



## Cleaner Air Oregon

### Regulatory Reform Rulemaking Advisory Committee Meeting

May 8<sup>th</sup> and 9<sup>th</sup>, 2018

DoubleTree Hotel  
1000 NE Multnomah Street  
Portland, OR 97232

#### List of Attendees

John Donovan - Facilitator	Paul Lewis
Claudia Powers – Co-chair	Steven Anderson
Jackie Dingfelder – Co-chair	Susan Anderson
Abbie Laugtug	Tom Wood
Akash Singh	Ali Mirzakhali - DEQ
Al Hooton	Angela Parker - DEQ
Diana Rohlman	David Farrer - OHA
Ellen Porter	Gabriela Goldfarb - OHA
Gordon Zimmerman	Joe Westersund - DEQ
Huy Ong	Jill Inahara - DEQ
Josh Hall (via phone)	Keith Johnson - DEQ
Katharine Saltzmann	Mike Poulsen - DEQ
Kathryn VanNatta	Phil Allen - DEQ
Laura Seyler	Richard Whitman - DEQ
Lee Fortier	Sarah Armitage - DEQ
Licia Sahagun	Sue MacMillan - DEQ
Linda George	Susanna Wegner - OHA
Mary Peveto	

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*DEQ is a leader in restoring, maintaining and enhancing the quality of Oregon's air, land and water.*

#### List of Handouts and Presentation Notes

- Meeting agenda
- Draft CAO Division 245 rules
- Draft CAO Division 245 tables
- Draft CAO fiscal impact statement
- Updated Risk Action Level Pyramid chart
- Comparison of previous (October 2017) RAL table to updated RAL table
- TRV and RBC handout
- Presentation slides
  - Overview of New CAO Timeline and Process
  - Updates to New and Existing Facility RALs
  - TBACT and Presumptive TBACT Updates
  - Changes to TRVs and RBCs
  - Call-in, Community Engagement, Permitting Timeline, and Ambient Monitoring
  - Review of Updates to Draft Fiscal Impact Statement
  - Cleaner Air Oregon Hazard Index Rulemaking

#### May 8<sup>th</sup>, 2018

##### Introduction

Facilitator John Donovan convened the meeting at 1 p.m.

DEQ Director Richard Whitman gave an introduction and introduced DEQ's new Air Division Director, Ali Mirzakhali. Co-chairs Jackie Dingfelder and Claudia Powers made introductory remarks. John Donovan reviewed the agenda.

### **Review of Updates to Draft Rules**

Joe Westersund reviewed the handouts and asked for feedback on whether the recorded presentations were a useful way to communicate information. There will be additional changes that come out from the public comments and ongoing staff work. The current draft of the rules include some but not all rule changes that will go out for the next public comment. DEQ will develop the Hazard Index 3 rulemaking in parallel with CAO rules, and will start soon. The area risk pilot will be a separate rulemaking; we do not want to include it because it could slow down core CAO rules.

### **New and Existing Facility RALs**

Keith Johnson summarized the proposal for new and existing facility risk action levels.

Question: Can we distinguish between what is required by statute and what is not?

Response: We will try to clearly demark these differences, please ask if it is not clear.

Question: Is there any clarification on what is a new vs. existing source?

Response: Senate Bill 1541 has some additional language on new and reconstructed facilities. They would exceed 50% of the cost of constructing a new facility and would be treated as a new source. Definition of new and existing source is in the rules. New would be constructed after the rule effective date, existing would be constructed applications submitted before. If you submit permit applications or begin construction after rule effective date, you will always be a new source.

Question: Where did TLAER come from, why did DEQ decide to apply in this situation, not in first draft of rules?

Response: It is a concept we use to replace the Director Consultation process, which had discretionary evaluations and too much vagueness. TLAER is more transparent and explicit for new sources than Director Consultation process. Lowest Achievable Emission Rate is a concept that applies in nonattainment areas for criteria pollutants. Since TLAER could result in more risk reduction than TBACT (not always), staff thought TLAER for new sources was a higher level of protection and could justify having risk over 10/1 rather than using Director Consultation.

Question: Who would work with source to make TLAER determination?

Response: The permit writer would be lead but the TLAER determination could also include other senior permit writers within the agency. DEQ is thinking about the internal guidance needed as we stand the program up. There could be great value in providing guidance around TLAER decision making.

Question: How would DEQ envision pollutant minimization (P2) in TLAER process?

Response: That is a good question. DEQ could make P2 determinations on the front end.

Question: What does it mean that TLAER does not consider cost?

Response: Traditionally in air programs, a TBACT determination involves consideration of cost per ton and looks at generally acceptable ranges of cost. TLAER would not look at cost, just what is achievable.

Question: Is TLAER already determined? Where does it live?

Response: Not cast in stone but EPA has a RACT/BACT/LAER Clearinghouse that people can access. DEQ permit writers would review the clearinghouse. Costs have changed, used to be \$500 per ton now \$200,000.

Question: Does permitting involve local jurisdiction approvals?

Response: Yes, a land use compatibility statement is required for air permitting approval.

Comment: There could be a rush on facilities getting changes before DEQ adopts rules.

Industry does not see this happening yet.

Comment: If TLAER is included for more predictability than director consultation option, DEQ should include guidance to applicants so they can better understand the steps of determining TLAER.

Question: How long do existing sources have to do voluntary reduction?

Response: We would put them on the same timeline that they would have to do risk reduction to get to 50 and 5 with Risk Reduction Plan and available extensions.

Question: Does discussion about land use come in at the community meeting stage?

Response: A source must obtain land use approval before a source applies for an air permit.

Question: How does this relate to Goal 1 and involvement of community in land use process?

Response: Statutory provision is not tied to zoning change but to the actual use of a property. If a property is zoned residential but nobody is living there, a facility can request that not be part of a residential risk assessment. This is not a formal land use change but is a specific body of research a facility can do. The facility must update DEQ every year as to whether the actual use of the property has changed.

Comment: May need to go to LUBA (the Oregon Land Use Board of Appeals) before it could build.

Response: A property could still build on it but the facility would need to revise their risk assessment.

Comment: DEQ could look at growth forecast of the area - 20-year outlook. If in 20-year outlook for growth, it seems like you are looking for trouble.

Response: Actual use dispensation is in statute.

Question: Process question: If a facility has a high cancer risk and HI above 200 and 10, what is the process the facility goes through to get down to 25 and 1, and proof needed to provide to DEQ and satisfy others? What is the process you go through within 2 years to demonstrate compliance?

Response: After the source has done a risk assessment and DEQ has approved it and verified that potential risk is that high, the source has a few options:

- If all significant TEUs do not meet TBACT and potential risk above 50 and 5, the source will need to reduce to those levels. Community engagement is required if risk is above 25 and 1.
- If all significant TEUs do not meet TBACT, DEQ and facility would work together to develop and implement a Risk Reduction Plan.
- If a source is above 200 and 10, even with TBACT on all significant TEUs, the source will need a Risk Reduction Plan to get below 200 and 10.
- If all significant TEUs meet and total facility risk is below 200 and 10, DEQ cannot require further reductions.

Comment: It would help to have a flow chart outlining the process and the documentation needed by a source for proof of compliance.

Question: Would you have a total of 4 years to get to 25 and 1 and not have community engagement meeting?

Response: Yes, participation in the voluntary risk reduction program could apply if the source were not above 50 and 5. Extensions would need to be justified, not automatically given. DEQ would look at what progress had taken place, whether facility is making a good faith effort to move ahead. Getting an extension would be a permit modification that would require public notice.

Question: How does 4x and 2x work?

Response: The bill is explicit and sets benchmarks of 50 and 5, then applies multipliers of 4x and 2x. After the sunset, the Commission may use different numbers but 4x and 2x does not sunset.

Question: Does postponement come in at a certain risk level and how does that tie in?

Response: Postponement could apply at the TBACT Level and the Risk Reduction Level, depending on which levels would apply/whether the facility has TBACT or not. If the source is below the immediate curtailment level and applies for postponement, the source could apply for one 5-year hardship extension.

Question: Does postponement mean facility has five years before it even comes up with a RRP?

Response: The source needs to show how they have to minimize risk when they apply for a hardship waiver. Postponement would have conditions and reductions associated with it as much as possible.

### **TBACT and Presumptive TBACT**

Jill Inahara presented. SB-1541 required changes to the way TBACT would work in the rules. A source is not required to reduce risk if they have TBACT, unless risk is above 200/million or HI 10. If a source is above 200 and 10 then they would have to do anything they can to get below 200/10.

TBACT = NESHAP for major sources, under certain conditions.

Cost effectiveness for TBACT would be based on toxic air contaminants. Reductions in PM or VOCs could not be included as part of the cost effectiveness calculation. This was different from the October draft rules.

Question: Is this more or less health protective than previous?

Response: We have not found any state with set amount of dollars per ton for toxics. Criterion of cost effectiveness will come into play but DEQ needs to figure this out.

Question: Is it easier or harder not including VOC and PM?

Response: Less health protective because it would be more expensive looking at cost for ton for toxics.

Question: What is real life example of NESHAPs?

Response: Wood products, metals, gas stations.

TBACT required on all significant TEUs if source is above 50 or 5. Factors are same as in first draft of rules.

Question: If it makes no economic sense for an Oregon facility to do a secondary process to remove a toxic emission from its emissions and market that chemical as a byproduct (e.g., no market available in Oregon vs. other states where it is), how does this factor into determining what is TBACT?

Response: Good question, unknown but DEQ will check with other permit writers.

NESHAP is presumptive TBACT as long as there are actual reductions and no other pollutants that NESHAP does not control are not creating material risk. A NESHAP could be TBACT for some pollutants but not all if they are not controlled.

Question: In that example would a second control system need to be installed for other pollutants?

Response: Yes.

Question: How would the cost of other pollutants be considered in NESHAP controlled pollutants?

Response: It would not; we would just look at TBACT cost for uncontrolled pollutants. There could be instances where a NESHAP while silent on some pollutants is actually controlling them. We would need to evaluate that, whether there is material risk occurring from those incidentally controlled pollutants. Or they could potentially not contribute materially to risk and then they would not need to be controlled.

Previous rules only let NESHAP be TBACT if they had Risk and Technology Review done. SB 1541 does not contain this.

Jill Inahara explained the technology MACT and residual risk process.

Question: What if you have solid toxicological evidence that something at a Hazard Index of 4 causes adverse health effects?

Response: This is where HI 3 rulemaking comes in. DEQ could lower some chemicals to 3 but no lower.

### **Changes to Toxicity Reference Values and Risk-Based Concentrations**

Susanna Wegner presented. Most changes are minor and process remains consistent. TRVs and RBCs definitions. Adjustment factors are exposure duration frequency, early life adjustment, and multi-pathway adjustment. If there are adjustment factors, RBCs can be a bit different from original TRVs.

Question: What is an example of an adjustment factor?

Response: DEQ would apply a standard adjustment factor, for example early life multiplier for mutagenic chemicals. Biological rather than exposure adjustment factors are included.

Comment: Technical workgroup said that California's OEHHA standards are considered the gold standard for TRVs.

Other changes to RBCs -

- Minor data entry and calculation errors
- Standardized rounding of numbers changed values slightly (two significant digits, eliminates differences that are not real)
- Adjusted TRV selection to maintain consistency with ATSAC
- Modified default assumptions for how many days people are exposed to chemicals, two weeks to be consistent with EPA protocol. Impact very small.

Excel files are shared and further questions and math checks are welcome.

Jackie Dingfelder- Understands that we are relying mostly on EPA but it is a bit confusing.

Response: DEQ is at the top of the hierarchy. DEQ does not come up with new numbers but selects best information from all of values to pick the best supported one. This allows DEQ to go outside of the hierarchy with input from OHA. Then DEQ would work down the rest of the hierarchy. DEQ means ATSAC or the ABC rulemaking right now, but in the future it could be DEQ and OHA staff depending on the future role of ATSAC.

Question: For which chemicals does the ATSAC decision supersede decisions by authoritative sources (i.e., ATSAC decides not to use an OEHAA value that exists)?

Response: Depends on the chemical, cobalt, lead, soluble nickel - Override OEHHA.

Comment: Huge concerns about letting ATSAC dictate approach. In past ATSAC declined to do short term exposures.

Response: There are limitations to what ATSAC did, not all chemicals, not all exposures.

Comment: Concerns that DEQ should not use outdated science. IRIS is 15 years behind. Instead of hierarchy, wish DEQ was using the most health protective values.

Question: Is there a redline version of the TRV/RBC tables [that highlights what has changed since the previous version]?

Response: No, difficult to crosswalk all of the changes. Agencies can help people figure out changes.

Question: How many changes are major vs small rounding changes? Can DEQ note why changes were made in the sheets?

Response: The vast majority are very minor and not material. Most material changes are the ones relating to consistency with ATSAC.

Question: Under what conditions would adjustment factors be applied in RBCs?

Response: DEQ uses RBCs for screening and exposure scenarios factored into risk analysis. DEQ uses the three adjustment factors to develop a range of values for each chemical depending on exposure. There are also adjustments for time exposed.

Question: What is difference between ABCs benchmarks and SB 1541 benchmark?

Response: The former is an RBC and the latter is a RAL. RBCs come from TRVs.

Question: Under what conditions does facility need to use the adjusted RBCs?

Response: Concentrations modeled will be at specific locations. Facilities would use whatever modeling scenario that applied. All residential locations are assumed to have children.

Comment: The spreadsheet the committee got last week did not contain metals changes described today.

Response: Agencies will review and provided an update.

Question: Why no adjustment for more breathing by children?

Response: We use a process that is consistent with EPA. EPA factors sensitive populations in, so they should already be protective for children.

Comment: Seems that message is the process is still rooted in defensible science. Maybe one or two slides of examples or guidelines in this process would help.

Early life susceptibility is for mutagenic cancer causing chemicals.

**BREAK**

### **Preview of Tomorrow's Meeting**

Question: Will DEQ have a response to questions asked today? How will people know what to say in the next two weeks?

Response: Cannot turn all questions around in one day.

Comment: Can DEQ put guidance together for logic model on RBC hierarchy? Why does ATSAC still have a determining role?

Response: Clarification on ATSAC - they said they did not have time to make short-term benchmarks. Short-term TRVs in CAO do not have ATSAC on the top of the list.

### **Public Comment**

#### **Merlyn Hough, Lane Regional Air Protection Agency Director**

Thanks for RAC's hard work. LRAPA must be at least as stringent as state regs, is working in parallel with CAO team and plans to take action shortly after DEQ.

#### **Carroll Johnston, Salem area**

Requests that DEQ keep standards as strict as possible, keep TRVs as tight as possible and close to latest research. SB 1541 expressed opinions to legislators. Happy that program got funded. Dismayed and disturbed about changing from safe HI of one to higher by definition unsafe levels. This is governmental approval for toxic assault. Standards should be completely health protective. TBACT should factor in cost of harm to people exposed and then look at cost of equipment in TBACT.

#### **Greg Thelen**

Portland resident and native Oregonian negatively affected by air pollution. Thanks to RAC and agency team. As a taxpayer glad to see that polluters will fully fund the program. Disappointed with aspects of SB 1541 because of lack of health protection. Is concerned that neither bill nor the draft rule say anything about enforcement. What about all of other violations like emissions above permit levels? This has not been addressed. Ask that DEQ put language in the law to streamline enforcement and compliance if it becomes necessary.

Concerned polluters will take advantage of TBACT. Postponement process is vague. Facilities claiming financial hardship should include hardships that neighbors experiencing. Must prioritize and protect health of all Oregonians. 230(4)(b)(A) says that if an owner or operator learns of a new technology that could reduce emission beyond current TBACT, they have to report to the DEQ on what they plan to do or not do. However section 330(1)(e)(2) says that for an existing TEU, compliance with a TBACT adopted by EPA after 1993 is enough. This seems inconsistent. TBACT standards from 1993 may not be protective enough.

## Meeting Adjourned

May 9<sup>th</sup>, 2018

Facilitator John Donovan opened the meeting at 9 a.m.

Dave Farrer gave a follow-up presentation about how agencies select TRVs.

Question: What is the purpose of a TRV hierarchy?

Response: The purpose is so we can have enough data to have RBCs for 200 chemicals. Developing the TRVs is a very time consuming process. TRVs are developed on a per-chemical basis and takes years for each individual chemical. Development of TRVs are developed nationally so that each individual state does not have to go through that process.

Question: So why put the state at the top of the hierarchy?

Response: So that DEQ can evaluate and in certain cases, select TRVs from sources in the hierarchy but in a different order than the hierarchy. For one chemical, one source may be newer, and for another chemical, another source may have a newer TRV. Having a default hierarchy and then having the ability to modify that for selected chemicals.

Question: Are we pulling from more recent sources for all chemicals?

Response: Only for the 55 ATSAC chemicals.

Question: Why not make OHA one of the bodies in the hierarchy? It is their role to understand toxicology.

Question: What is the role of ATSAC? Why are they at the top of the hierarchy?

Response: ATSAC and the ambient benchmark program goes back 10 years. ATSAC was formed to look at the priority toxics in Oregon and to establish screening criteria in rule as part of the existing air toxics program. Now, we have CAO coming in with values for ~250 chemicals. DEQ sits at the top of the hierarchy because we have some values for 52 chemicals and we want to use the work that ATSAC has done. Now we have those ~200 others. The question that you and others have is whether we are going to look to ATSAC to look at those, and to look at the short-term values. Right now we are not proposing that. We need to look at those values and we want a clear way to do that. That is where the hierarchy comes in. Putting DEQ there in the hierarchy is a policy choice but we think it is appropriate.

Question: CAO targets a complete list of chemicals Complete list of chemicals. Are there chemicals where we do not have an authoritative source?

Response: Yes. Table 2 is the list of all chemicals that people need to report on. Table 3 is a subset of Table 2, and is only those that have a toxicity value.

Question: Seems like there should be some algorithm for using the hierarchy. It should not be ATSAC. It should be based on the best available science and not based on other considerations.

Response: One specific example is from the ATSAC deliberations on cobalt. Studies that suggest that cobalt is carcinogenic concern a particular set of rat studies. One of the members of ATSAC saw that

the form of cobalt used in those rat studies saw was unlikely to exist in ambient air, because it converts quickly to another form of cobalt.

Question: Can you provide the names of the ad hoc peer review people?

Response: We will get it put back up on the website.

Question for Richard Whitman: What would be the policy pathway for establishing OHA's authority to set the health values for CAO?

Response: We have heard this morning the interest for the OHA having a more defined role in the hierarchy. We need to check with DOJ about authority. We should communicate that to the EQC and if they are interested in giving OHA a more defined role, they could do that if authority allows.

Question: How does the hierarchy work?

Response: Starting from the top of the hierarchy, if there is a value available we use that one. If not, we go down to the next value of the hierarchy.

Question: If we have a hierarchy, why wouldn't we put California at the top? They are the gold standard and IRIS is 15 years behind.

Response: There are many instances where IRIS has newer values that OEHHA does. In some cases both IRIS and OEHHA have newer values, and it's about half and half. Sometimes IRIS is newer or lower, and sometimes OEHHA is newer or lower. Dave Farrer does not agree that there is one authoritative body that is always the gold standard.

Comment: Concerned about having a body that is not entirely composed of toxicologists making decisions about the science.

Comment: Recommend having a committee of state toxicologists to make the best science-based decision about which authoritative source to use for each chemical.

Jill Inahara answered questions from the previous day's presentation about TBACT.

Question: Would pollution prevention be part of the TLAER process?

Response: Yes, P2 would be part of TLAER. TLAER would not be limited only to add-on controls.

Question: If there are scalable by-products of installing a control device, would those be included in the economic analysis?

Response: Yes, those would be considered in an economic analysis for TBACT.

Question: Would DEQ check whether a facility has state and local permits like building permits before approving a CAO permit?

Response: It would not be part of DEQ's process to check that, except for the local land use approval (land use compatibility statement).

### **Call-in Prioritization Process**

Jill Inahara presented. DEQ is proposing to prioritize call-in using the formula originally proposed, with these other qualitative criteria:

- Severity of noncancer health effects
- Existing level of emissions controls
- Distance to the closest person exposed.
- Potential refinement of initial screening, like fugitive emissions or unusual topography
- Efficient allocation of DEQ resources. For example, we probably would not call in PGE Boardman because they are going to shut down in 2020, even though their risk is probably high.
- Changes in emissions not captured in the Emissions Inventory data.

Question: Do you have a rule citation for this?

Response: Can provide.

Question: What about background concentrations in the area? Would that be considered in prioritization? How about EJ criteria?

Response: EJ is in the formula. Background concentrations are not considered in the current proposal.

Question: Is there an opportunity for sources to provide updated data, before the call-in process starts?

Response: Some sources have already submitted updated EI data. A source can choose to submit updated data. If a source wants updated data considered, they should be submitting that now.

Jill continued with her presentation. We have removed the limit on the number of sources in the first 5 years. We plan to have a web page for each source as they move through the CAO process, so you can see their submittals and process.

Jill walked through the CAO permitting timeline for an example facility that does a Level 4 Risk Assessment.

After being called-in, a source would have 30 days to submit and updated emissions inventory.

- DEQ would review and approve the emissions inventory.
- Once DEQ approves, the source would have 30 days to submit their modeling protocol.
- Once DEQ approves the modeling protocol, the source would have 60 days to submit their risk assessment work plan.
- Once DEQ approves the RA work plan, the source would have 150 days to submit a Level 4 risk assessment.
- Once DEQ approves the RA, the source would have 120 days to submit their risk reduction plan and CAO permit attachment application.

Question: What if I lose my window of availability for my risk assessment contractor while waiting an uncertain time for DEQ approval?

Response: That's a good point. Feel free to make that comment.

Total of 270 days for Level 4 RA submittal, not including DEQ review time.

Total of 390 days for risk reduction plan submittal, not including DEQ review time.

There is a process for DEQ to move forward if the source doesn't give the DEQ needed information. There are two choices. One is for DEQ to modify the document and move forward with that. Another is for DEQ to give the source more time.

Question: If there are no DEQ timelines, people may make wrong assumptions about how much time the permitting process would take. If DEQ took as long to review as the source has to do a risk reduction plan that would be over 2 years. That seems too long.

Response: We have not really done this before at DEQ. We have had conversations with other states like South Coast. They have said some risk assessments take 5 years. We do not want that in Oregon. We are trying to create some discretionary time because issues may come up that we have not seen before. We may be able to tighten up the timeline in the future.

Question: We want to make sure that DEQ has time to do adequate review. Often facilities propose projects that include control equipment. Could we prioritize review of these types of projects to prevent noncompliance if there are no specific timelines for this process?

Response: DEQ always prioritizes new construction and pollution control devices. DEQ will probably approve facilities using the same process as they are now.

Community engagement. Biggest change is that now DEQ is required to hold any required meetings. We are keeping the community engagement level at 25 in a million and HI 1. We are also proposing the voluntary program for facilities below 50/5 who want to reduce below 25/1.

DEQ is required to hold all required meetings. DEQ would plan, announce and conduct the meeting. SB-1541 requires that DEQ would have to attend. We would also require that the source make a joint presentation with DEQ. There would be time for questions and answers at the meeting.

Question: Is there is an Environmental Justice requirement to do extensive outreach? What is the engagement process?

Response: DEQ will do that process. DEQ will get a translator if needed, and do mailings to addresses in the area.

Question: Is that standard written into the rules or is that a matter of practice?

Response: Not sure, will check on that.

Question: Community engagement is after the risk reduction plan approval, is that right?

Response: Yes, it would be after.

Question: How will the public know who has been called in? Will it require a formal public records request?

Response: That info will be available on our website.

Question: We want to avoid having community members engaged in something where there is no change in the actions the company is required to take. If there's no follow-up to document what changes were made, then it's hard to convince people should go.

Response: The community engagement meeting comes before the permit has been drafted. This happens early in the process. There is also the public comment / public hearing process that comes later.

Question: is there a numerical description of which sources have to do more or less public notice?

Response: yes, we can give a rule citation.

Question: We've found that the best practice is to make huge signs at the site of the proposed change. Better than doing mailing or emailing.

Response: Thank you for the comment. OHA is making a community engagement toolbox for us.

Under this version of the rules, DEQ would not require sources to hold ongoing community forums. But we would encourage sources to do that voluntarily.

DEQ is proposing to change community engagement from 2 meetings to 1. Got public comments that people wanted DEQ to review an application before holding a meeting. We would have early notification when the source submits the application. DEQ and OHA would hold all public meetings.

Question: What we're talking about is a very generic meeting schedule if the community is not involved in the development of the agenda for the meeting. The value is subjective in creating an environmental collaboration. Concerned proposed process will preclude a collaborative process from happening. Community engagement is not a prescriptive process. At what point are the community and facility involved in determining the agenda of the meeting. Prescriptive meeting agendas have failed in meeting community and facility needs. Proposal seems like status quo.

Response: Funding for CAO includes a community engagement person, which is something we haven't had before and may help. OHA also can bring best practices. Some community members have said that the hearing is too late, since the DEQ has already drafted the permit. We hope these community engagement meetings will work better since they're earlier in the process.

Community engagement process timeline: After CAO application is submitted, DEQ would send out a notification to community members. If an existing facility is above 25/1 and not doing the voluntary program, then DEQ would send a notification of the meeting, and then 30 days later would hold the meeting.

Ambient monitoring. Sources could choose to do ambient monitoring, but only after doing the modeling. The modeling will help DEQ know what the risk is and where monitors should be located. A change from SB1541 is that facility can wait until monitoring is complete before making risk reductions, if they are under 200/20.

Question: Is there a timeframe in the statute for monitoring?

Response: We would require probably a full year of monitoring, after approval of the monitoring plan.

Question: How would the monitoring be used? In lieu of the modeling? A facility might monitor to prove that the model was over-predicting? Monitoring could also be problematic.

Response: In the rules, if modeling showed that the risk was below RALs then they wouldn't have to take action. If monitoring showed that risk was higher, that would require more risk reductions.

Phil Allen: I see monitoring and modeling used independently, not with monitoring as validating the models.

Question: Certain facilities will be able to afford to monitor. DEQ could use that to understand how good the model is, so modeling is better for everyone.

Response: One shortcoming of the modeling is for fugitive emissions.

Question: What is DEQ's role during that monitoring year? Are there provisions for DEQ to observe the monitoring? Or for DEQ to step in if things are very variable?

Response: Yes, if a facility wants to monitor, they would be required to submit a plan. They would be required to submit their data monthly. DEQ would check their QA procedures.

Question: Would DEQ have the authority to step in?

Response: We always have the cease and desist authority.

Required ambient monitoring. This is new in this version of the rules. DEQ may want to require ambient monitoring if emissions are difficult to quantify and source testing is not an option. Fugitive emission points can be difficult to characterize and difficult to model.

Question: Is it possible to require ambient monitoring if background is high?

Response: I don't think we would put the onus of doing background concentration monitoring on sources, since they are not responsible. DEQ would be responsible for that.

There was legislative budget approval in 2017 for more air quality monitoring around the state. Most of that is for long-term trend sites. There was also funding for 15-20 nephelometers that measure PM that are mobile.

Question: Is there a definition of ambient monitoring in terms of location? Previously hasn't been source-specific. Who defines what is adequate?

Response: Would place monitors in places the model predicts would have the highest concentrations. DEQ lab would be working with facilities to approve the monitoring plan before monitoring starts.

Question: Would there be public comment on the monitoring plan?

Response: Yes. The monitoring plan would be part of the permit attachment that gets community engagement.

Comment: if the model is wrong, you may want to redo the model so you can get it right.

[morning break]

Mike Poulsen: In yesterday's presentation on TRVs and RBCs we got a request for how to identify what changes were made in the spreadsheet. We didn't highlight individual cells but in Table 3 we did make notes and identify the source of those values. We added two more notes, A4 and A5. A4 was those chemicals that ATSAC identified where cancer values were inappropriate. A5 was a noncancer decision for selenium by the ATSAC. All the other ATSAC values were marked with A1, A2 or A3. We added additional columns to the spreadsheet to show not only the ATSAC values but the original source value, which is different because of rounding. We do rounding at the end, not at the TRV stage. If ATSAC decided to use the IRIS value and it's 14, we should use 14 through all the calculations to produce an RBC, not use 10 that ATSAC rounded it to.

Sarah Armitage introduced the fiscal impact statement. DEQ has developed a second draft of the rules, and amended the fiscal as a result. The RAC will be the official fiscal advisory committee for the rules, as they did in the earlier iteration in August 2017.

When proposing rules, DEQ must provide notice of fiscal impact, including both positive and negative impacts. If there is a significant small business impact, DEQ must consider ways to mitigate that. Apologies that the housing cost analysis was cut off in the fiscal we sent out to the RAC. We will post a new version of the fiscal that includes the housing cost analysis.

DEQ is asking for committee's input on the draft rules' fiscal impact, the extent of that impact, whether there are significant adverse fiscal impacts on small business, and potential mitigation.

Areas of change in the fiscal:

- New fee structure
- Changes to fiscal impacts to business. Generally, the changes reduce fiscal impacts to business.
- Changes to fiscal impacts to the public. Generally, the changes reduce positive fiscal impacts to the public, because higher risk action levels would reduce the amount of pollution reduction.

Question: Do you have a ballpark idea of how many facilities are going to be highly impacted and how many will drop out?

Response: No. The emissions inventory is still being refined, and the screening steps are key to figuring out the risk.

Costs for business include pollution control equipment and pollution prevention. There are also other costs, which could include annual and semi-annual reporting, source testing, ambient monitoring, and community engagement.

Since the Risk Action Levels are higher, fewer facilities will need to do high-level risk assessments or risk reduction plans. Also, more facilities may be able to qualify for presumptive TBACT than under the previous proposal.

Jill described updates to CAO fees and funding. SB 1541 authorized a one-time supplemental fee, which will be invoiced later this year. SB 1541 also authorized an annual base fee and activity fees. Base fees going forward would be established by rule and would need to be ratified by the Legislature in 2019. The base fees are limited to 35% of the Title V or ACDP fees charged in 2018. Base fees would not fully fund the program, so we have proposed activity fees for call-in, risk assessment approval, community engagement, etc. Activity fees limit the cost to low-risk facilities. The fees would also fund 11 new positions at DEQ, and existing OHA staff.

Question: If in 5 years we find that the funding is inadequate, could the activity fees be raised? The activity fees are not in statute, is that right?

Response: There is an inflation calculation in the statute. I don't think we would need to go back to the Legislature to change the activity fees.

DEQ is providing more time and flexibility to sources by having separate approval of the risk assessment protocol, risk assessment, monitoring protocol, etc. Activity fees are now additive. For example, a facility doing a level 4 risk assessment would need to pay the call-in fee, the level 4 risk assessment fee, and potentially a risk reduction fee and TBACT fee. And also the community engagement fee.

Previously DEQ was only required to review the community engagement plan and attend the meeting. Now DEQ would be doing the work to plan the meeting so we've added the community engagement fee.

Question: If a company has 4 facilities located throughout the state, and all use the same fuel and same control device that is determined to be TBACT, would each facility need to pay the \$3k fee per unit? That TBACT analysis may only need to be done once if they're all the same.

Response: Not sure. The fees are in the rule but not how they would be charged.

Question: Has there been any analysis to determine if the overall effect of the changes is for the fees to be higher or lower?

Response: Some went up and some went down.

Question: Requesting a scenario analysis for various kinds of facility examples. For what situations have the fees gone up, and which have they gone down?

Question: If I have 30 emissions units and they're all the same, would I need to pay \$90k in TBACT fees.

Response: We need to put something in the rules to take that into account.

Question: What proportion of the funding is from base fees, and what percentage from activity fees?

Response: We estimated how many sources we think we would call in each year, and what activity fees they would incur. Based on those estimates, we projected the activity fee revenue. Not sure but about 90% would be base fee.

Susanna introduced possible changes to the public health benefits of CAO. There were not big changes made to this section of the fiscal. Want to underscore that we don't yet have the information needed to quantify the future public health benefit of the rules.

In the fiscal, we looked at the potential health effects of toxic air contaminants and the potential magnitude of the contribution pollution makes to health problems, and the economic burden of diseases in Oregon to which pollution in general may contribute.

We know that toxic air contaminants increase risk for a wide range of health outcomes. Those include heart disease, respiratory distress, etc. Those impacts have been measured in the real world. Living near industrial sites can measurably increase risk for premature death, cardiovascular disease, autism, asthma, and cancer. Reducing emissions can improve public health.

The key messages from the health portion remain the same. Toxic air contaminants regulated by CAO are known to increase risk of a wide variety of health problems. We don't know what proportion of health problems are due to industrial toxics emissions. Higher RALs could result in a less protection of public health.

Question: Is there a requirement for updating the fiscal analysis?

Response: DEQ will do annual updates to the EQC on the progress of the program. That could include information about the health impact of the program to the extent information is available.

### **Discussion of fiscal impacts to large businesses**

Question: Referring to table 3 on page 6 with the fee listings. On the other fees, the new activity fees. What is the genesis of the source test review fee? It's the same whether it's a Title V or you have a general or basic permit. Why the same for big facilities and for small? Should be lower for a small facility.

Response: We added that fee based on input from the source test coordinator.

Question: Is that one fee for the source testing? Or multiple fees for multiple pollutants?

Response: Need to check with the source test coordinator that suggested this. Assuming that this would be one fee for all pollutants but if they did a separate test a year later, that would be another fee.

Question: Some people may be source testing now. If they test now, they wouldn't need to pay this fee, is that right?

Response: That's right, this is a new fee. It doesn't apply until these rules are adopted. We wanted to be able to recover the costs for source test reviews to reduce backlog.

Question: This is for DEQ review of contractor source test work plans and reports, is that right?

Response: Correct, this is for review. DEQ is not planning to start performing the source test themselves.

Comment: might be better to call it 'stack test' rather than 'source test'.

Comment: The DEQ fee would double the cost of a stack test. Should be lower. Seems like the cost to large business or any business would be substantial. It's usually between 300k and 500k for a facility to go through a health risk assessment, even without agency fees.

Comment: A lot of the fees are equal to or exceed what it will cost for consultants to do the work. Cost to review should be less than the cost to do the work.

Question: Want to clarify the question. Aggregate fees may have gone up, but doesn't seem to materially make it a greater burden than in the previous proposal.

Response: We are asking for comments on the entire fiscal impact, not just the changes since previous proposal.

Comment: Appreciate that control costs have been expanded. Still believe that the cost estimates are low. Larger facilities will be on the higher end of those estimates and that's not really captured.

Question: What is involved in the community engagement fee? Seems like that fee would be lower if the facility is in an area with few people around.

Response: DEQ's work would include renting the venue, possible translation and childcare, developing materials and presentations, etc.

Question: Have you looked at how these fees would be made? Are they lump sum? Would they be amortized over time? From a tax perspective, facility may want to spread them over time.

Response: Good comment on potential mitigation for small business. Usually when we charge a fee, it's due.

Question: For local governments, they may not have a fee in the budget. How it's charged and when it's charged would be important to the impact. Is that negotiable under the rules?

Response: In DEQ cleanup program where there are occasionally larger bills, DEQ has set up payment plans in a written agreement. We haven't contemplated that for CAO though.

Comment: On the cost of controls, for wet scrubbers the table has 750k at the top end, but in the past it was \$600 million for a larger facility.

### **Discussion of fiscal impacts to small businesses**

Will there be a significant impact on small businesses? If so, to the extent consistent with public safety and the purpose of the rules, can impacts be reduced by less intrusive or costly alternatives?

Members who feel it will have a significant fiscal impact:

11 members answered yes.

Abbie Laugtug

Ellen Porter

Al Hooton

Claudia Powers

Steven Anderson

Katharine Salzmann

Lee Fortier

Tom Wood

Gordon Zimmerman

Kathryn VanNatta

Laura Seyler

Members who abstained: 7

### **Discussion of mitigation of fiscal impacts on small business**

Higher RALs

Tiered implementation

Additional time for compliance with risk levels

Defer compliance with risk levels if technology is not available

Streamlined compliance approach to permit risk limits- Emissions Scaled Risk Estimate (ESRE)

Postponement of control measure installation if inability to pay

Ideas proposed by committee:

Comment: DEQ should set up an intern program or something where small businesses could get reduced rate for engineers or other experience for how to get through the rules. Allow installment payments or adjustment for tax year fees are paid

Response: For facilities on a general or basic permits, DEQ will do the Level 1 analysis. If that analysis shows their risk is low, they would be done. It's only if their risk is high that they would have to go on.

Comment: There should be some place a small business can go to get technical help. Would also help with training of professionals.

Comment: For the system for Glass Alchemy, we had to hire a consultant for \$40,000 to design the system. If the state provided resources for engineering support, analysis support, etc. that would help small business. Perhaps groups of small business could band together because analyses would be similar for similar businesses.

Question: Could there be a DEQ loan program for small businesses?

Comment: RALs shouldn't be higher for small business than for other businesses.

Response: We aren't proposing different RALs for small business. But RALs for all facilities are higher than they were in the previous proposal.

Question: How would the ability to pay postponement work?

Response: The company would submit tax records for DEQ to evaluate whether the facility could pay for the needed changes. If they couldn't pay DEQ would look for other measures they could take. After the 5-year postponement, they would have to do risk reductions on the usual schedule.

Comment: State could help coordinate private loan sources so facilities that can't pay would be able to pay. Similar types of businesses will end up using similar types of designs for control equipment. They could leverage the engineering support and also start to group buy the par

Comment: Some small businesses are on Title V permits or Standard ACDPs and would pay higher fees. Smaller business would trail behind bigger businesses during call in phase.

Question: DEQ thinks 65 facilities would go through program during first year? 5 years? Mitigation measures - at least 6 months in advance before the next year to budget. Before you were going to tell people when we were going to call them in. How do we plan to call-in? Need 6 month lead time to line up resources. Sources need to know when they are going to be called-in so they can budget for specific activity fees, especially small businesses. Source test fee - make it different for different permit types. What about mitigation measures for new small businesses?

Comment- Businesses are worried about proprietary information if we go to more collaborative effort where we share info.

Comment: Can they sign a non-disclosure agreement? Multiple source opportunities to leverage work across multiple situations to leverage costs across those sources. Coordinate people from engineering firms, monitoring firms, bring them to the table for discussions. These people are careful about sharing proprietary information.

Input on fiscal impacts on government: no comments

### **Fiscal impact on DEQ and OHA**

Resolution of historical health effects - people want to know what is going on. CAO provides some certainty as a start. Step forward in right direction. People more concerned about health and longevity. More retirement age people. Give agencies tool to address concerns in a constructive way and provide certainty.

Public impacts - (public health, public costs, environmental services sector, housing costs):

Comment: measure effects of public health - discuss how to do this and look down the road to make real assessment of real impacts of CAO.

Response: OHA is interested in tracking improvements. DEQ has outcome-based measures so in the future we might want to track environmental and health measures.

Comment - Concern about the way rules were drafted, talking about benefits to public - good, we need that. Negative impacts to public - employment is the best indicator of public health. Distance DEQ from that, negative impacts on public - discounts observations. Disparity of positive and negative impacts.

Comment: Is employment the only indicator of public health that DEQ used for these analyses? Potential health impact information that Susanna presented. We aren't certain of what those benefits would be. Same for whole fiscal impact statement - uncertainty.

Comment: Tired of government attempts to get this stalled or stopped because we don't know everything. We need to get this done and get traction because we are not going to know.

Summarizing committee input and may modify fiscal. Please provide comments in two weeks.

[lunch]

Sue MacMillan presented about the Hazard Index rulemaking. Sue will be the lead person for this rulemaking.

SB1541 stated that EQC could appoint a technical committee to consider recommending a non-cancer benchmark other than 5, and not lower than 3, for chemicals. The Technical Advisory Committee would be “composed, at a minimum, of persons with technical expertise in toxic air contaminant risk assessment.” The TAC would identify the criteria to decide which chemicals have developmental or other serious health effects. About 150 chemicals have non-cancer RBCs. DEQ will identify candidates in May and June, and then proposed to the EQC at their July meeting. The TAC would convene in August and October. DEQ plans to have appointment-based positions on the committee and a smaller number of positions selected through an at-large application process.

Question: For serious health effects, have you considered looking at them by exposure pathway? Inhalation exposure would be a good pathway to look at.

Response: We will look at inhalation exposure. Severe is wording provided by the Legislature, which will need interpretation through this rulemaking.

#### **Follow up comments on outcome measurement and CAO progress tracking:**

Comment: Suggest that there be a plan developed soon to model or collect data to fill in the blanks on potential health effects of toxics air contaminants to measure the effectiveness of CAO. There is no baseline of health measurement and it needs to be designed now so we can track and measure the effects of the program.

Comment: Measuring outcomes is very much on OHA’s mind and they will be addressing it soon. As DEQ implements the program, we will have data that is more useful for documenting exposure.

Question: Is there a plan to collect and analyze data?

Response: We will be working on some kind of a plan.

Comment: This is a good time to plan how we will measure and track progress. Capture how we are going to report where we are going. Is important to do this for a new program - assessment, milestones, other metrics that go into EQC report.

Response: Look at what is available in public health monitoring so it can be easy to show changes brought about by program.

#### **Roundtable**

Akash Singh- Thanks agency staff and members. For community engagement - in technical advisory committee, we heard that people lacking in technical knowledge should not be contributing to process. People involved in community engagement will continue to be discounted this way if they don’t get adequate notice or get time to develop capacity from others who need to be brought into the process for technical expertise. It should not matter whether involved public have specific expertise, they should be included. Offer to help make community engagement more inclusive.

Laura Seyler- Consider evaluating fiscal impacts to business and health in South Coast to give us something to consider for small business impacts. Oregon is made of small business and we don’t want to drive them out of business.

Kathryn VanNatta- Need ways to measure our success. Not success to decrease air toxics by putting people out of business. Need neutral concepts for developing measures. CAO has engendered a lot of fear and hope. People care about it. Will be difficult to develop something new in terms of

measurement. 3 branches of government and communities need to get involved with measurement development. Industry is only one segment of air issues, need to take that into account. Legislative action showed deep concern for rural Oregon and business impacts. Believes a balance was struck and we need to all go forward and try to make program work. All need to try hard after legislative weigh in. Will take adjustments and listening.

Gordon Zimmerman- Thanks DEQ and OHA. They crafted marvelous workable program. Is a great first step and need to continue down road for other air toxics that are out there.

Tom Wood- Surprised about subdued nature of discussion. Seven complicated amendments dropped on committee without enough time to get input from affected people. It should have happened later and the process was rushed.

Linda George- Thanks to agencies. Good process, not perfect but pointed in the right direction. Hopes DEQ pays attention to hiring people with sufficient air pollution expertise to get best possible science and advice.

Paul Lewis- Thanks to staff. Liked pre-recorded materials. Materials have increased in quality as process has gone on. Needs to know exactly what is mandatory and what is discretionary. Ombudsman and community engagement needs full/additional funding. Need to get people up to speed. A single community engagement meeting is not enough.

Katharine Salzmann- Appreciates staff making themselves available to community.

Steven Anderson- Good job staff. Stewardship and airshed is important. A certain portion of airshed should go to industry but need balance and protection of public health. Program needs interim goals, milestones, water breaks before the next part of the climb.

Diana Rohlman- Appreciates effort of staff. Wants more clarification on how TRVs are chosen when you have vulnerable populations. How adjustment factors are used. Good to have discussion on quantifying public health impacts. Science on this is improving. More thought and transparency of what public health impacts we can track and why those are important.

Mary Peveto- Thanks all staff. Concerns about community engagement provided in rulemaking and permit hearings vs deeper engagement on advisory committees such as RAC. Hopes we can have a DEQ goal to bring parties together in a collaborative process during community engagement. This would be productive. Formal permit hearings do not lend themselves to an authentic collaborative process. The hardest part is actually getting industry to the table. When they are there and people can really listen to each other, the magic happens. Great reduction of anxiety and fear from authentic communications. Hard to write this in rule.

Al Hooton- Thanks very much to staff. Very impressed with agencies focus and effort. Proud to be here as an Oregonian. SB 1541 changes to program compared to other efforts - RAC did not get broad sided very hard, much of the RAC work remained in place and we should be happy about the progress. Community engagement is a discussion, not an event. There needs to be a mechanism for discussion to occur and continue. Overburdened communities have great difficulty participating in discussions. There is no mechanism for DEQ to check back with the communities to make sure they understand input or clarify concerns. Give feedback to community about what you hear them saying to make sure agencies got it right. Need to consider other communication pathways in addition to DEQ website.

Huy Ong- Good work by agencies, thank you to committee members and community members who have learned deeply and become resident experts on air toxics issues. Important to recognize that there are real health impacts, rules are critical to better health outcomes to vulnerable communities. Employment has different levels of quality. Not all small businesses are profitable to begin with.

Diesel emissions are important to vulnerable communities. Community engagement and transparency is so important to get power to people who do not have it but are affected. OPAL work is just beginning in this program. People that know the neighborhoods are the ones who can best recommend effective community engagement. The Environmental Justice Task Force should be used going forward, are unique tool and space, agencies should take advantage of it.

Licia Sahagun- First meeting, thank you to everyone involved. Concerned about practical implementation of the program, especially use of TRVs that look like bedrock for evaluation. Consider getting adequate funding to address and decide on TRVs.

Ellen Porter- Final part of the process was rushed, need additional time to have further consideration. Hope that people use robust community engagement process to work together and not incite fear and animosity against industry.

Abbie Laugtug- New to OBI, intro to CAO during legislative session. People worked together. SB1541 was a clear compromise because nobody walked away happy. Industry was committed to fully funding the program. Takes some time for OBI to get in touch with members to get input. Tough to engage small businesses. Want to make sure comments are incorporated.

## **Public Comment**

### **Greg Thelen**

Thanks to chairs, members and agencies for working on rules to prioritize health for Oregonians. Breathed Bullseye emissions for 30 years and was very upset. Spent many hours learning and communicating about the issues. CAO and SB 1541 is a democratic process and we are fortunate for seeing it happen. Contrary to comments yesterday, he now knows that there extensive amendments to Division 12 for enforcement of CAO. Civil penalties are monetary and prescriptive. Speeding tickets are effective to make people follow law but speeding does not cause harm. Drunk driving has different consequence - high probability of hurting someone and you are detained immediately. Pollution is like drunk driving because effects on human health occur. There does not seem to be a way of stopping immediate harm. If certain levels are exceeded there should be a stop work order and immediate shutdown with penalties. This tool could start at 50 in a million and would not involve the Governor. California has a similar process that agencies can look at.

### **Martin Slopekis**

Vice chair Hayden Island neighborhood network. SB 1541 requires reductions when pollutants materially contribute to public health risk. Concerned that this will prevent reduction of public health risk when there are significant impacts on surrounding communities. Jantzen Beach neighbors found odor not coming from natural gas. Air pollution can negatively affect property values. CAO could improve property values. What happens when a facility does not comply with MAO for installing equipment? Will DEQ actually enforce? How many nuisance complaints will it take before DEQ will verify a nuisance? Hayden Island has had odor complaints since 2000. What enforcement action is available to remedy nuisance. SB 1541 "documented by information provided by the source" is of concern because self-reporting does not always work. Should be more emphasis that toxic air has on a community.

### **Angela Crowley-Koch, Oregon Environmental Council**

Thanks for time on rulemaking. Retain scientific integrity of TLAER - keep it non-cost. Extension of two years for TBACT is too long, reduce to 1 year. Postponement delay and interim requirements to minimize risk needs to be clearly laid out for communities and facilities. Prioritize using OEHHA TRVs, they are the gold standard as noted by the technical advisory committee.

### **Co Chair Wrap-Up**

Jackie Dingfelder

Agencies have a challenging task ahead to ensure successful implementation of the program. CAO is just one piece of the AQ puzzle, hope more work is done on diesel. Appreciate all the hard work of the RAC members. Great time commitment, willingness to listen, respectfully consider others views. Very much appreciates this. It was positive, productive and hard work to balance science and policy. No prescribed way to balance health protection and economic concerns. EQC will be accountable at legislature through budgeting process. DEQ historically has had budget deficits, don't have resources needed to do their jobs. It is elected officials, not agencies' responsibilities to be fully resourced. Thanks to facilitator and co-chair.

Claudia Davis

Agencies have done a stellar job in getting through the process. Great materials and great accessibility. Deal with people professionally and respectfully. Kudos to Richard for stepping in and providing leadership. Thank you to members of RAC - it took a lot of time to prepare for meetings and people have come prepared, a commitment to quality. Oregon gets things done because people show respect for each other. Have reached a balance. Acknowledges that audience who comes regularly are very important. Collaboration will be key to successes going forward. DEQ fosters relationships between communities and industry - very important to keep this type of collaboration going. Looking forward to a successful program.

### **Next Steps**

Joe Westersund listed next steps for the rulemaking. Will try to respond to questions that came up today. Please send additional input over the next 2 weeks. Public comment anticipated mid-June to end of July. RAC welcome to give comments and input during that time as well.

### **Closing Remarks – Richard Whitman**

DEQ Director Richard Whitman gave closing remarks. Thanks to RAC members, your input matters and it is considered very carefully by staff and EQC - is a great example of good process and how Oregon works. Would like to import RAC into other thorny problems. Thanks to staff. Still have a way to go to reach summit, which is EQC. Special recognition goes to Keith for stepping up and providing leadership and devotion to the effort. Continuing to be much anxiety about CAO but Oregon is not the first one to go down that road. Bring their experiences in as learning to make a quality program. Engagement is not an event, it is a discussion and part is providing feedback to people involved in discussion so they understand their impact and roles. DEQ culture is different - people answer their phones, respond to voicemails, get out and meet with companies and communities, staff have a sense of public duty and service that is extremely high. Those qualities are important to the success of CAO. Leadership of DEQ and OHA also bring that same value and it will be in program going forward. To echo Kathryn - to work, the program will take listening, will learn as we proceed and finally move ahead and make it work. Pleased for all input from RAC over the last year.

### **Meeting Adjourned**

### **This is the last scheduled rulemaking advisory committee meeting for Cleaner Air Oregon.**

For questions about accessibility or to request an accommodation, please call 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696. Requests should be made at least 48 hours prior to the event. Documents can be provided upon request in an alternate format for individuals with disabilities or in a language other than English for people with limited English skills. To request a document in another format or language, call DEQ in Portland at 503-229-5696, or toll-free in Oregon at 1-800-452-4011, ext. 5696; or email [deqinfo@deq.state.or.us](mailto:deqinfo@deq.state.or.us).