

State of Oregon
Department of Environmental Quality

Memorandum

Date: Aug. 27, 2018
To: Environmental Quality Commission
From: Richard Whitman, Director
Subject: Agenda item F, Informational item: Cleaner Air Oregon updates
Sept. 13-14, 2018, EQC meeting

Why this is important DEQ staff will present information requested by the commission at its July 2018 meeting regarding how the health of sensitive populations is considered in the proposed Cleaner Air Oregon program.

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

Since April 2016, DEQ and the Oregon Health Authority have worked together with a rules advisory committee, a technical workgroup, and business and community members to develop a comprehensive health-based air toxics program. DEQ has held two public comment periods on the program along with multiple public hearings. The current draft CAO rules also incorporate legislative direction provided in Senate Bill 1541 (2018).

Second public comment period completed DEQ published the new draft rules and took public comment for a second time from June 25 through Aug. 6, 2018. DEQ, in conjunction with OHA, held two public hearings, one in Portland in conjunction with the July EQC meeting and one in Eugene in conjunction with the Lane Regional Air Protection Agency.

Risk assessment assumptions to protect children's health At its July 2018 meeting, the commission requested information about how risks to the health of sensitive populations, including children, from industrial air toxics are addressed in the draft CAO rules and in air toxics programs outside of Oregon. DEQ and OHA staff will present a summary of how children's vulnerabilities to air toxics differ from adults, as well as differing assumptions regarding exposure that are used by other programs. Staff will discuss how these considerations are addressed in the current draft CAO rules, and the approaches taken in other programs.

EQC involvement DEQ intends to bring the proposed Cleaner Air Oregon rules to the commission for its consideration in November 2018.

Links for supporting materials

- A. Cleaner Air Oregon homepage: <http://www.oregon.gov/deq/daq/cao/Pages/default.aspx>
- B. Draft rules: <http://www.oregon.gov/deq/Rulemaking%20Docs/cao-pn-Div245.pdf>
- C. Draft Recommended Procedures for Conducting Air Toxics Health Risk Assessment: <https://www.oregon.gov/deq/Rulemaking%20Docs/cao-pn2-ATHRA.pdf>

Report prepared by Keith Johnson
Air Quality Special Advisor