

Climate Protection Program EITE

Rulemaking Advisory Committee Meeting #1

May 28, 2026, 10 a.m. to 4 p.m.

List of attendees

Committee members in attendance (for all or part of meeting)

- Melissa Antoine, Georgia Pacific
- Nora Apter, Climate Solutions
- Pam Barrow, Food Northwest
- Ben Brint, Oregon Environmental Council
- Sunanda Chunder, Oregon Steel Mills
- Chad Darby, Maul Foster & Alongi, Inc.
- Steven Edmund, Intel
- Tyler Ernst, Oregon Forest Industries Council
- Mike Freese, Romain Freese/Oregon Fuels Association
- Kelly Fukai, Northwest Gas Association
- Bill Gaines, Alliance of Western Energy Consumers
- Perry Hanson, Simplot Company (online)
- Chris McCabe, Northwest Pulp and Paper Association
- Tim Miller, Oregon Business for Climate
- Mary Moerlins, NW Natural
- Sharla Moffett, Oregon Business and Industry
- Kevin Neary, Analog Devices
- Russ Simonson, Ash Grove – alternate for Scott Nielson
- Jamie Pang, Oregon Just Transition Alliance
- Carra Sahler, Green Energy Institute, Lewis and Clark Law School
- Lillian Schemadovits-Norris, Roseburg Forest Products
- Jessica Spiegel, Western States Petroleum Association
- Ian Toevs, Lamb Weston
- Ranfis Villatoro, BlueGreen Alliance

Staff in attendance

- Leah Feldon, DEQ, Director
- Colin McConnaha, DEQ, Office of Greenhouse Gas Programs Manager
- Nicole Singh, DEQ, Climate Protection Manager
- Evan Manvel, DEQ, Senior Climate Policy Advisor, Rulemaking Coordinator
- Matt Steele, DEQ, Climate Policy Analyst
- Bill Brady, DEQ, Climate Policy Analyst
- Heather Kuoppamaki, DEQ, Climate Program Engineer
- Adam Heroux, DEQ, Climate Program Coordinator
- Whitney Dorer, DEQ, Facilitator, Climate Policy Community Engagement Coordinator

Welcome, agenda overview, director's remarks

Whitney shared brief information about the meeting, its objectives, and the agenda for the day.

Nicole introduced the DEQ Climate Protection Program (CPP) team members.

DEQ Director Leah Feldon provided opening remarks on the rulemaking, acknowledging the EITE rulemaking is a result of past engagement with industry representatives during the 2024 CPP rulemaking. Director Feldon thanked committee members for their engagement in the past, present, and future of CPP.

Advisory committee introductions

Whitney asked the RAC members to share their name, affiliation, and responses to the following questions.

What motivated you to be part of this effort to develop rules for EITE sources?

What would a successful rulemaking outcome look like to you?

Summarized responses:

- To find a way from a technological and environmental perspective to get to a future state of lower carbon emissions and protect communities.
- To ensure all members impacted will have flexibility they need to continue to operate.
- To understand how EITE members in Washington and California are impacted and share that information. If impacts are pushed from EITEs to fuel suppliers, then the fuel supply costs increase which impacts EITEs.
- To take advantage of Oregon's opportunity to lead and use that leadership to help other states. Wanting to learn how to be flexible.
- To create the right flexibility to allow industries to thrive while decreasing emissions.
- To ensure the intent of the program brings community benefits in sustainable and feasible way that allows for good jobs in the community.
- To recognize that the energy system is complex. Natural gas, renewable natural gas, hydrogen play an important role. Interested in being part of that transition on behalf of everyone in the room.
- To help Oregon industry compete internationally with other energy-intensive and highly trade-exposed facilities. Avoid production shifts for Oregon mills working to avoid greenhouse gas regulations.
- To have difficult conversations, including in-person meetings where it can be easier to do.
- Strengthen Oregon's economy for present and future generations. Success means maintaining Oregon's competitiveness and prosperity, retaining businesses, and limiting leakage.
- To continue the legacy of timber products in Oregon and balance that with being good stewards of the land and communities.
- To have the operational flexibility to continue to grow and employ people while creating a great product and remaining competitive.
- To understand what these program rules will mean for daily operations.
- To acknowledge the climate crisis.
- To keep up with global economy.
- To maintain integrity of the program, meaning real emissions reductions.
- To consider co-pollutants in addition to greenhouse gas emissions reductions.
- To think about being innovative and leaders in the EITE space.
- To get the benchmarks right because the EITE program could be helpful or devastating for facilities.
- To demonstrate to other economies how you can have a thriving green economy.
- To address conflicts between reducing emissions and maintaining industrial success and flexibility.
- To find a livable solution that provides certainty for business.
- To create a sustainable program for business and environment where businesses to continue to grow.
- To consider what is feasible and what environmental abatement systems are available. Many easy reductions have been done.
- Motivated by an overall love of Oregon.
- To see production stay in Oregon.
- To recognize many facilities have voluntarily already reduced greenhouse gas emissions.

- To recognize each facility is unique, even within sectors and there should be flexibility in compliance to accommodate that.
- To take previous greenhouse gas emission reductions into consideration.
- To consider how EITE regulations impact EITE customers and other natural gas customers.
- To have thoughtful discourse where all voices heard and valued.
- To learn from EITE processes elsewhere like Washington where there are industry challenges.
- To build on learning from other states and programs.

Meeting agreements and member expectations

Whitney shared the meeting agreements and member expectations.

Rulemaking goals, scope and timeline

Nicole discussed the rulemaking process and requested feedback on the process. Nicole clarified the default EITE rules are more of a placeholder, not a starting point for the rulemaking. Nicole shared that staff are working with fuel suppliers for the current compliance period and that for these conversations the term “EITE” includes both EITE and DNG (direct natural gas) sources. Nicole expressed staff appreciation of all the voices at the table including industry associations, facility representatives, and community organizations.

Nicole shared the rulemaking objectives, including that the main objective is to determine how many compliance instruments are distributed to the EITEs. Nicole stressed the importance of thinking about incentivizing emissions reductions, special circumstances, avoiding relocation of manufacturing and emissions, flexibility for production growth, and understanding potential local impacts to air, health, and employment.

Nicole shared that the scope will include greenhouse gas emissions intensity benchmarks as a tool to achieve emissions reductions while maintaining production. Nicole shared that reduction schedules may be different for existing EITEs when compared with new EITEs and that DEQ will look at the potential to allow adjustments.

Nicole discussed the emissions reduction targets and that DEQ will adjust emissions cap once EITEs come into the program in 2028 and the rulemaking will focus on how to distribute compliance instruments to EITE based on production data and emissions data. Nicole shared that under the same CPP cap, EITEs receive compliance instruments first, followed by natural gas utilities, and then liquid fuel and propane suppliers.

Nicole highlighted that the CPP team has been engaging with other jurisdictions and exploring what has worked and what could be improved.

Nicole presented the [work plan](#) for all four RAC meetings, noting RAC #2 on July 29 will be remote while both RAC #3 on September 15 and RAC #4 on October 21 will be in person for RAC members. Nicole noted that DEQ intends to have a long public comment period and to present draft rules to the Environmental Quality Commission in spring 2027.

Whitney asked RAC members if they had any questions.

- RAC member shared many businesses will have to plan for reductions in compliance instruments. The member suggested changes could create uncertainty and asked how an EITE facility expansion would impact compliance instrument distribution.
- DEQ staff acknowledged it would be a change compared to how the program operates now.
- RAC member described compliance instrument distribution as unfair and shared concerns with EITEs getting compliance instruments first. Member supports EITEs having a separate cap.
- DEQ staff asked how members in California have dealt with EITE expansions since expansions could reduce compliance instruments available for auction.
- RAC member shared that California has many differences related to types of fuels, availability of compliance instruments, and when fuel suppliers were included in the cap. Member also shared that some refineries have closed due to the cap.
- RAC member noted Oregon doesn't have refineries, and there are smaller family-owned fuel distributors regulated under CPP that wouldn't be regulated in California.
- RAC member discussed that in California there is always trading with no cap on volume in the state unless technology changes.
- RAC member asked whether fuel suppliers and natural gas suppliers should have a separate starting point and glide path where EITEs could increase production while decreasing per-unit emissions.

- DEQ staff shared that transportation fuels are the largest percentage of emissions, EITE emissions are relatively small, and the emissions cap is there to guarantee emissions reductions.

Emissions intensity benchmarks

Evan from DEQ shared there are 37 existing EITE sources and the sectors covered by the program. Evan described how benchmarks are used with reduction schedules to calculate compliance instruments and shared an example from California. Evan noted there may be reasons to revisit benchmarks in the future.

Evan asked the group: how should benchmarks be determined? How much data, what years, what to think about? Evan noted that DEQ already collected five years of data, acknowledging that the peak of the COVID-19 pandemic impacted many businesses. Evan shared DEQ prefers to use current, verified data and acknowledged that facility production can change over time and previous years might not be representative.

Colin added DEQ is not starting from the placeholder language regarding EITE treatment in the rules.

Evan shared the following discussion questions:

Benchmarks

- What principles should DEQ use in setting benchmarks? Should DEQ distinguish between process and combustion emissions? If so, why?
- Should the program use benchmarks that are product-based across multiple sources, source-specific covering all emissions at a source, source-specific and product-differentiated, or a combination? Why?
- Should DEQ account for previous investments by some to reduce emissions, or sources that have lower than average emissions for their industry? If so, how?

Data years

- How should DEQ approach selecting data years?
- Should DEQ use the same data years for all sources or different years for different sources? What would be the advantages or disadvantages of the different approaches?
- Should DEQ allow for sources to petition for different data years? What should DEQ consider in allowing for this?

Questions/Comments/Discussion

- RAC member shared rules should reflect each company's uniqueness and boom/bust cycles.
- RAC member shared that some industries may be early movers for efficiency. Member suggested DEQ could consider how close Oregon companies are to the top companies in the industry and develop company specific reduction schedules. Member noted EITEs emissions reductions could impact the availability of compliance instruments for fuel suppliers.
- RAC member stressed distribution and cogeneration facilities can be complicated and supported source-specific benchmarks with options for different products represented in those benchmarks.
- RAC member said rules should reflect the complexity of benchmarking and noted that fuel, energy, and process emissions are all necessary for base level operation, and that technology availability affects abatement especially for process emissions.
- RAC member shared that pulp and paper companies support source-specific benchmarks. Member noted facility uniqueness in fuels and products makes it difficult to compare facilities.
- RAC member agreed with uniqueness of sites and general support for source-specific benchmarks with options for product-specific benchmarks.
- RAC member suggested DEQ consider market dynamics, past investments, differing emissions years, and the role of required emissions abatement equipment for companies. Member suggested benchmark setting can have unintended consequences if it cannot account for market changes.
- RAC member stressed rules should prioritize environmental integrity and transparency while using good, consistent data reporting. Member expressed concerns that more source-specific benchmarks could result in less meaningful emissions reductions and expressed interest in learning more about reduction feasibility.

- RAC member shared support for rules that acknowledge facility uniqueness, evolution of product outputs, and equipment that runs regardless of production level.
- RAC member shared that rules should account for production variation and facility uniqueness.
- RAC member shared that no two products are made the same way. Member stressed the importance of the starting point and accounting for swings in production and early adopters of emissions reductions.
- RAC member shared this benchmark setting process is similar to an Oregon Department of Energy process and noted businesses have explored emissions reduction technologies.
- RAC member expressed support for source-specific benchmarks and the best available emissions reduction (BAER) approach that was not included in the Climate Protection Program 2024 approach.
- RAC member shared previous work tracking emissions across more than 80 facilities in the northwest noting the influence of external events on company energy usage. Member considered product-based and sector-based benchmarks, but noted few facilities make the same product, making sector benchmarks less feasible and creating confidentiality concerns.
- Colin DEQ asked further questions about the uniqueness of facilities and whether it would be problematic to have different source-specific benchmarks despite those facilities making products that are functionally similar, such as French fries.
- RAC member stressed flexibility to address those issues.
- RAC member shared French fries have varying product specifications, and noted that metering can be difficult to track by product. Member supported site-specific benchmarks, with credit for past reductions.
- RAC member noted projects have already happened because efficiency saves money.
- RAC member supports benchmarks that reward facilities that have already done energy efficiency projects. Member suggested considering a different slope of reduction for previous work and for fixed emissions versus variable emissions.
- RAC member shared that it is encouraging that many of the companies have participated in the Washington program and suggested it would be helpful to hear lessons learned from those folks.
- RAC member noted that in Washington each source has its own confidential benchmark and stressed that submittals should also be confidential in the Oregon program. Member noted that different starting benchmarks does not necessarily mean there has been more investment.
- RAC member discussed a facility that makes over 100 different products with different energy intensities. Member agreed there are technology limitations and that comparing seemingly similar products could be difficult.
- Nicole DEQ reflected on the input so far and shared that DEQ is learning from different jurisdictions and wants to find what works for Oregon. Nicole stressed DEQ will continue to collect high quality data. Nicole shared DEQ wants to ensure the end result is implementable.
- Colin DEQ asked the group about product-specific benchmarks, with Nicole noting DEQ is hearing support for source-specific benchmarks and some interest in exploring source-specific, product-differentiated benchmarks..
- Whitney DEQ mentioned the agency is requesting comments by June 8 so there is some time to take the discussion into account.
- RAC member shared concerns about the availability of electrical infrastructure upgrades and intra-company competition moving production to out of state within a company.
- RAC member supports the idea of one or more product benchmarks and noted many facilities are already impacted by Cleaner Air Oregon. Member shared some companies are not sending money to Oregon due to regulations which can result in slow leakage or de-investment over time.
- RAC member believes success means not a lot of overhead to implement. Member shared that climate investment is about the long-term gain and that a reasonable benchmark would not require facilities have to buy community climate investments for compliance in year one.

Reconvening after lunch

After lunch, Whitney DEQ introduced RAC member Ranfis Villatoro who joined online. Member answered the intro questions: to protect and advance union jobs while reducing greenhouse gas emissions.

Reduction schedules

Matt shared the reduction schedule is the rate of decrease of the number of free compliance instruments based on benchmarks. Reduction schedules establish a clear market signal to maintain pressure for emissions reductions.

Matt noted many different ways to structure a reduction schedule including linear decrease, stepwise approach, non-uniform rate of reduction across compliance periods, by emission type, and sector or facility-specific. Matt reviewed reduction schedules in Washington, California, and Quebec and noted they are generally slower than the overall cap decline. Matt noted that energy efficiency is the most available approach, but opportunities will vary across industries and facilities.

Matt shared the following discussion questions:

- Should compliance instrument reduction schedule be uniform, or be industry, source, or product-specific?
- What should the expected reduction percentage be every two years?
- Should the program have a method for facilities to get adjustments to the reduction schedule? If so, what would it look like? What would DEQ need to consider when allowing for adjustments?
- Should DEQ consider other compliance flexibility options in place of or to complement adjusting reduction schedules, such as higher usage percentage for community climate investments credits? If so, what?

Questions/Comments/Discussion

- RAC member noted some required Best Available Control Technology (BACT) pollution control equipment runs on natural gas, suggesting it would be punitive for DEQ to require reduction from these types of devices.
- RAC member shared that a two-year compliance period is too short. Member supported compliance flexibility when the timeline for emissions reductions projects are outside a company's control.
- RAC member suggested beginning reductions in 2030-2031 and asked a clarifying question – Does shallower reduction for EITEs mean fewer instruments for liquid fuel sources?
 - DEQ staff replied yes, unless DEQ limits the total number of instruments available to EITEs. Yes, if production is constant.
 - DEQ staff clarified “compliance flexibility” may be needed for situations like these that arise.
- RAC member shared companies know their curve and can use community climate investments at first, then have extra compliance instruments to trade or save after completing a large capital project.
- RAC member expressed concern there may not be community climate investments or compliance instruments available, or that there may be external forces that prevent them from achieving reductions.
- RAC member asked DEQ staff, “How do we maintain parity with other regional programs?” Member suggested the programs are different and expressed interest in keeping competitiveness and parity in OR and WA from a cost standpoint. Member noted Washington's program has four-year compliance periods. Member shared Washington is trying to link its program with California.
 - DEQ staff shared the agency is talking often with colleagues in Washington, including those working on the industrial side. DEQ staff that Oregon and Washington are informally linked because they part of a connected economy. Oregon is looking for opportunities to have parity when possible and it makes sense. DEQ staff asked, “Should Oregon use the same percentages as Washington?”
- RAC member stressed the impacts of external factors, noting that their sector's biggest opportunity — heat recovery — requires electricity yet a projected electricity shortage makes it unrealistic.
- RAC member suggested a deviation in reduction schedule makes sense, but there could be hurdles where the cost can shift to another part of the economy with one cap. RAC member asked whether or not EITEs should have their own cap.
- RAC member noted rules need to ensure companies have enough time to develop and implement a plan for permitting and procurement. Member thinks addressing emissions from emission control equipment is vital, and suggested differentiation between process and combustion emissions is important.
- RAC member expressed support for as uniform of a reduction schedule as possible for credibility and clarity. Member suggested this would be helpful for enforceability and keeping in mind what Oregon is

working for. Member recommended allowing innovation and ensuring this group of industries is contributing to the cap decline. Member discussed excess of compliance instruments due to work by fuel suppliers. Member stressed the reduction schedule start with the first compliance period for EITEs.

- RAC member discussed excess instruments for fuel suppliers due to renewable diesel, mentioning there will come a time where they cannot comply and that renewable diesel does not help all fuel suppliers.
- RAC member agreed reductions take time, with about three to five years being the quickest timeline for capital improvement projects. Member supported no reductions in the first compliance period, slower reduction schedule, and longer compliance periods.
- RAC member highlighted the impact of the Iran war and tariffs on fuel suppliers and renewable diesel. Member expressed confusion on limit of community climate investments and plans for a community climate investment entity.
- Nicole responded regarding community climate investments, the compliance obligation has a percentage limitation for community climate investments (currently 15%, then goes up to 20%). Nicole asked whether DEQ should be thinking about changes to the usage of community climate investments. Nicole shared that DEQ is targeting the end of 2026 to get a community climate investment entity in place so facilities can use community climate investments to comply with the program.
- RAC member asked for more clarification on availability of community climate investments, wondering what might happen if an entity does not exist or have enough projects available.
- RAC member discussed that “earning” the community climate investment credit means the facility has to pay for it.
- RAC member stated there will be availability of community climate investments. Member shared that some companies could go five years before doing any reductions and meet their obligations buying community climate investment credits.
- RAC member noted projects aren’t always waiting around to be completed.
- RAC member suggested facilities operating at their most efficient level may need their reduction schedule pushed out. Member believes DEQ needs to recognize when a company can’t do more. Member noted long timelines for permitting and electrical upgrades as well as required abatement equipment.
- RAC member discussed that two-thirds of their facility’s emissions are baked into the process on the back end. Member shared more about the process of concrete absorbing 10-20% of process carbon dioxide emissions, and the role played by recycled materials.
- RAC member mentioned their WA facility is above benchmark and urged careful consideration.
- Nicole asked RAC members about data years for benchmarking in Washington.
- Evan noted Washington was based on an average of base years and facilities apply for adjustments.
- One RAC member noted that they applied for an adjustment but were denied.
- RAC member shared Washington used different emissions in the benchmark than what they are managing in the program which has been difficult.
- Colin added that the presumption from DEQ is EITEs fit within one cap and recognized sources are discussing different caps and different reduction schedules. Colin acknowledged this can cause tension when there are limited instruments available.
- RAC member shared that pitting household against their employers could happen with one cap.
- RAC member clarified EITE sources have the smallest portion of the emissions and asked whether smaller sources with smaller reductions under the one cap might not be too bad.
- Nicole stressed any program in multiple sectors has to think about impacts. Nicole agreed EITE emissions as a sector are relatively small and noted DEQ wants to focus on production and flexibility.
- Colin asked RAC members about their ideas for potential adjustments and what has or has not worked elsewhere regarding cessation in reduction schedule and changes in benchmarks, etc.
- RAC member reminded attendees not all EITEs represented at the RAC, including those under the 15,000 ton/year threshold, and many others will be impacted by these rules.
- RAC member asked about program evaluation and course correction for the CPP program. Member noted many of the facilities have already done all their energy efficiency projects available.
- RAC member suggested emergency instruments or borrowing future instruments during hard times.

- RAC member noted voters voted against a recent fuel tax and asked if the public would support EITEs having a different cap than fuel suppliers. Member asked, is it better to switch out boiler for decarbonization or to use it for its full life – consider full impacts?
- RAC member mentioned there is a threshold for marginal abatement costs and that DEQ should include a flexibility in the reduction schedule and noted benefits of the BAER process.
- Evan asked the RAC members whether the Washington's approach to reduction schedule adjustments was working, including technical or economic feasibility.
- RAC member shared Washington is updating its rules, and has allowances to help.
- RAC member supported clear process for adjustments when no more reductions can be achieved. Member asked for a clear application process and approval criteria. Member stressed that companies need to have clear understanding from DEQ and noted that community climate investments are expensive and unaffordable in Oregon versus on the market in other jurisdictions.
- RAC member encouraged safety valves, check back mechanisms in the program. Member expressed the belief that Oregon will not match its reduction schedule.
- RAC member supported the backstop that Washington has and the BAER process Oregon started. Member shared that Washington has a mandate to avoid leakage and wondered if Oregon should have the same language regarding avoiding leakage and having a backstop measure.
- Colin shared the Environmental Quality Commission directed DEQ to conduct this rulemaking to avoid leakage.
- RAC member shared some emissions are not abatable and wondered what reductions are achievable. Member noted impacts to fuel suppliers.
- Nicole discussed program evaluation and noted DEQ requires program evaluation for all new programs after five years. and that program evaluation can always be improved. Nicole shared that under the BAER approach, there were mechanisms for evaluating progress. Nicole recognized that DEQ does not have the facility-specific data on what is actually abatable and will need to get that information while looking for innovation.
- Bill asked if DEQ done an analysis on what emissions could never be abatable?
- Nicole shared she has heard from many people that DEQ should consider emissions that cannot be abated in developing benchmarks and reduction schedules. Nicole shared DEQ does not want to create winners and losers and that DEQ supported and re-evaluating what is working and what isn't working.
- Bill shared the uniqueness of each facility is a barrier to identifying what emissions can or cannot be abated at this time. Bill suggested DEQ could work to understand this better.
- RAC member shared that borrowing from future allowance is an interesting idea. Member mentioned there are options beyond community climate investments for flexibility. Member shared facilities can also use compliance instruments from previous years that were not used, and can buy from other covered sources. Member shared a hope that a natural gas company will work with thousands of companies to beat their schedule which will free up more compliance instruments.
- RAC member referred to the vision and original intent of the CPP. Member shared that in addition to discussing why something is hard to abate, it is necessary to discuss what is easy to abate and what new products/tools are coming along that will make abatement easy. Member shared many solutions are needed to help keep the cap strong and meet the reduction. Member highlighted that clean energy programs create jobs and community benefits.

New products, processes, and benchmarks

Bill introduced the discussion on new products, processes, and benchmarks. Bill shared that many if not all of the EITEs will come up with a new product, change products, or develop a new process while regulated under CPP. New product lines can be a three+ year process, making emissions intensities difficult to evaluate early on. Bill reviewed California and Washington approaches, and what DEQ is considering for Oregon.

Bill shared discussion questions.

- Depending on the type of benchmark, industry-wide, source-specific or product-specific, how should DEQ consider new product manufacturing or significant shifts in production?
- Beyond new products or significant shifts in production, are there other changes DEQ should consider when evaluating potential adjustments to benchmarks? If so, what?

Questions/Comments/Discussion

- RAC member suggested DEQ set pre-defined thresholds (production volume/emissions share) that would trigger a new review with limited administrative burden. Member noted Washington has an evaluation period and expressed concern about facilities using a new product to gamify the system.
- Bill asked clarifying question – what would constitute a new product versus just a change to an existing product? Bill noted something like adding a new component to an existing product could significantly change the emissions, but it may not actually be a new product functionally.
- RAC member noted any perception of allowance availability or perceived market is speculative at this point and cautioned DEQ not to compare Oregon's market to Washington or California. Member noted that assuming available allowances assumes significant reductions right away. Member noted many reductions have begun, but there are still deep reductions that need to be made.
- RAC member noted the complexity of permitting and importance of clarifying how CPP permits fit within the wide world of DEQ permitting, including Title V, greenhouse gas reporting, changes in production, new equipment, and Cleaner Air Oregon. Member shared that one facility currently has 12 addendums. Member asked if DEQ can simplify permitting for CPP through existing systems. Member shared several scenarios that might warrant benchmark adjustments, including: 1. Changes/ expansions; 2. New build at an existing facility; 3. New build, brand new facility. Member noted these situations have very different considerations.
- Bill clarified RAC members are asking for streamlining permitting, less double reporting to DEQ. Bill reminded participants to provide their comments in writing.
- Nicole DEQ shared appreciation for the discussion and noted CPP does talk with permit writers and appreciated input on how to streamline.
- RAC member agreed that it would be helpful to integrate EITE permits with other permitting. Member shared that permit writers are used to reviewing BACT in Oregon, and they could potentially review proposal of gas oven versus electric oven to see if benchmark needs to be boosted up or not.
- Nicole DEQ reflected back on resources and capacity building at DEQ and shared that she will work to use existing expertise in Oregon.
- RAC member stressed the need for careful consideration for new or expanded facilities given that emissions data during startup is not representative for benchmarking.
- RAC member expressed support for previous comments, suggesting that when new products come to Oregon, companies need a predictable and frictionless process or they will go elsewhere. Member shared that DEQ needs to be flexible and work with companies on new products or during significant down turns in operations.
- RAC member shared that a new product with lower emissions benefits the facility through extra instruments. Member expressed support for thoughtful EITE permitting structure to be flexible. Member asked, if a new product goes into an existing facility, wouldn't that show up as increased emissions? Member expressed opposition to uncovered emissions from new products or new facilities.
- Bill shared that the program is intended to spur innovation in new products or processes like updates to available gases and innovations that reduce emissions.
- Colin asked about a facility that is changing a process that reduces emissions banking credits. Where would DEQ need to make adjustments?
- Nicole asked, if there is a source-specific benchmark for a facility with multiple products, vs facility with product benchmarks – how does a new product come into play?
- RAC asked DEQ to consider new products and processes given that companies have to respond to changing customer demands. Member expressed support for new facilities and new lines being handled differently given the long ramp up to best efficiency.
- RAC member stressed caution about unconstrained optimism and shared that we are limited by what is available and possible. Member noted there are inputs, and we are going to have waste. Member reminded participants of the need for flexibility and source-specific reductions with adjustments when there is a limit to what can be done.
- RAC member shared that innovations can happen that we don't see right now.

Whitney discussed balance and Oregon being a leader.

Public comment

Colin reminded the public comments are to DEQ, not to advisory committee members.

- Commenter shared their organization supports strong implementation of the Climate Protection Program. Commenter requested DEQ maintain the science based, community driven integrity of CPP. They asked for three outcomes from the rulemaking, including 1) Maintain climate integrity and ensure real emission reductions, 2) deliver public health, air quality, and economic benefits for environmental justice communities, and 3) maximize innovation and minimize leakage while preserving accountability. They shared that EITE facilities are sometimes located in overburdened communities. They expressed support for strong CPP implementation that upholds the caps and helps Oregon to be a leader in cleaner industrial production, job creation, workforce development, and long-term economic resilience.
- Commenter shared their community organization based in East Portland has three EITE's that operate in their neighborhood and expressed support for strong implementation of the Climate Protection Program. They strongly urged DEQ to develop rules that create real, measurable emissions reductions that protect our communities, workers, and public health while also supporting Oregon's long term economic future.
- Commenter shared they are heartened by Director Feldon encouraging workable program for EITEs and stressed the need to find flexibility and preserve EITE growth in the state. Commenter noted EITEs are a small portion of emissions statewide. They suggested we set course for first ten years to look at undue burdens and be flexible with making changes to make the workable program.

Whitney reminded people on the internet and in the room to send comments by June 8. Next meeting is July 29 and is virtual.

Evan said comments will continue to take comments throughout the process.

Bill said everyone can contact DEQ throughout at CPP.EITE@deq.oregon.gov.

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