers.

Fee payers may also include homeowners and/or property owners who are indirectly affected when hiring asbestos abatement contractors if contractors decide to pass fee on to customers.

Affected party involvement in fee-setting process

DEQ convened a Fiscal Advisory Committee including appointees representing a variety of industries directly and indirectly affected by the proposed fee increase. The RAC/FAC met on March 25, 2026 to discuss ways to employ the fee increase to allow DEQ to generate the required revenue.

Summary of impacts

The proposed Title V fee increases would affect the 98 facilities that currently have a Title V permit and any facility that applies for this type of permit in the future. This increase applies to the annual base fee, annual emission fees, and specific activity fees associated with permit modification fees.

The proposed Asbestos program fee increases would affect approximately 78 licensees, 6 training providers, and 825 certificate holders directly by increasing all fee categories by 3%. This includes project notification fees, asbestos worker and supervisor certification fees, contractor licensing fees, and training provider accreditation fees.

Fee payer agreement with fee proposal

ORS 468A.315, 468A.345 and ORS 468A.750 allows DEQ to increase fees up to 3% to accommodate anticipated increase in costs associated with administering the Title V and Asbestos programs. The amount of the proposed increase is consistent with the historical periodic fee increases for the Title V program.

This is the third rulemaking in which Asbestos program fees would be increased to account for inflation. The RAC members who represented fee payers did not express opposition to the increased fee.

How long will the current fee sustain the program?

Current fees are not sufficient to sustain the Title V and Asbestos programs. The cost to administer the programs increases every biennium while the total amount of fees paid remains relatively constant, with some fluctuation in fee revenue for activities that are influenced by economic conditions. During the 2025-27 biennium, increased salary costs from implementing the COLA (2.5% in 2026 and 4% in 2027) will exceed the amount of revenue generated from existing fees plus the amount of new revenue generated from the proposed fee increases.

The Title V program's average cost per full-time employee has increased by 8.4% over a two-year period. This rate of increase is based on a calculation using the current service level from the 2023-2025 legislatively adopted budget as compared to the 2025-27 modified current service level in the Governor's Recommended Budget.

The Asbestos program's average cost per full-time employee has increased by 11.9% over a two-year period. This rate was also calculated using the current service level from the 2023-25 legislatively adopted budget as compared to the 2025-27 legislatively adopted budget.

Budgeted Cost Increase – Title V

Budget Period	Costs Per FTE
2023-25 Legislatively Adopted Budget	\$434,043
2025-27 Legislatively Adopted Budget	\$470,393
Budget increase over two- year period	8.4%

Current Fees – Title V

Program costs covered by fees	\$6,241,477	100%
Program costs covered by General Fund	\$0	0%

Proposed Fees – Title V

Expected change in revenue (+/-) (FY2026)	\$187,244	3.00%
Main General Fund required by statute/rule to fund program	\$0	0%
Proposed fee allows General Fund replacement	\$0	0%

Expected effective date, August 2026

Transactions and Revenue – Title V

Fiscal Year	Number of transactions	Number of fee payers	Impact on revenue (+/-)	Total revenue (+/-)
FY2024-2025	138	98		\$5,907,000
FY2025-2026	104	98	\$187,244	\$6,084,000

Budgeted Cost Increase – Asbestos Program

Budget Period	Costs Per FTE
2025-2027 Legislatively Adopted Budget	\$406,911
2027-2029 Legislatively Adopted Budget	\$455,563
Budget increase over two- year period	11.9%

Current Fees – Asbestos Program

Program costs covered by fees	\$1,777,526	100%
Program costs covered by General Fund	\$0	0%

Fees last changed in 2025 (Notifications, Licensing, Certification, Training Provider Accreditation)

Proposed Fees – Asbestos Program

Expected change in revenue (+/-)	\$53,326	3%
Main General Fund required by statute/rule to fund program	\$0	0%
Proposed fee allows General Fund replacement	\$0	0%

Expected effective date, August 2026

Transactions and Revenue* - Asbestos Program

Biennium	Number of transactions	Impact on revenue (+/-)	Total revenue (+/-)
FY2025-26	2,813		\$1,475,000
FY2026-27	2,813	\$53,326	\$1,519,000

*FY 2026-27 are estimates based on FY 2025-26 transactions and revenue.

Fee schedule

Proposed Fees – Title V

Fee category	2025 Fees	Proposed 2026 Fees
Annual Title V Fees		
Emission Fee	\$124.63	\$128.36
Annual Base Fee	\$16,482	\$16,976
Specific Activity Fees		
Administrative Amendment	\$1,004	\$1,034
Simple Modification	\$4,020	\$4,140
Moderate Modification	\$30,154	\$31,058
Complex Modification	\$60,308	\$62,117
Air Monitoring Review	\$8,041	\$8,282

Proposed Asbestos Fees

Notification Fee	Current Fee	Fee After
Residential	\$133	\$136
Non-Friable	\$133	\$136
<40 linear feet <80 square feet	\$133	\$136
40-259 linear feet 80-159 square feet	\$267	\$275
260-1299 linear feet 160-799 square feet	\$534	\$550
1300-2599 linear feet 800-1599 square feet	\$702	\$723
2600-4999 linear feet	\$1,203	\$1,239

1600-3499 square feet		
5000-9999 linear feet 3500-5999 square feet	\$1,403	\$1,445
10,000-25,999 linear feet 6000-15,999 square feet	\$2,272	\$2,340
26,000-259,999 linear feet 16,000-159,999 square feet	\$3,743	\$3,855
>260,000 linear feet >160,000 square feet	\$4,678	\$4,818
Annual Friable Notification for <40 linear feet or <80 square feet	\$1,002	\$1,032
Annual Nonfriable Notification for Schools, Colleges, Facilities	\$668	\$688
Worker and Supervisor Cards	Current Fee	3% Fee Increase
Initial Worker Certification	\$60	\$61
Refresher Worker Certification	\$60	\$61
Initial Supervisor Certification	\$86	\$88
Refresher Supervisor Certification	\$86	\$88
Abatement Contractor License	Current Fee	3% Fee Increase
New Contractor License	\$1,347	\$1,387
Contractor License Renewal	\$1,347	\$1,387
Contractor License Modification	\$1,347	\$1,387
Training Provider Accreditation	Current Fee	3% Fee Increase
Initial Worker Training	\$418	\$430
Refresher Worker Training	\$418	\$430
Initial Supervisor Training	\$418	\$430
Refresher Supervisor Training	\$418	\$430

Statement of fiscal and economic impact

Fiscal and economic impact

Increasing permitting fees will benefit the Title V and Asbestos programs through increased financial support, helping the program maintain current service levels. The fee change will increase costs for entities that hold the affected permits or require fee-based services.

Title V

The increase in Title V permit fees would affect approximately 98 permit holders directly and increase annual program revenue by approximately \$187,244 in the 2027 fiscal year. The direct impact of the fee increase on permit holders is based on an assumption that emissions remained the same in 2026 as they were in 2025, and reflects adjustments in recently amended and renewed Title V permits.

Title V permit holders are subject to Oregon's greenhouse gas reporting program. The greenhouse gas reporting fee is equal to 20 percent of their Title V annual base and emission fees, minimum of \$500 up to a maximum greenhouse gas reporting fee of \$9,000. Because the greenhouse gas reporting fee calculation is a percentage of the Title V fees, the proposed increase in Title V permit fees would also result in a 3% increase in the greenhouse gas reporting fees in the invoices DEQ will issue in 2026. The cap of \$9,000 for greenhouse gas program fees remains unchanged.

Asbestos

For the Asbestos program, an increase in asbestos notification fees, certification fees, accreditation fees, and licensing fees would affect approximately 78 licensees, 6 training providers, and 825 certificate holders directly. This fee increase would result in approximately \$53,326 of additional program revenue annually.

Statement of cost of compliance

State agencies

Title V

Direct Impacts: Oregon Health Sciences University is an example of a state and federal agency that is subject to the Title V Program and paid annual Title V Program fees of \$26,826 in 2025. The proposed rules would increase their permit fees by about \$804 for 2026.

Indirect Impacts: Changes to Title V Program fees could affect state and federal agencies indirectly if businesses subject to the program change the price of goods and services to offset any increased costs from paying increased program fees.

Asbestos

Federal and state agencies should not be affected by this fee increase rulemaking unless they employ asbestos staff or require asbestos abatement work in an agency building.

Local governments

Title V

Direct Impacts: Oregon county and city local governments subject to the Title V Program include municipal waste landfills. The following is a summary of fee increases for three landfills operated by local governments:

- Metropolitan Service District, St. Johns Landfill paid annual Title V Program fees of \$17,230 in 2025. The proposed rules would increase their 2026 fees by about \$516.
- Deschutes County Solid Waste Department, Knott Landfill paid Title V annual permit fees of \$23,586 in 2025. The proposed rules would increase their 2026 fees by about \$707.
- Douglas County Public Works Department, Roseburg Landfill paid annual Title V Program fees of \$18,476 in 2025. The proposed rules would increase their 2026 fees by about \$554.

Indirect Impacts: Changes to Title V Program fees could affect county and city local governments indirectly if businesses subject to the program change the price of goods and services to offset any increased costs from paying increased program fees.

Asbestos

Local government should not be affected by this fee increase rulemaking unless they employ asbestos staff or require asbestos abatement work in a government building, in which case, the cost of these fees may be passed on and show up as marginal increases in service line items.

Public

Title V

Direct Impacts: Air pollution creates public health problems that can have negative economic impacts. The proposed rules could affect the public directly and positively if the proposed fee increases provide adequate resources for compliance and technical assistance and help avoid public health costs associated with lower compliance and increased air pollution.

Indirect Impacts: Changes to Title V Program fees could affect the public indirectly if businesses subject to the program change the price of goods and services to offset any increased costs from paying increased program fees. DEQ expects any such price increases to

be small and lacks available information upon which it could accurately estimate actual potential increases.

Asbestos

For Asbestos program, the proposed rules may affect the public indirectly. Homeowners, property owners, and facility owners/operators hire asbestos abatement contractors to perform asbestos abatement projects during renovation or demolition activities.

Large businesses - businesses with more than 50 employees

Title V

Direct Impacts: Approximately 90 large businesses hold Title V permits and a fee increase would affect these permit holders directly. Estimated impacts are based on the assumption that DEQ identified all facilities subject to the Title V program and that the number of Title V permits and facility emissions remain constant.

The proposed annual base fees and emission fees are provided in the following table. The annual base fee is small in comparison to the emission fees paid by most sources. The rulemaking would also increase specific activity fees. Specific activity fees contribute a small portion of Title V program revenue.

Proposed Title V Fees For 2026

Fee Category	2025 Fees	2026 Fees	Increase over 2025 Fees
Annual Base Fee	\$16,482	\$16,976	\$494
Emission Fee	\$124.63	\$128.36	\$3.73

The requirement for a Title V permit is based on quantity of potential emissions from a facility. In general, lower emitting sources would experience a smaller annual dollar impact from the proposed fee increases because of the fee portion of the Title V fees, in addition to their annual base fee. The table below shows the effect of the proposed fees on invoices issued to sources emitting 50, 250, 500 or 5,000 tons per year.

Emissions per calendar year	2025 Fees	2026 Fees	Increase in fees
50 tons/yr.	\$22,052	\$23,394	\$1,342
250 tons/yr.	\$46,252	\$49,066	\$2,814
500 tons/yr.	\$76,502	\$81,156	\$4,654
5,000 tons/yr.	\$621,002	\$641,800	\$20,798

Indirect Impacts: Changes to fees could affect businesses indirectly if other businesses change the price of goods and services to offset any increased or decreased costs from paying a permit fee.

Asbestos

Most asbestos abatement contractors and training providers are small businesses, however there are some that employ more than 50 individuals. Those businesses will be directly affected by the asbestos notification fee increase, worker and supervisor certification fee increase, licensing fee increase, and in some cases, the training provider accreditation fee increase.

Large businesses who require asbestos abatement may be affected indirectly by the increase of asbestos fees. Because training providers and asbestos abatement contractors will be required to pay higher fees, these entities may increase prices to offset costs.

Small businesses – businesses with 50 or fewer employees

ORS 183.336 - Cost of Compliance for Small Businesses

The fee increases will not have a significant adverse effect on small businesses.

Title V

Direct Impacts: Most Title V permit holders are large businesses, but the requirement to hold a Title V permit is based on potential emission levels rather than business size. Title V applicability thresholds are 10 tons/year for an individual hazardous air pollutant, 25 tons/year for combined hazardous air pollutants and 100 tons/year of any regulated pollutant, except greenhouse gases. Approximately 11 small businesses are required to hold Title V permits because their potential emissions exceed one or more of the Title V applicability thresholds.

Indirect Impacts: Changes to fees could affect small businesses if other businesses holding Title V permits change the price of goods and services to offset any increased costs from paying a permit fee.

Asbestos

Most asbestos abatement contractors are small businesses. The increase in worker and supervisor certification fees, licensing fees, and notification fees will affect them directly. Most accredited asbestos training providers are also small businesses, and the increase in training provider fees will affect them directly.

Small businesses who require asbestos abatement may be affected indirectly by the increase of asbestos fees. Because training providers and asbestos abatement contractors will be required to pay higher fees, these entities may increase prices to offset costs.

a. Estimated number of small businesses and types of businesses and industries with small businesses subject to proposed rule.

Title V

DEQ estimates that approximately 10 percent of sources subject to the Title V Program (about 10 businesses) are small businesses with 50 or fewer employees.

Asbestos

Based on the list of existing licensed asbestos abatement contractors, accredited asbestos training providers, and the number of issued worker and supervisor certification cards, 84 small businesses and approximately 825 individuals will be subject to the fee increase.

- 78 asbestos abatement contractors
- 6 accredited asbestos training providers
- 825 worker and supervisor certification cards

b. Projected reporting, recordkeeping and other administrative activities, including costs of professional services, required for small businesses to comply with the proposed rule.

Title V

The proposed rule amendments do not establish any additional reporting, recordkeeping or other administrative activities.

Asbestos

The proposed rules should not require any additional administrative activities. All affected parties already have systems in place to comply with the proposed fee increase.

c. Projected equipment, supplies, labor and increased administration required for small businesses to comply with the proposed rule.

Title V

The proposed rule amendments do not require any additional equipment, supplies, labor or increased administration.

Asbestos

The proposed rules will not require any additional resources. There should be no changes to administration requirements to comply with the proposed fee increase.

d. Describe how DEQ involved small businesses in developing this proposed rule.

Title V

DEQ provided notice of the proposed rules to all sources subject to the Title V Program, including those that are small businesses.

Asbestos

The Fiscal Advisory Committee includes representatives from a variety of asbestos industry types, including abatement contractors, training providers, local government agencies, and community organizations.

Documents relied on for fiscal and economic impact

The requirement to list the documents relied on to determine fiscal impact is separate from and in addition to the similar list in the Rules affected, authorities, supporting documents section above.

Title V and Cleaner Air Oregon

- [2023-2025 Legislatively approved budget](#)
- [Oregon Revised Statutes – Air Quality](#)

Asbestos

- [List of Accredited Training Providers](#)
- [List of Licensed Asbestos Abatement Contractors](#)

Advisory committee fiscal review

DEQ appointed an advisory committee.

As ORS 183.333 requires, DEQ asked for the committee's recommendations on:

- Whether the proposed rules would have a fiscal impact,
- The extent of the impact, and
- Whether the proposed rules would have a significant adverse impact on small businesses; if so, then how DEQ can comply with ORS 183.540 reduce that impact.

The committee reviewed the draft fiscal and economic impact statement and determined the proposed rules would not have a significant adverse impact on small businesses in Oregon.

Racial equity

ORS 183.335(2)(b)(F) requires state agencies to provide a statement identifying how adoption of this rule will affect racial equity in this state.

Title V

Adoption of the proposed rule would affect Title V program fees statewide - across various sectors, public and private. Since the fee increase will apply equally across all permit holders, and there are no expected changes to practical implementation of the program activities as a result of this rule adoption, there is no expected impact on racial equity in the state. Increasing the fees, as proposed, will help maintain program services critical to protecting public health and the environment (such as permit compliance assurance, inspections, and enforcement) which may be particularly important in BIPOC or historically underserved communities.

Asbestos

DEQ has determined that the increase of fees may affect racial equity in the state. Many certified asbestos workers and certified asbestos supervisors are BIPOC. Frequently, they are responsible for their own certification fees. To minimize the impact of the fee increase, DEQ consulted with the Rulemaking Advisory Committee and the Fiscal Advisory Committee.

Environmental justice considerations

ORS 182.545 requires natural resource agencies to consider the effects of their actions on environmental justice issues.

Environmental justice analysis

Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, culture, education or income with respect to the development, implementation and enforcement of environmental laws, regulations and policies. DEQ is committed to incorporating environmental justice best practices into its programs and decision-making, to ensure all people in Oregon have equitable environmental and public health protections.

Title V

The Title V program is designed to regulate and reduce emissions from major and non-major sources in Oregon. Environmental justice communities are often fence-line communities near these major air contaminant sources. Adopting the fee increases provides the necessary funding for DEQ to regulate these facilities in traditionally overburdened communities.

Asbestos

The Asbestos Program conducts public outreach to inform communities and associations about asbestos hazards. This outreach utilizes various communication channels, including social media, local media, and educational workshops/information sessions in affected communities.

Program staff also serve as community advocates by providing education, conducting outreach, and ensuring the agency is informed about the impacts on communities that are traditionally underrepresented in the public process.

Land use

In adopting new or amended rules, ORS 197.180 and OAR 340-018-0070 require DEQ to determine whether the proposed rules significantly affect land use. If so, DEQ must explain how the proposed rules comply with statewide land-use planning goals and local acknowledged comprehensive plans.

Under OAR 660-030-0005 and OAR 340 Division 18, DEQ considers that rules affect land use if:

- The statewide land use planning goals specifically refer to the rule or program, or
- The rule or program is reasonably expected to have significant effects on:
- Resources, objects, or areas identified in the statewide planning goals, or
- Present or future land uses identified in acknowledge comprehensive plans

DEQ determined whether the proposed rules involve programs or actions that affect land use by reviewing its Statewide Agency Coordination plan. The plan describes the programs that DEQ determined significantly affect land use. DEQ considers that its programs specifically relate to the following statewide goals:

Goal	Title
5	Natural Resources, Scenic and Historic Areas, and Open Spaces
6	Air, Water and Land Resources Quality
11	Public Facilities and Services
16	Estuarine Resources
19	Ocean Resources

Determination

DEQ determined that these proposed rules do not affect land use under OAR 340-018-0030 or DEQ's State Agency Coordination Program.

EQC prior involvement

The EQC met March. 12, 2026 and delegated authority for DEQs director for a one-time fee increase. ORS 468A.315(2), 468A.345(3) and 468A.750(4) authorize these fee increases.

Advisory committee

Background

DEQ convened the AQ Fees 2026 rules advisory committee. The committee included representatives from environmental advocacy, asbestos abatement contractors, Title V permit holders and Oregon businesses. The committee met one time. The committee's web page is located at: [AQ Fees 2026 Rulemaking Webpage](#)

The committee members were:

Name	Representing
Raegan Conroy	PBS Engineering and Environmental Inc
Brian Eagle	Maul Foster Alongi
Mason Leavitt	Beyond Toxics
Sharla Moffett	Oregon Business and Industry
Mary Peveto	Neighbors for Clean Air
Nick Sichenzia	GDSI

Meeting notifications

To notify people about the advisory committee's activities, DEQ:

- Sent GovDelivery bulletins, a free e-mail subscription service, to the following lists:
 - Rulemaking
 - DEQ Public Notices
 - Air Quality Permit Fee Increases
 - Air Quality Permits
 - Asbestos Issues
 - Title V Permit Program
- Added advisory committee announcements to [DEQ's calendar of public meetings](#).

Committee discussions

This proposed fee increases effect Title V and ACDP permit holders. The fees cover DEQ's cost to operate the Title V program. Agency costs include a portion of air quality monitoring, planning and agency central services, such as accounting and human resources.

This year's fee increases effect the Asbestos program by increasing fees for project notification, certification of asbestos workers and supervisors, licensing of asbestos abatement contractors, and accreditation of asbestos training providers. The proposed fees would address increased program and staff costs to maintain current service levels. Agency costs include planning and agency central services, such as accounting and human resources.

The rules advisory committee is supportive of the fee increase to both programs. For Title V, they did recommend better tracking of how increased fees from the rulemaking will contribute to

a more efficient program and asked that DEQ track progress of completed permits. For asbestos specifically, the RAC mentioned that the impact on training costs will be minimal.

Public engagement

Public notice

DEQ provided notice of the proposed rulemaking and rulemaking hearing by:

- On April 16, 2026 filing notice with the Oregon Secretary of State for publication in the May 2026 Oregon Bulletin;
- Posting the notice, invitation to comment and draft rules on the [rulemaking web page](#).
- Emailing approximately 20,000 interested parties on the following DEQ lists through GovDelivery:
 - Rulemaking
 - DEQ Public Notices
 - Air Quality Permit Fee Increases
 - Air Quality Permits
 - Asbestos Issues
 - Title V Permit Program
- Emailing the following key legislators required under ORS 183.335:
 - Senator Kate Lieber, Co-Chair, Ways and Means
 - Representative Tawna Sanchez, Co-Chair Ways and Means
 - Senator Lew Frederick, Co-Chair, Subcommittee on Natural Resources
 - Representative Emerson Levy, Co-Chair, Subcommittee on Natural Resources
- Emailing advisory committee members,
- Posting on the [DEQ event calendar](#)

Public hearing

DEQ held one public hearing. DEQ received zero comments at the hearing. Later sections of this document include a summary of the four comments received during the open public comment period, DEQ's responses, and a list of the commenters. Original comments are on file with DEQ.

Presiding officers' record

Hearing 1

Date: May 18, 2026

Place: Online - Zoom

Start time: 5:15

End time: 5:48

Presiding officer: Megan Duenas

Presiding officer

The presiding officer convened the hearing, summarized procedures for the hearing, and explained that DEQ was recording the hearing. The presiding officer asked people who wanted to present verbal comments to sign the registration list, or if attending by phone, to indicate their intent to present comments. The presiding officer advised all attending parties interested in receiving future information about the rulemaking to sign up for GovDelivery email notices.

As Oregon Administrative Rule 137-001-0030 requires, the presiding officer summarized the content of the rulemaking notice.

No person presented any oral testimony or written comments.

Summary of public comments and DEQ responses

Public comment period

DEQ accepted public comment on the proposed rulemaking from April 16th, 2026 until 4 p.m. on May 22nd, 2026.

For public comments received by the close of the public comment period DEQ's response follows the summary. Original comments are on file with DEQ.

DEQ did not change the proposed rules in response to comments.

Comments received by close of public comment period

The table below lists people and organizations that submitted public comments about the proposed rules by the deadline. Original comments are on file with DEQ.

Commentor 1 Toby and Michel Bayrd

Affiliation Community Member

This commenter submitted comments supporting the increase in fees to Title V and Asbestos programs.

Response

DEQ appreciates the input and thanks you for your comment.

Commentor 2 Cherie Welburn

Affiliation Community Member

This commenter submitted comments supporting the increase in fees to Title V and Asbestos programs.

Response

DEQ appreciates the input and thanks you for your comment.

Commentor 3 Lara Issac

Affiliation Community Member

This commentor submitted comments expressing fees are punitive and asks to restructure the programs to be more educational and not punish those trying to comply with rules.

Response

DEQ appreciates the input and thanks you for your comment. DEQ uses fees from the Title V and Asbestos program to fund employees. Part of the employees work at DEQ is to spread awareness and provide educational materials to business and members of the public. Without fees, educational materials would be more difficult to develop.

Commentor 4 Jackie White

Affiliation Northwest Pulp and Paper Association

This commentor submitted comments that stated they understand rising costs with inflation but asks DEQ to complete review of Title V and Asbestos fee structures.

Response

DEQ acknowledges the fee structures have not been meaningfully updated in recent biennia. While DEQ reviews Title V and Asbestos fees annually, the structure of the fees, specifically for Title V, still rely on a decades old fee structure established by the EPA. Oregon legislature is responsible for updates to TV fee structures and in 2023 declined to delegate authority to the EQC to adopt an alternate structure.

Implementation

Notification

The proposed rules would become effective upon filing on approximately July 15, 2026. DEQ would notify affected parties through:

- Govdelivery, a web-based subscription service that allows DEQ to provide news and information updates to the public via email and/or text messages;
- Emailing interested parties through program lists;
- Emailing to registered sources using contacts from DEQ's Your DEQ Online permitting platform; and
- Annual invoicing that will include an overview of the adopted fee increase.

Compliance and enforcement

While program fees are increased, no additional compliance and enforcement requirements are part of the adopted fee increase. DEQ Air Quality staff will receive an email update on the adopted fee increase and templated communication materials on the fee increase to share with interested parties.

Measuring, sampling, monitoring and reporting

No additional measuring, sampling, monitoring or reporting will be required as part of the adopted fee increase.

Systems

DEQ will update its Your DEQ Online permitting platform with the adopted fee increases for our annual invoicing process and asbestos related program fees. DEQ will also update its rules and fees listed on its external air quality permitting website.

Training

No additional training is needed. DEQ staff will receive notice of the adopted fee increases and communication materials to inform interested parties.

Five-year review

Requirement

Oregon law requires DEQ to review new rules within five years after EQC adopts them. The law also exempts some rules from review. DEQ determined whether the rules described in this report are subject to the five-year review. DEQ based its analysis on the law in effect when EQC adopted these rules.

Exemption from five-year rule review

The Administrative Procedures Act exempts all of the proposed rules from the five-year review because the proposed rules would:

- Amend or repeal an existing rule. ORS 183.405(4).
- Implement legislatively approved fee changes. ORS 183.405(5)(c).

Non-discrimination statement

DEQ does not discriminate on the basis of race, color, national origin, disability, age, sex, religion, sexual orientation, gender identity, or marital status in the administration of its programs and activities.

For translation or other formats, visit DEQ's [Civil Rights and](#)

Draft rules: Edits highlighted – Asbestos

Key to identifying changed text:

- ~~Deleted Text~~
- New/inserted text

Division 248 ASBESTOS REQUIREMENTS

340-248-0180

Licensing and Certification Requirements: Fees

(1) DEQ may assess the following fees to provide revenues to operate the asbestos control program.

(a) Contractor Licenses: A non-refundable license application fee of ~~\$1,347~~**\$1,387** for a one-year Asbestos Abatement Contractor license;

(b) Worker and Supervisor Certifications: A non-refundable application fee of ~~\$86~~**\$88** for a one-year certification as an asbestos supervisor and ~~\$60~~**\$61** for a one-year certification as an asbestos worker;

(c) Training Provider Accreditation: A non-refundable accreditation application fee of:

(A) ~~\$418~~**\$430** for a one-year accreditation to provide a course for training asbestos supervisors;

(B) ~~\$418~~**\$430** for a one-year accreditation to provide a course for training asbestos workers; and

(C) ~~\$418~~**\$430** each for a one-year accreditation to provide a course for refresher training for Oregon asbestos certification.

(d) Asbestos Abatement Project Notification fee required under OAR 340-248-0260.

(2) Requests for waiver of fees must be made in writing to the Director, on a case-by-case basis, and be based upon financial hardship. Applicants for waivers must describe the reason for the request and certify financial hardship. The Director may waive part or all of a fee.

Statutory/Other Authority: ORS 468 & 468A

Statutes/Other Implemented: ORS 468A.745

340-248-0260

Emission Standards and Procedural Requirements: Asbestos Abatement Notification Requirements

(1) Except as provided under OAR 340-248-0250, written notification of an asbestos abatement project must be submitted to DEQ on a DEQ-approved form, accompanied by the appropriate fee. The notification must be submitted by the facility owner or operator, the owner or operator of a demolition or renovation activity, or by the contractor as required by sections (2) through (5) of this rule, except as provided in sections (6), (7), and (8). A notification revision must be submitted by the facility owner or operator, the owner or operator of a demolition or renovation activity, or the contractor in accordance with section (10) of this rule.

(2) DEQ must receive notifications as specified in section (5) of this rule and the project notification fee at least 10 days before beginning a friable asbestos abatement project and at least five days before beginning a nonfriable asbestos abatement project.

(a) The project notification fee is:

(A) ~~\$133~~ **\$136** for each project that will abate less than 40 linear feet or 80 square feet of asbestos-containing material, is at a residential building, or is a nonfriable asbestos abatement project not subject to paragraph (K).

(B) ~~\$267~~ **\$275** for each project that will abate more than or equal to 40 linear feet or 80 square feet but less than 260 linear feet or 160 square feet of asbestos-containing material.

(C) ~~\$534~~ **\$550** for each project that will abate more than or equal to 260 linear feet or 160 square feet, and less than 1300 linear feet or 800 square feet of asbestos-containing material.

(D) ~~\$702~~ **\$723** for each project that will abate more than or equal to 1300 linear feet or 800 square feet, and less than 2600 linear feet or 1600 square feet of asbestos-containing material.

(E) ~~\$1,203~~ **\$1,239** for each project that will abate more than or equal to 2600 linear feet or 1600 square feet, and less than 5000 linear feet or 3500 square feet of asbestos-containing material.

(F) ~~\$1,403~~ **\$1,445** for each project that will abate more than or equal to 5000 linear feet or 3500 square feet, and less than 10,000 linear feet or 6000 square feet of asbestos-containing material.

(G) ~~\$2,272~~ **\$2,340** for each project that will abate more than or equal to 10,000 linear feet or 6000 square feet, and less than 26,000 linear feet or 16,000 square feet of asbestos-containing material.

(H) ~~\$3,743~~ **\$3,855** for each project that will abate more than or equal to 26,000 linear feet or 16,000 square feet, and less than 260,000 linear feet or 160,000 square feet of asbestos-containing material.

(I) ~~\$4,678~~ **\$4,818** for each project that will abate more than 260,000 linear feet or 160,000 square feet of asbestos-containing material.

(J) ~~\$1,002~~ **\$1,032** for annual notifications for friable asbestos abatement projects that will abate 40 linear feet or 80 square feet or less of asbestos-containing material.

(K) ~~\$668~~ \$688 for annual notifications for nonfriable asbestos abatement projects performed at schools, colleges, and facilities.

(b) Project notification fees must accompany the project notification form. Notification has not occurred until DEQ receives the completed notification form and appropriate fee.

(c) DEQ may waive the 10-day and the five-day notification requirement in section (2) of this rule in emergencies that directly affect human life, health, and property. This includes:

(A) Emergencies where there is an imminent threat of loss of life or severe injury;

(B) Emergencies where the public is potentially exposed to air-borne asbestos fibers; and

(C) Emergencies where significant property damage will occur if repairs are not made immediately.

(d) DEQ may waive the 10-day and the five-day notification requirement in section (2) of this rule for asbestos abatement projects that were not planned, resulted from unexpected events, and will cause damage to equipment or impose unreasonable financial burden if not performed immediately. This includes the non-routine failure of equipment.

(e) In either subsection (c) or (d) of this section persons responsible for such asbestos abatement projects must submit an emergency or unexpected event abatement request to DEQ before starting work or by 9:00 am of the next working day if the work was performed on a weekend, evening, or holiday. The request must include a copy of the completed and appropriate notification form. Notification as specified in section (5) of this rule and the appropriate fee must be submitted to DEQ within three days of starting emergency or unexpected event asbestos abatement projects.

(f) The duration of an asbestos abatement notification may not exceed one year beyond the original starting date. The project starting and completion date provided in a notification for an asbestos abatement project must be commensurate with the amount of asbestos-containing material involved. If a project exceeds one year in duration, a new notification must be provided as described in this rule, including payment of a new notification fee.

(3) The facility owner or operator, the owner or operator of a demolition or renovation activity, or the contractor may submit annual notification for friable asbestos abatement projects where no more than 40 linear or 80 square feet of asbestos-containing material is removed at each project. Friable asbestos abatement projects subject to an annual notification may be conducted at multiple facilities by a single licensed asbestos contractor, or at a facility that has a centrally controlled asbestos operation and maintenance program where the facility owner uses appropriately trained and certified personnel to remove asbestos. The contractor owner or operator must submit the notification as follows:

(a) Establish eligibility for use of this notification procedure with DEQ prior to use.

(b) The notification must contain the information specified in subsections (5)(a) through (5)(i) of this rule to the extent possible.

(c) Provide to DEQ on a DEQ form a summary report of all asbestos abatement projects conducted in the previous three months by the 15th day of the month following the end of the calendar quarter. The summary report must include the information specified in subsections (5)(i) through (5)(l) of this rule for each project.

(d) Provide to DEQ, upon request, a list of asbestos abatement projects that are scheduled or are being conducted at the time of the request.

(e) Submit project notification and fee prior to use of this notification procedure.

(f) Failure to provide payment for use of this notification procedure will void the notification and each subsequent abatement project will be individually assessed a project notification fee.

(4) Annual nonfriable asbestos abatement projects may only be performed at schools, colleges, and facilities where certified asbestos abatement workers perform the removal work. Submit the notification as follows:

(a) Establish eligibility for use of this notification procedure with DEQ prior to use.

(b) The notification must contain the information specified in subsections (5)(a) through (5)(i) of this rule to the extent possible.

(c) Provide to DEQ on a DEQ form, a summary report of all nonfriable asbestos abatement projects conducted in the previous three months by the 15th day of the month following the end of the calendar quarter. The summary report must include the information specified in subsections (5)(i) through (5)(l) of this rule for each project.

(d) Submit project notification and fee before using this notification procedure.

(e) Failure to provide payment for use of this notification procedure will void the notification and DEQ will individually assess each subsequent nonfriable abatement project a project notification fee.

(f) Provide to DEQ, upon request, a list of nonfriable asbestos abatement projects that are scheduled or are being conducted at the time of the request.

(5) The following information must be provided for each notification:

(a) Name, phone number, and address of person conducting asbestos abatement project.

(b) The Oregon asbestos abatement contractor's license number and certification number of the supervisor for the asbestos abatement project or, for nonfriable asbestos abatement projects, the name of the supervising person that meets Oregon OSHA's competent person qualifications as required in 29 C.F.R. 1926.1101(b) , adopted by reference under OAR 437-003-0001(25).

(c) Method of asbestos abatement to be employed.

(d) Procedures to be employed to ensure compliance with OAR 340-248-0270 through 340-248-0280.

- (e) Names, addresses, and phone numbers of waste transporters.
 - (f) Name and address or location of the permitted disposal site where the asbestos-containing waste material will be deposited.
 - (g) Description of asbestos disposal procedure.
 - (h) Description of building, structure, facility, installation, vehicle, equipment, or vessel to be demolished or renovated, including:
 - (A) The construction or manufacture date, and the present and prior use of the facility; and
 - (B) Address or location where the asbestos abatement project is to be accomplished, including building, floor, and room numbers.
 - (i) Full name, address, and phone number of the owner or operator of a demolition or renovation activity.
 - (j) Starting and completion dates of asbestos abatement work.
 - (k) Description of the asbestos-containing material, type of asbestos, percent asbestos, and location of the asbestos-containing material.
 - (l) Amount of asbestos-containing material to be abated: linear feet or square feet.
 - (m) For facilities described in OAR 340-248-0270(8)(f) provide the name, title and authority of the State or local government official who ordered the demolition, date the order was issued, and the date demolition is to begin.
 - (n) Other information requested on the DEQ form.
- (6) The project notification fees specified in this section will be increased by 50% when an asbestos abatement project is commenced without filing a project notification, submittal of a notification fee, or when notification is provided less than 10 days or five days prior to commencement of work, as applicable, under subsections (2)(c) and (d) of this rule.
- (7) DEQ may waive part or all of a notification fee, on a case-by-case basis, based upon financial hardship. Requests for waiver of fees must be made in writing to DEQ. Applicants for waivers must describe the reason for the request and certify financial hardship.
- (8) Subject to OAR 340-200-0010(3), a regional authority may adopt project notification fees for asbestos abatement projects in different amounts than are set forth in this rule. The regional authority will base the fees on its costs in carrying out the delegated asbestos program. The regional authority may collect, retain, and expend such project notification fees for asbestos abatement projects within its jurisdiction.
- (9) Notification fee refunds. DEQ will consider a refunding a notification fee only as this section provides. A request for a refund of fees must be made in writing to DEQ, and must be submitted prior to the project's original start date. DEQ will not consider a refund request that does not

include all required information described in this section. If DEQ receives a complete request for refund under this section, then DEQ may refund the notification fee the requestor paid if it determines that a refund is warranted based on the reason the refund is requested. Requests for refunds must include the following written information and documentation:

- (a) A description of the reason that a refund is requested;
 - (b) A copy of the original notification and the most recent revision;
 - (c) Proof that the requester was awarded the contract for the project prior to submitting the notification to DEQ;
 - (d) Verification of payment to DEQ; and
 - (e) Proof that asbestos-containing material or asbestos-containing waste material was present at the project site, such as laboratory results, or when material was assumed to be asbestos-containing and treated as such in order to avoid survey and laboratory costs, a depiction of the material.
- (10) DEQ must receive notification revisions before changes are made to the start date or completion date of the project or immediately upon discovery that other changes to the project notification form are necessary. A notification of a revision under this section must indicate that it is a revised notification.

Statutory/Other Authority: ORS 468 & 468A

Statutes/Other Implemented: ORS 468.020 & 468A.025

Draft Rules – Edits Highlighted – Title V

Key to identifying changed text:

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- New/inserted text

Department of Environmental Quality

Division 220

OREGON TITLE V OPERATING PERMIT FEES

340-220-0030

Annual Base Fee

(1) DEQ will assess an annual base fee of \$~~12,879~~**16,482** for each source subject to the Oregon Title V Operating Permit program for the period of November 15, ~~2024~~**2025** to November 14, ~~2025~~**2026**.

(2) DEQ will assess an annual base fee of \$~~16,482~~**16,976** for each source subject to the Oregon Title V Operating Permit program for the period of November 15, ~~2025~~**2026** to November 14, ~~2026~~**2027**, and for each annual period thereafter.

Statutory/Other Authority: ORS 468 & 468A

Statutes/Other Implemented: ORS 468 & 468A

History:

DEQ 2-2024, amend filed 01/25/2024, effective 01/25/2024

DEQ 9-2023, temporary amend filed 07/20/2023, effective 08/01/2023 through 01/27/2024

DEQ 14-2022, amend filed 08/16/2022, effective 08/16/2022

DEQ 10-2021, amend filed 07/23/2021, effective 07/23/2021

DEQ 12-2019, amend filed 05/16/2019, effective 05/16/2019

DEQ 189-2018, amend filed 07/13/2018, effective 07/13/2018

DEQ 1-2017, f. & cert. ef. 1-19-17

DEQ 7-2016, f. & cert. ef. 6-9-16

DEQ 2-2015, f. & cert. ef. 1-7-15

DEQ 10-2014, f. & cert. ef. 9-4-14

DEQ 9-2012, f. & cert. ef. 12-11-12

DEQ 5-2012, f. & cert. ef. 7-2-12

DEQ 16-2010, f. & cert. ef. 12-20-10

Reverted to DEQ 10-2008, f. & cert. ef. 8-25-08

DEQ 4-2009(Temp), f. & cert. ef. 8-27-09 thru 2-20-10

DEQ 10-2008, f. & cert. ef. 8-25-08

Reverted to DEQ 7-2006, f. & cert. ef. 6-30-06
DEQ 6-2007(Temp), f. & cert. ef. 8-17-07 thru 2-12-08
DEQ 7-2006, f. & cert. ef. 6-30-06
DEQ 6-2005, f. & cert. ef. 7-11-05
DEQ 6-2004, f. & cert. ef. 7-29-04
DEQ 11-2003, f. & cert. ef. 7-23-03
DEQ 7-2001, f. 6-28-01, cert. ef. 7-1-01
DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01
DEQ 8-2000, f. & cert. ef. 6-6-00
DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-028-2580
DEQ 10-1999, f. & cert. ef. 7-1-99
DEQ 12-1998, f. & cert. ef. 6-30-98
DEQ 9-1997, f. & cert. ef. 5-9-97
DEQ 7-1996, f. & cert. ef. 5-31-96
DEQ 22-1995, f. & cert. ef. 10-6-95
DEQ 12-1995, f. & cert. ef. 5-23-95
DEQ 13-1994, f. & cert. ef. 5-19-94
DEQ 20-1993(Temp), f. & cert. ef. 11-4-93

340-220-0040

Emission Fee

(1) For operations during the period of November 15, ~~2022~~ **2023** to November 14, ~~2023~~ **2024**, DEQ will assess an emission fee of \$~~121~~ **124.63** per ton of each regulated pollutant emitted during calendar year 2024 to each source subject to the Oregon Title V Operating Permit Program.

(2) For operations during the period of November 15, ~~2023~~ **2024** to November 14, ~~2024~~ **2025**, DEQ will assess an emission fee of \$~~124.63~~ **128.36** per ton of each regulated pollutant emitted during calendar year 2025 to each source subject to the Oregon Title V Operating Permit Program. DEQ will assess the same per ton emission fee for operations in subsequent comparable November 15 to November 14 operating periods, based on subsequent calendar year's emissions of regulated pollutants, respectively, to each source subject to the Oregon Title V Operating Permit Program.

(3) The emission fee will be applied to emissions based on the elections made according to OAR 340-220-0090.

Statutory/Other Authority: ORS 468.020

Statutes/Other Implemented: ORS 468 & 468A

History:

DEQ 2-2024, amend filed 01/25/2024, effective 01/25/2024

DEQ 9-2023, temporary amend filed 07/20/2023, effective 08/01/2023 through 01/27/2024

DEQ 14-2022, amend filed 08/16/2022, effective 08/16/2022
DEQ 10-2021, amend filed 07/23/2021, effective 07/23/2021
DEQ 12-2019, amend filed 05/16/2019, effective 05/16/2019
DEQ 189-2018, amend filed 07/13/2018, effective 07/13/2018
DEQ 1-2017, f. & cert. ef. 1-19-17
DEQ 7-2016, f. & cert. ef. 6-9-16
DEQ 2-2015, f. & cert. ef. 1-7-15
DEQ 10-2014, f. & cert. ef. 9-4-14
DEQ 9-2012, f. & cert. ef. 12-11-12
DEQ 16-2010, f. & cert. ef. 12-20-10
DEQ 4-2009(Temp), f. & cert. ef. 8-27-09 thru 2-20-10
DEQ 10-2008, f. & cert. ef. 8-25-08
DEQ 6-2007(Temp), f. & cert. ef. 8-17-07 thru 2-12-08
DEQ 7-2006, f. & cert. ef. 6-30-06
DEQ 6-2005, f. & cert. ef. 7-11-05
DEQ 6-2004, f. & cert. ef. 7-29-04
DEQ 11-2003, f. & cert. ef. 7-23-03
DEQ 7-2001, f. 6-28-01, cert. ef. 7-1-01
DEQ 8-2000, f. & cert. ef. 6-6-00
DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-028-2590
DEQ 10-1999, f. & cert. ef. 7-1-99
DEQ 12-1998, f. & cert. ef. 6-30-98
DEQ 9-1997, f. & cert. ef. 5-9-97
DEQ 7-1996, f. & cert. ef. 5-31-96
DEQ 22-1995, f. & cert. ef. 10-6-95
DEQ 12-1995, f. & cert. ef. 5-23-95
DEQ 13-1994, f. & cert. ef. 5-19-94
DEQ 20-1993(Temp), f. & cert. ef. 11-4-93

340-220-0050

Specific Activity Fees

(1) DEQ will assess specific activity fees for an Oregon Title V Operating Permit program source for the period of August 1, ~~2024~~ **2025** to July 31, ~~2025~~ **2026** as follows:

(a) Existing source permit revisions:

(A) Administrative* — ~~\$975~~ **\$1,004**;

(B) Simple — ~~\$3,903~~ **\$4,020**;

(C) Moderate — ~~\$29,276~~ **\$30,154**;

(D) Complex — ~~\$58,552~~ **\$60,308**; and

(b) Ambient air monitoring review — ~~\$7,807~~ **\$8,041**.

(2) DEQ will assess specific activity fees for an Oregon Title V Operating Permit program source as of August 1, ~~2025~~ **2026** as follows:

(a) Existing source permit revisions:

(A) Administrative* — ~~\$1,004~~ **\$1,034**;

(B) Simple — ~~\$4,020~~ **\$4,140**;

(C) Moderate — ~~\$30,154~~ **\$31,058**;

(D) Complex — ~~\$60,308~~ **\$62,117**; and

(b) Ambient air monitoring review — ~~\$8,041~~ **\$8,282**.

(3) DEQ will assess the following specific activity fee for an Oregon Title V Operating Permit program source for annual greenhouse gas reporting, as required by OAR 340-215-0060(1) — ~~15~~ **20** percent of the following, not to exceed ~~\$4,500~~ **\$9,000**:

(a) The applicable annual base fee under OAR 340-220-0030 (for the period of November 15 of the current year to November 14 of the following year); and

(b) The applicable annual emission fee under OAR 340-220-0040.

(4) DEQ will assess the following specific activity fees for an Oregon Title V Operating Permit for Cleaner Air Oregon program implementation, as required by OAR 340-245-0400:

(a) The annual base fee of \$2,994; and

(b) The annual emission fee of \$22.63 per ton of each regulated pollutant for emissions during the previous calendar year, up to and including 7,000 tons of such emissions per year. The emission fee will be applied to emissions based on the elections made under OAR 340-220-0090.

[NOTE: *Includes revisions specified in OAR 340-218-0150(1)(a) through (g). Other revisions specified in OAR 340-218-0150 are subject to simple, moderate or complex revision fees.]

Statutory/Other Authority: ORS 468 & 468A

Statutes/Other Implemented: ORS 468 & 468A

History:

DEQ 14-2024, amend filed 09/10/2024, effective 09/10/2024

DEQ 2-2024, amend filed 01/25/2024, effective 01/25/2024

DEQ 9-2023, temporary amend filed 07/20/2023, effective 08/01/2023 through 01/27/2024

DEQ 14-2022, amend filed 08/16/2022, effective 08/16/2022

DEQ 10-2021, amend filed 07/23/2021, effective 07/23/2021
DEQ 23-2019, amend filed 10/08/2019, effective 10/08/2019
DEQ 12-2019, amend filed 05/16/2019, effective 05/16/2019
DEQ 7-2019, amend filed 02/15/2019, effective 02/15/2019
DEQ 197-2018, amend filed 11/16/2018, effective 11/16/2018
DEQ 189-2018, amend filed 07/13/2018, effective 07/13/2018
DEQ 1-2017, f. & cert. ef. 1-19-17
DEQ 7-2016, f. & cert. ef. 6-9-16
DEQ 2-2015, f. & cert. ef. 1-7-15
DEQ 10-2014, f. & cert. ef. 9-4-14
DEQ 9-2012, f. & cert. ef. 12-11-12
DEQ 5-2012, f. & cert. ef. 7-2-12
DEQ 12-2011, f. & cert. ef. 7-21-11
DEQ 11-2011, f. & cert. ef. 7-21-11
DEQ 16-2010, f. & cert. ef. 12-20-10
DEQ 12-2010, f. & cert. ef. 10-27-10
Reverted to DEQ 10-2008, f. & cert. ef. 8-25-08
DEQ 9-2009(Temp), f. 12-24-09, cert. ef. 1-1-10 thru 6-30-10
DEQ 4-2009(Temp), f. & cert. ef. 8-27-09 thru 2-20-10
DEQ 10-2008, f. & cert. ef. 8-25-08
Reverted to DEQ 7-2006, f. & cert. ef. 6-30-06
DEQ 6-2007(Temp), f. & cert. ef. 8-17-07 thru 2-12-08
DEQ 7-2006, f. & cert. ef. 6-30-06
DEQ 6-2005, f. & cert. ef. 7-11-05
DEQ 6-2004, f. & cert. ef. 7-29-04
DEQ 11-2003, f. & cert. ef. 7-23-03
DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01
DEQ 7-2001, f. 6-28-01, cert. ef. 7-1-01
DEQ 8-2000, f. & cert. ef. 6-6-00
DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-028-2600
DEQ 10-1999, f. & cert. ef. 7-1-99
DEQ 12-1998, f. & cert. ef. 6-30-98
DEQ 13-1994, f. & cert. ef. 5-19-94
DEQ 20-1993(Temp), f. & cert. ef. 11-4-93

Draft Rules – Edits Incorporated - Asbestos

Division 248 ASBESTOS REQUIREMENTS

340-248-0180

Licensing and Certification Requirements: Fees

(1) DEQ may assess the following fees to provide revenues to operate the asbestos control program.

(a) Contractor Licenses: A non-refundable license application fee of \$1,387 for a one-year Asbestos Abatement Contractor license;

(b) Worker and Supervisor Certifications: A non-refundable application fee of \$88 for a one-year certification as an asbestos supervisor and \$61 for a one-year certification as an asbestos worker;

(c) Training Provider Accreditation: A non-refundable accreditation application fee of:

(A) \$430 for a one-year accreditation to provide a course for training asbestos supervisors;

(B) \$430 for a one-year accreditation to provide a course for training asbestos workers; and

(C) \$430 each for a one-year accreditation to provide a course for refresher training for Oregon asbestos certification.

(d) Asbestos Abatement Project Notification fee required under OAR 340-248-0260.

(2) Requests for waiver of fees must be made in writing to the Director, on a case-by-case basis, and be based upon financial hardship. Applicants for waivers must describe the reason for the request and certify financial hardship. The Director may waive part or all of a fee.

Statutory/Other Authority: ORS 468 & 468A

Statutes/Other Implemented: ORS 468A.745

340-248-0260

Emission Standards and Procedural Requirements: Asbestos Abatement Notification Requirements

(1) Except as provided under OAR 340-248-0250, written notification of an asbestos abatement project must be submitted to DEQ on a DEQ-approved form, accompanied by the appropriate fee. The notification must be submitted by the facility owner or operator, the owner or operator of a demolition or renovation activity, or by the contractor as required by sections (2) through (5)

of this rule, except as provided in sections (6), (7), and (8). A notification revision must be submitted by the facility owner or operator, the owner or operator of a demolition or renovation activity, or the contractor in accordance with section (10) of this rule.

(2) DEQ must receive notifications as specified in section (5) of this rule and the project notification fee at least 10 days before beginning a friable asbestos abatement project and at least five days before beginning a nonfriable asbestos abatement project.

(a) The project notification fee is:

(A) \$136 for each project that will abate less than 40 linear feet or 80 square feet of asbestos-containing material, is at a residential building, or is a nonfriable asbestos abatement project not subject to paragraph (K).

(B) \$275 for each project that will abate more than or equal to 40 linear feet or 80 square feet but less than 260 linear feet or 160 square feet of asbestos-containing material.

(C) \$550 for each project that will abate more than or equal to 260 linear feet or 160 square feet, and less than 1300 linear feet or 800 square feet of asbestos-containing material.

(D) \$723 for each project that will abate more than or equal to 1300 linear feet or 800 square feet, and less than 2600 linear feet or 1600 square feet of asbestos-containing material.

(E) \$1,239 for each project that will abate more than or equal to 2600 linear feet or 1600 square feet, and less than 5000 linear feet or 3500 square feet of asbestos-containing material.

(F) \$1,445 for each project that will abate more than or equal to 5000 linear feet or 3500 square feet, and less than 10,000 linear feet or 6000 square feet of asbestos-containing material.

(G) \$2,340 for each project that will abate more than or equal to 10,000 linear feet or 6000 square feet, and less than 26,000 linear feet or 16,000 square feet of asbestos-containing material.

(H) \$3,855 for each project that will abate more than or equal to 26,000 linear feet or 16,000 square feet, and less than 260,000 linear feet or 160,000 square feet of asbestos-containing material.

(I) \$4,818 for each project that will abate more than 260,000 linear feet or 160,000 square feet of asbestos-containing material.

(J) \$1,032 for annual notifications for friable asbestos abatement projects that will abate 40 linear feet or 80 square feet or less of asbestos-containing material.

(K) \$688 for annual notifications for nonfriable asbestos abatement projects performed at schools, colleges, and facilities.

(b) Project notification fees must accompany the project notification form. Notification has not occurred until DEQ receives the completed notification form and appropriate fee.

(c) DEQ may waive the 10-day and the five-day notification requirement in section (2) of this rule in emergencies that directly affect human life, health, and property. This includes:

(A) Emergencies where there is an imminent threat of loss of life or severe injury;

(B) Emergencies where the public is potentially exposed to air-borne asbestos fibers; and

(C) Emergencies where significant property damage will occur if repairs are not made immediately.

(d) DEQ may waive the 10-day and the five-day notification requirement in section (2) of this rule for asbestos abatement projects that were not planned, resulted from unexpected events, and will cause damage to equipment or impose unreasonable financial burden if not performed immediately. This includes the non-routine failure of equipment.

(e) In either subsection (c) or (d) of this section persons responsible for such asbestos abatement projects must submit an emergency or unexpected event abatement request to DEQ before starting work or by 9:00 am of the next working day if the work was performed on a weekend, evening, or holiday. The request must include a copy of the completed and appropriate notification form. Notification as specified in section (5) of this rule and the appropriate fee must be submitted to DEQ within three days of starting emergency or unexpected event asbestos abatement projects.

(f) The duration of an asbestos abatement notification may not exceed one year beyond the original starting date. The project starting and completion date provided in a notification for an asbestos abatement project must be commensurate with the amount of asbestos-containing material involved. If a project exceeds one year in duration, a new notification must be provided as described in this rule, including payment of a new notification fee.

(3) The facility owner or operator, the owner or operator of a demolition or renovation activity, or the contractor may submit annual notification for friable asbestos abatement projects where no more than 40 linear or 80 square feet of asbestos-containing material is removed at each project. Friable asbestos abatement projects subject to an annual notification may be conducted at multiple facilities by a single licensed asbestos contractor, or at a facility that has a centrally controlled asbestos operation and maintenance program where the facility owner uses appropriately trained and certified personnel to remove asbestos. The contractor owner or operator must submit the notification as follows:

(a) Establish eligibility for use of this notification procedure with DEQ prior to use.

(b) The notification must contain the information specified in subsections (5)(a) through (5)(i) of this rule to the extent possible.

(c) Provide to DEQ on a DEQ form a summary report of all asbestos abatement projects conducted in the previous three months by the 15th day of the month following the end of the calendar quarter. The summary report must include the information specified in subsections (5)(i) through (5)(l) of this rule for each project.

(d) Provide to DEQ, upon request, a list of asbestos abatement projects that are scheduled or are being conducted at the time of the request.

- (e) Submit project notification and fee prior to use of this notification procedure.
 - (f) Failure to provide payment for use of this notification procedure will void the notification and each subsequent abatement project will be individually assessed a project notification fee.
- (4) Annual nonfriable asbestos abatement projects may only be performed at schools, colleges, and facilities where certified asbestos abatement workers perform the removal work. Submit the notification as follows:
- (a) Establish eligibility for use of this notification procedure with DEQ prior to use.
 - (b) The notification must contain the information specified in subsections (5)(a) through (5)(i) of this rule to the extent possible.
 - (c) Provide to DEQ on a DEQ form, a summary report of all nonfriable asbestos abatement projects conducted in the previous three months by the 15th day of the month following the end of the calendar quarter. The summary report must include the information specified in subsections (5)(i) through (5)(l) of this rule for each project.
 - (d) Submit project notification and fee before using this notification procedure.
 - (e) Failure to provide payment for use of this notification procedure will void the notification and DEQ will individually assess each subsequent nonfriable abatement project a project notification fee.
 - (f) Provide to DEQ, upon request, a list of nonfriable asbestos abatement projects that are scheduled or are being conducted at the time of the request.
- (5) The following information must be provided for each notification:
- (a) Name, phone number, and address of person conducting asbestos abatement project.
 - (b) The Oregon asbestos abatement contractor's license number and certification number of the supervisor for the asbestos abatement project or, for nonfriable asbestos abatement projects, the name of the supervising person that meets Oregon OSHA's competent person qualifications as required in 29 C.F.R. 1926.1101(b) , adopted by reference under OAR 437-003-0001(25).
 - (c) Method of asbestos abatement to be employed.
 - (d) Procedures to be employed to insure compliance with OAR 340-248-0270 through 340-248-0280.
 - (e) Names, addresses, and phone numbers of waste transporters.
 - (f) Name and address or location of the permitted disposal site where the asbestos-containing waste material will be deposited.
 - (g) Description of asbestos disposal procedure.

(h) Description of building, structure, facility, installation, vehicle, equipment, or vessel to be demolished or renovated, including:

(A) The construction or manufacture date, and the present and prior use of the facility; and

(B) Address or location where the asbestos abatement project is to be accomplished, including building, floor, and room numbers.

(i) Full name, address, and phone number of the owner or operator of a demolition or renovation activity.

(j) Starting and completion dates of asbestos abatement work.

(k) Description of the asbestos-containing material, type of asbestos, percent asbestos, and location of the asbestos-containing material.

(l) Amount of asbestos-containing material to be abated: linear feet or square feet.

(m) For facilities described in OAR 340-248-0270(8)(f) provide the name, title and authority of the State or local government official who ordered the demolition, date the order was issued, and the date demolition is to begin.

(n) Other information requested on the DEQ form.

(6) The project notification fees specified in this section will be increased by 50% when an asbestos abatement project is commenced without filing a project notification, submittal of a notification fee, or when notification is provided less than 10 days or five days prior to commencement of work, as applicable, under subsections (2)(c) and (d) of this rule.

(7) DEQ may waive part or all of a notification fee, on a case-by-case basis, based upon financial hardship. Requests for waiver of fees must be made in writing to DEQ. Applicants for waivers must describe the reason for the request and certify financial hardship.

(8) Subject to OAR 340-200-0010(3), a regional authority may adopt project notification fees for asbestos abatement projects in different amounts than are set forth in this rule. The regional authority will base the fees on its costs in carrying out the delegated asbestos program. The regional authority may collect, retain, and expend such project notification fees for asbestos abatement projects within its jurisdiction.

(9) Notification fee refunds. DEQ will consider a refunding a notification fee only as this section provides. A request for a refund of fees must be made in writing to DEQ, and must be submitted prior to the project's original start date. DEQ will not consider a refund request that does not include all required information described in this section. If DEQ receives a complete request for refund under this section, then DEQ may refund the notification fee the requestor paid if it determines that a refund is warranted based on the reason the refund is requested. Requests for refunds must include the following written information and documentation:

(a) A description of the reason that a refund is requested;

- (b) A copy of the original notification and the most recent revision;
 - (c) Proof that the requester was awarded the contract for the project prior to submitting the notification to DEQ;
 - (d) Verification of payment to DEQ; and
 - (e) Proof that asbestos-containing material or asbestos-containing waste material was present at the project site, such as laboratory results, or when material was assumed to be asbestos-containing and treated as such in order to avoid survey and laboratory costs, a depiction of the material.
- (10) DEQ must receive notification revisions before changes are made to the start date or completion date of the project or immediately upon discovery that other changes to the project notification form are necessary. A notification of a revision under this section must indicate that it is a revised notification.

Statutory/Other Authority: ORS 468 & 468A

Statutes/Other Implemented: ORS 468.020 & 468A.025

Draft Rules – Edits Incorporated – Title V

Department of Environmental Quality

Chapter 340

Division 220

OREGON TITLE V OPERATING PERMIT FEES

340-220-0030

Annual Base Fee

(1) DEQ will assess an annual base fee of \$16,482 for each source subject to the Oregon Title V Operating Permit program for the period of November 15, 2025 to November 14, 2026.

(2) DEQ will assess an annual base fee of \$16,976 for each source subject to the Oregon Title V Operating Permit program for the period of November 15, 2026 to November 14, 2027, and for each annual period thereafter.

Statutory/Other Authority: ORS 468 & 468A

Statutes/Other Implemented: ORS 468 & 468A

History:

DEQ 2-2024, amend filed 01/25/2024, effective 01/25/2024

DEQ 9-2023, temporary amend filed 07/20/2023, effective 08/01/2023 through 01/27/2024

DEQ 14-2022, amend filed 08/16/2022, effective 08/16/2022

DEQ 10-2021, amend filed 07/23/2021, effective 07/23/2021

DEQ 12-2019, amend filed 05/16/2019, effective 05/16/2019

DEQ 189-2018, amend filed 07/13/2018, effective 07/13/2018

DEQ 1-2017, f. & cert. ef. 1-19-17

DEQ 7-2016, f. & cert. ef. 6-9-16

DEQ 2-2015, f. & cert. ef. 1-7-15

DEQ 10-2014, f. & cert. ef. 9-4-14

DEQ 9-2012, f. & cert. ef. 12-11-12

DEQ 5-2012, f. & cert. ef. 7-2-12

DEQ 16-2010, f. & cert. ef. 12-20-10

Reverted to DEQ 10-2008, f. & cert. ef. 8-25-08

DEQ 4-2009(Temp), f. & cert. ef. 8-27-09 thru 2-20-10

DEQ 10-2008, f. & cert. ef. 8-25-08

Reverted to DEQ 7-2006, f. & cert. ef. 6-30-06

DEQ 6-2007(Temp), f. & cert. ef. 8-17-07 thru 2-12-08

DEQ 7-2006, f. & cert. ef. 6-30-06

DEQ 6-2005, f. & cert. ef. 7-11-05

DEQ 6-2004, f. & cert. ef. 7-29-04

DEQ 11-2003, f. & cert. ef. 7-23-03
DEQ 7-2001, f. 6-28-01, cert. ef. 7-1-01
DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01
DEQ 8-2000, f. & cert. ef. 6-6-00
DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-028-2580
DEQ 10-1999, f. & cert. ef. 7-1-99
DEQ 12-1998, f. & cert. ef. 6-30-98
DEQ 9-1997, f. & cert. ef. 5-9-97
DEQ 7-1996, f. & cert. ef. 5-31-96
DEQ 22-1995, f. & cert. ef. 10-6-95
DEQ 12-1995, f. & cert. ef. 5-23-95
DEQ 13-1994, f. & cert. ef. 5-19-94
DEQ 20-1993(Temp), f. & cert. ef. 11-4-93

340-220-0040

Emission Fee

(1) For operations during the period of November 15, 2023 to November 14, 2024, DEQ will assess an emission fee of \$124.63 per ton of each regulated pollutant emitted during calendar year 2024 to each source subject to the Oregon Title V Operating Permit Program.

(2) For operations during the period of November 15, 2024 to November 14, 2025, DEQ will assess an emission fee of \$128.36 per ton of each regulated pollutant emitted during calendar year 2025 to each source subject to the Oregon Title V Operating Permit Program. DEQ will assess the same per ton emission fee for operations in subsequent comparable November 15 to November 14 operating periods, based on subsequent calendar year's emissions of regulated pollutants, respectively, to each source subject to the Oregon Title V Operating Permit Program.

(3) The emission fee will be applied to emissions based on the elections made according to OAR 340-220-0090.

Statutory/Other Authority: ORS 468.020

Statutes/Other Implemented: ORS 468 & 468A

History:

DEQ 2-2024, amend filed 01/25/2024, effective 01/25/2024

DEQ 9-2023, temporary amend filed 07/20/2023, effective 08/01/2023 through 01/27/2024

DEQ 14-2022, amend filed 08/16/2022, effective 08/16/2022

DEQ 10-2021, amend filed 07/23/2021, effective 07/23/2021

DEQ 12-2019, amend filed 05/16/2019, effective 05/16/2019

DEQ 189-2018, amend filed 07/13/2018, effective 07/13/2018

DEQ 1-2017, f. & cert. ef. 1-19-17

DEQ 7-2016, f. & cert. ef. 6-9-16

DEQ 2-2015, f. & cert. ef. 1-7-15
DEQ 10-2014, f. & cert. ef. 9-4-14
DEQ 9-2012, f. & cert. ef. 12-11-12
DEQ 16-2010, f. & cert. ef. 12-20-10
DEQ 4-2009(Temp), f. & cert. ef. 8-27-09 thru 2-20-10
DEQ 10-2008, f. & cert. ef. 8-25-08
DEQ 6-2007(Temp), f. & cert. ef. 8-17-07 thru 2-12-08
DEQ 7-2006, f. & cert. ef. 6-30-06
DEQ 6-2005, f. & cert. ef. 7-11-05
DEQ 6-2004, f. & cert. ef. 7-29-04
DEQ 11-2003, f. & cert. ef. 7-23-03
DEQ 7-2001, f. 6-28-01, cert. ef. 7-1-01
DEQ 8-2000, f. & cert. ef. 6-6-00
DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-028-2590
DEQ 10-1999, f. & cert. ef. 7-1-99
DEQ 12-1998, f. & cert. ef. 6-30-98
DEQ 9-1997, f. & cert. ef. 5-9-97
DEQ 7-1996, f. & cert. ef. 5-31-96
DEQ 22-1995, f. & cert. ef. 10-6-95
DEQ 12-1995, f. & cert. ef. 5-23-95
DEQ 13-1994, f. & cert. ef. 5-19-94
DEQ 20-1993(Temp), f. & cert. ef. 11-4-93

340-220-0050

Specific Activity Fees

(1) DEQ will assess specific activity fees for an Oregon Title V Operating Permit program source for the period of August 1, 2025 to July 31, 2026 as follows:

(a) Existing source permit revisions:

(A) Administrative* — \$1,004;

(B) Simple — \$4,020;

(C) Moderate — \$30,154;

(D) Complex — \$60,308; and

(b) Ambient air monitoring review — \$8,041.

(2) DEQ will assess specific activity fees for an Oregon Title V Operating Permit program source as of August 1, 2026 as follows:

(a) Existing source permit revisions:

(A) Administrative* — \$1,034;

(B) Simple — \$4,140;

(C) Moderate — \$31,058;

(D) Complex — \$62,117; and

(b) Ambient air monitoring review — \$8,282.

(3) DEQ will assess the following specific activity fee for an Oregon Title V Operating Permit program source for annual greenhouse gas reporting, as required by OAR 340-215-0060(1) — 20 percent of the following, not to exceed \$9,000*:

(a) The applicable annual base fee under OAR 340-220-0030 (for the period of November 15 of the current year to November 14 of the following year); and

(b) The applicable annual emission fee under OAR 340-220-0040.

(4) DEQ will assess the following specific activity fees for an Oregon Title V Operating Permit for Cleaner Air Oregon program implementation, as required by OAR 340-245-0400:

(a) The annual base fee of \$2,994; and

(b) The annual emission fee of \$22.63 per ton of each regulated pollutant for emissions during the previous calendar year, up to and including 7,000 tons of such emissions per year. The emission fee will be applied to emissions based on the elections made under OAR 340-220-0090.

[NOTE: *Includes revisions specified in OAR 340-218-0150(1)(a) through (g). Other revisions specified in OAR 340-218-0150 are subject to simple, moderate or complex revision fees.]

Statutory/Other Authority: ORS 468 & 468A

Statutes/Other Implemented: ORS 468 & 468A

History:

DEQ 14-2024, amend filed 09/10/2024, effective 09/10/2024

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DEQ 9-2023, temporary amend filed 07/20/2023, effective 08/01/2023 through 01/27/2024

DEQ 14-2022, amend filed 08/16/2022, effective 08/16/2022

DEQ 10-2021, amend filed 07/23/2021, effective 07/23/2021

DEQ 23-2019, amend filed 10/08/2019, effective 10/08/2019

DEQ 12-2019, amend filed 05/16/2019, effective 05/16/2019

DEQ 7-2019, amend filed 02/15/2019, effective 02/15/2019

DEQ 197-2018, amend filed 11/16/2018, effective 11/16/2018

DEQ 189-2018, amend filed 07/13/2018, effective 07/13/2018

DEQ 1-2017, f. & cert. ef. 1-19-17

DEQ 7-2016, f. & cert. ef. 6-9-16
DEQ 2-2015, f. & cert. ef. 1-7-15
DEQ 10-2014, f. & cert. ef. 9-4-14
DEQ 9-2012, f. & cert. ef. 12-11-12
DEQ 5-2012, f. & cert. ef. 7-2-12
DEQ 12-2011, f. & cert. ef. 7-21-11
DEQ 11-2011, f. & cert. ef. 7-21-11
DEQ 16-2010, f. & cert. ef. 12-20-10
DEQ 12-2010, f. & cert. ef. 10-27-10
Reverted to DEQ 10-2008, f. & cert. ef. 8-25-08
DEQ 9-2009(Temp), f. 12-24-09, cert. ef. 1-1-10 thru 6-30-10
DEQ 4-2009(Temp), f. & cert. ef. 8-27-09 thru 2-20-10
DEQ 10-2008, f. & cert. ef. 8-25-08
Reverted to DEQ 7-2006, f. & cert. ef. 6-30-06
DEQ 6-2007(Temp), f. & cert. ef. 8-17-07 thru 2-12-08
DEQ 7-2006, f. & cert. ef. 6-30-06
DEQ 6-2005, f. & cert. ef. 7-11-05
DEQ 6-2004, f. & cert. ef. 7-29-04
DEQ 11-2003, f. & cert. ef. 7-23-03
DEQ 6-2001, f. 6-18-01, cert. ef. 7-1-01
DEQ 7-2001, f. 6-28-01, cert. ef. 7-1-01
DEQ 8-2000, f. & cert. ef. 6-6-00
DEQ 14-1999, f. & cert. ef. 10-14-99, Renumbered from 340-028-2600
DEQ 10-1999, f. & cert. ef. 7-1-99
DEQ 12-1998, f. & cert. ef. 6-30-98
DEQ 13-1994, f. & cert. ef. 5-19-94
DEQ 20-1993(Temp), f. & cert. ef. 11-4-93

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