



State of Oregon Department of Environmental Quality

DEQ Rulemaking:

How to Search for Rules and Rulemaking Documents

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Contents

- Introduction 1
- Rule Background..... 2
- Searching for Rulemaking Documents 4
 - Introduction 4
 - Important Rulemaking Documents 5
 - Refining the Search 5
 - Searching for Older Records 6
 - Statutory Minor Corrections 7
 - Other Rule Changes 8
 - Additional Help 8
- Searching for Rules and Official Rule Filing Documents..... 8
 - Introduction 8
 - Searching the Oregon Bulletin 9
 - Searching Rule Filings 10
 - Searching Current Rules 12
- How to Easily Access Rules 14
 - Bookmark all DEQ Rules..... 15
 - Bookmark a Rule Division..... 17
 - Bookmark an Individual Rule 18
- Accessibility..... 18

Introduction

Oregon Administrative Rules are broken into Chapters, Divisions, and individual rule numbers. (OAR 340-011-0010). DEQ’s rules are all found in Chapter 340.

There are two places you can search for documents related to DEQ rulemaking. The Oregon Secretary of State publishes the official version of the rules and rulemaking documents, such as

the Notice of Rulemaking and Administrative Orders (which reflect the formal adoption of a rule) on its web site. The Secretary of State also publishes the Oregon Bulletin at the same location. That publication formally publishes rulemaking notices and the orders through which rules are adopted. Instructions on how to access and search these records are provided below. The Secretary of State rules search page is located here:
<https://secure.sos.state.or.us/oard/ruleSearch.action>.

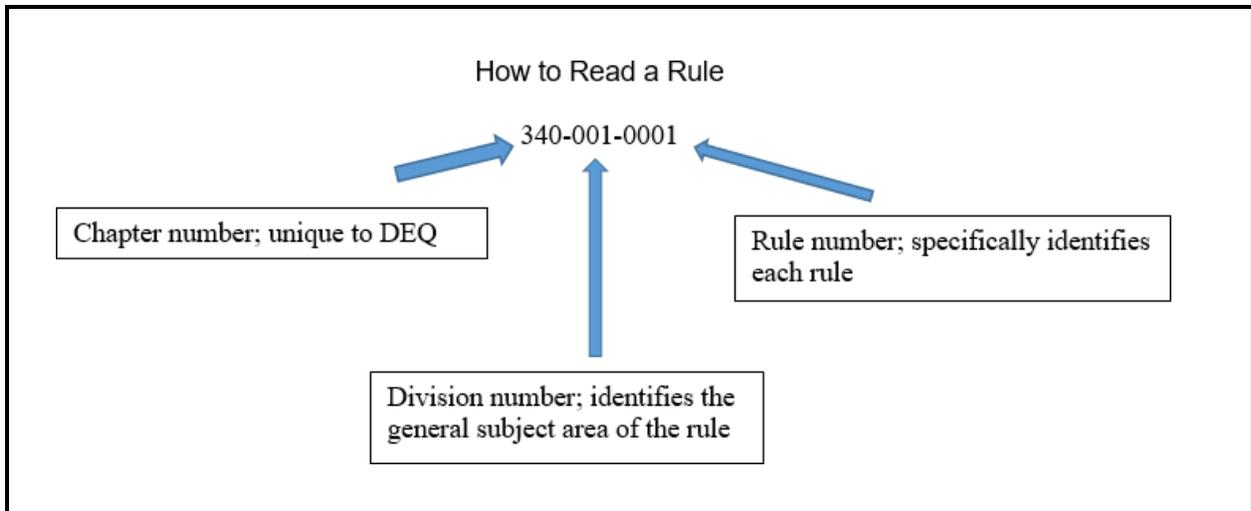
DEQ's own rulemaking records are stored on an external database that the public can access and search through the internet. You can access the search page by clicking on the "Rulemaking History Search" button on DEQ's main rulemaking web page.

You can also access the search page directly. The website is called the Oregon Records Management Solution. The web site is located here:
<https://ormswd2.synergydcs.com/HPRMWebDrawer/Search>.

Rule Background

There are several pieces of information you can use to search for rulemaking documents.

Each rule has a ten-digit rule number:



There is also helpful information listed at the end of each rule. This information as a group is called the rule history:

Rule History

Statutory/Other Authority: ORS
36.224

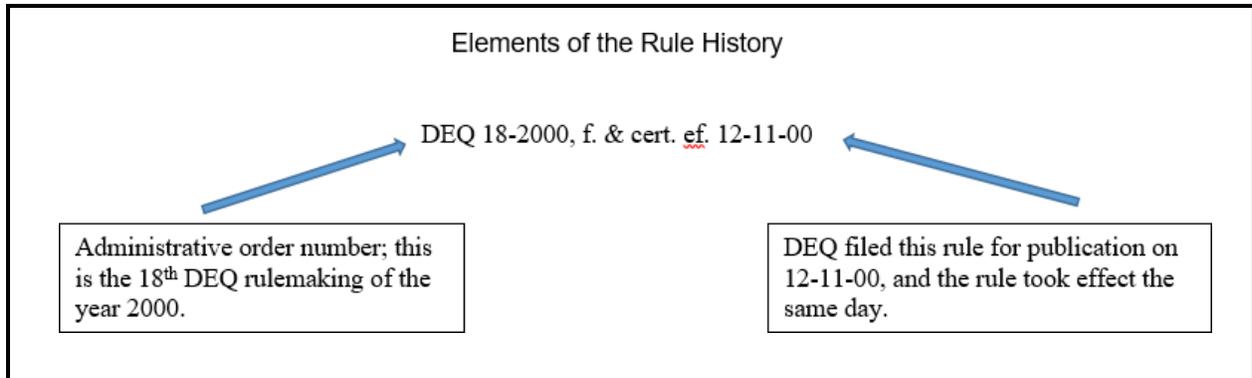
Statutes/Other Implemented: ORS
36.224, 36.228, 36.230 & 36.232

History:
DEQ 12-2018, minor correction filed
03/28/2018, effective 03/28/2018
DEQ 18-2000, f. & cert. ef. 12-11-00

The statutory authority is the statute or law that gives DEQ the authority to adopt rules in the subject area the rule addresses.

The statutes implemented are the statutes this particular rule explains, applies, or expands on.

The information listed under **History** identifies when the rule was first adopted, and each time DEQ has changed the rule. The first part of the notation is called the administrative order number. The second part tells you when DEQ filed the rule for publication and when the rule took effect.



Searching for Rulemaking Documents

Introduction

You can search different ways for a document. The possible searches are:

- Any word – any word in either the “Title” field or the “Notes” field
- Document content – all text within the document
- Record number – number the system assigned when document was placed in the system
- Title (free part text) – an exact match of the “Title” field for a record
- Title Word – any word in the “Title” field
- Document descriptive notes

The “Notes” field for a document contains this information:

- Rule number(s) this rulemaking affected
- Administrative order number
- Description of the subject of the rulemaking
- Date the agency adopted and filed the rule (can be different dates)

The “Title” field for the document is the name the document was given when it was first created.

You can search by any combination of words and terms. This includes rule number, administrative order number, date filed or effective, and any word in the rule text or in the rule notes.

You can also use the universal search character “*”. For example, to search for all administrative order numbers issued (rules adopted) in the year 2000, you could type in “DEQ*-2000”.

The administrative order number is the easiest way to search for a specific rulemaking action because that rule number refers to only one, unique rulemaking proceeding. If you search by rule number, or by words that appear in a rule, you will get a very large number of search results

because there are a large number of DEQ rules and DEQ rulemakings.

Important Rulemaking Documents

There are two documents in the modern archives that are the most informative about DEQ rulemaking. These are called the “Notice of Proposed Rulemaking” and the EQC Staff Report. Searching for these documents for a particular rulemaking will provide the most combined information about that project. To search for these documents, you could use the administrative order number, to identify the specific rulemaking, and the document title, to find the specific document. Here is an example search:

Search for Notice of Rulemaking

SELECT JURISDICTION

Department of Environmental ▼

SEARCH BY

Any Word	▼	≡	deq 188-2018	And	Or
Title Word	▼	≡	rulemaking notice	And	Or
-- Select --	▼	≡	Equal To		

Refining the Search

A basic search for one term or group of words will produce a list of all documents that contain the search term. If there are too many search results, you can refine the search. Do this by going back to the initial search page. You can then search for multiple terms by putting each search term in a separate search box and using the “and” connector between search boxes. Below is an example:

Refine the Search

SELECT JURISDICTION

Department of Environmental ▼

SEARCH BY

Any Word ▼ And Or

Any Word ▼ And Or

— Select — ▼

SORT BY

— Select — ▼ Descending

— Select — ▼ Descending

Searching for Older Records

DEQ rules only go into effect if the Environmental Quality Commission adopts them. Before the legislature created the commission, the Oregon Air Pollution Authority dealt with environmental issues. In 1959, the OPA was made part of the Oregon State Sanitary Authority. In 1969, the legislature created the Department of Environmental Quality and the Environmental Quality Commission.

If you are searching for records from before 2003, most of the documents that are available are PDF's of minutes from meetings of the Environmental Quality Commission or its predecessors.

The documents we have in the archives are titled as follows:

- 1951 – 1959 – APAMinutes (followed by year and date)
- 1964 – June 1969 - SSAMeeting (followed by year and date)
- July 1969 – 2009 – EQCmeeting (followed by year and date)

You can search for these documents by:

- Placing separate terms in separate search boxes on the initial search page
- Using the universal search character “*” before and after the year
- Selecting the connector “and,” between the search boxes, as illustrated in the example below:

Searching for Older Records

SEARCH BY

Any Word	AND	apaminutes	And	Or
Any Word	AND	*1959*	And	Or
-- Select --	AND	Equal To		

SORT BY

-- Select --	<input type="checkbox"/> Descending
-- Select --	<input type="checkbox"/> Descending

Search

Statutory Minor Corrections

There is another category of documents stored in the archives. Oregon law allows agencies to make minor changes to rules without conducting a formal, public rulemaking process. Under this process, agencies can make small changes like correcting typographical errors or references to other rules and statutes. These changes are currently called “Statutory Minor Corrections.” In the rule history at the end of a rule, they are called “minor corrections.” Before 2017, the Secretary of State called these changes “Administrative Corrections” or just “correction.”

The rule history at the end of each rule records when DEQ has made this type of rule correction.

Statutory Minor Correction

Statutory/Other Authority: ORS 467

Statutes/Other Implemented: ORS 467.030

History:

[DEQ 22-2017, minor correction filed 11/07/2017, effective 11/07/2017](#)

[DEQ 20-2017, minor correction filed 11/07/2017, effective 11/07/2017](#)

[DEQ 14-2017, amend filed 10/30/2017, effective 11/02/2017](#)

[DEQ 7-1983, f. & ef. 4-22-83](#)

[DEQ 13-1982, f. & ef. 7-21-82](#)

DEQ did not retain records of this type of change before 2017. Currently, you can search for documents reflecting Statutory Minor Corrections by searching for the phrase “Statutory Minor Correction” or “minor correction” along with either an administrative order number or a rule number.

Other Rule Changes

Rules can also be changed in other ways. They may be repealed or renumbered. When a rule is renumbered, this will be listed in the rule history at the end of the rule. The link below goes to a list of DEQ rules that have been repealed or renumbered.

[LIST OF REPEALED/RENUMBERED RULES](#)

Additional Help

There is more help on using the ORMS search page at this link: [Search Help](#)

Searching for Rules and Official Rule Filing Documents

Introduction

The official version of the administrative rules is published on the web page of the Oregon Secretary of State. You can search rules and rule filings, such as the Notice of Rulemaking and the final administrative order when the rules are formally adopted and go into effect. You can also search the Oregon Bulletin from the same search page.

The Oregon Bulletin is an online publication. The bulletin is also published on the Secretary of State’s rules page. It contains rulemaking notices, permanent and temporary administrative rule filings, along with rule text, and minor correction filings. Electronic copies of the bulletin are

archived beginning in 2003.

The Secretary of State rules search page is located here:

https://sos.oregon.gov/archives/Pages/oregon_administrative_rules.aspx. At that location you can search the Oregon Bulletin, rulemaking documents filed with the Secretary of State, and the published rules.

To search for the bulletin, rule filing documents or the current rules, you start with the same search page. Click on the Search Rules tab in the middle of the page.



Searching the Oregon Bulletin

The copies of the Bulletin are PDF's of each month's Bulletin. You can access them by clicking on the Oregon Bulletin tab on the left side of the search page.

Accessing the Oregon Bulletin



Searching Rule Filings

There are several types of documents on the Filings page. These include the Notice of Rulemaking, Permanent Filings, Temporary Filings, and Minor Corrections.

The Notice of Rulemaking is the first public document published in the rulemaking process. It tells the public:

- The agency is planning to adopt or modify a rule
- What the proposed changes are
- When the agency is planning to act, and
- How the public can comment on the proposed changes

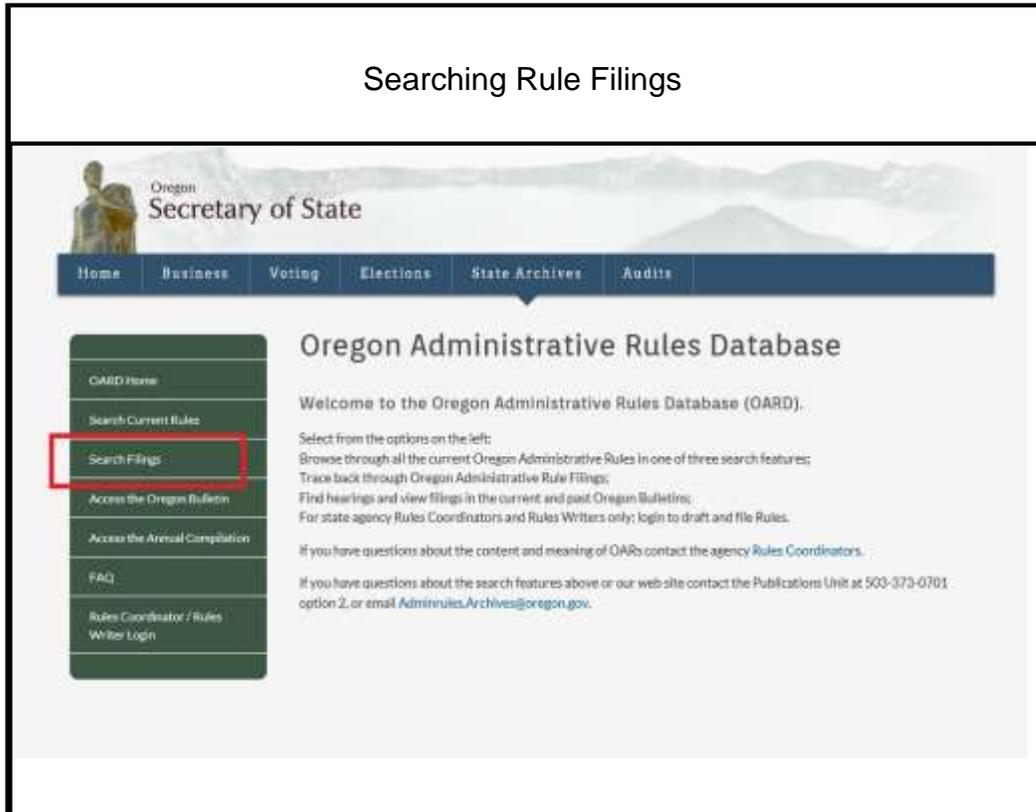
The Notice of Rulemaking can be helpful because it contains a version of the rule with the proposed changes highlighted. This allows you to find the proposed changes to a current rule. But it also allows you to see the previous version of a rule by looking at the Notice document for previous rule changes. Those documents will contain the rule language as it existed before the rule was changed.

The Permanent Filing formally announces the agency adopted the proposed rule change, and contains the text of the rule changes.

The Temporary Filing announces the agency has adopted a temporary rule change that will last no more than 180 days.

A Minor Correction is a small change to a rule that does not change the rule’s content or effect. Such changes include things like spelling and grammar corrections, and corrections to rule or statute references.

To search filings, click on the Search Filings tab on the left.



You will then see the filings search page. To search for DEQ rules, you should select 340 in the Chapter drop down list.

Accessing the Filings Search Page

The screenshot shows the Oregon Secretary of State website. At the top, there is a navigation menu with links for Home, Business, Voting, Elections, State Archives, and Audits. Below this is the Oregon Administrative Rules Filings Search page. The page features a sidebar on the left with buttons for 'DARD Home', 'Search Current Rules', 'Search Filings', 'Access the Oregon Bulletin', 'Access the Annual Compilation', 'FAQ', and 'Rules Contributor / Rules Writer Login'. The main content area is titled 'Oregon Administrative Rules Filings Search' and includes filter checkboxes for Notice, Permanent, Temporary, and Minor Correction. A list of rules is displayed, with rule 340 - Department of Environmental Quality highlighted by a red box. The list includes various departments such as the Department of State Police, Oregon State Athletic Commission, Board of Parole and Post-Prison Supervision, and the Department of Environmental Quality.

Searching Current Rules

To search for current rules, click the Search Rules tab on the initial search page, the same as described above for the Oregon Bulletin.

Accessing the Rules Search Page

Oregon Secretary of State Bev Clarno

Home Business Voting & Elections State Archives Audits Search for...

Oregon Administrative Rules (OARs)

Access Oregon Administrative Rules Database (OARD)

Welcome to the new database for the Oregon Administrative Rules. You now have all the rules and filings for Oregon in one easy to search location. For a review of what's changed, watch the tutorial.

Archival Records:
Oregon Administrative Rules (OARs)
Agency Access
Public Access
The Oregon Bulletin
Rules Coordinator Contact List
Training Materials for OARD
FAQ
Oregon Blue Book

Public Access
Search rules by chapter or rule number, search filings, or see the Oregon Bulletin.

Agency Access
Submit filings and minor corrections to rules.

Log In

Search Rules

Video: Tips for Searching Rules
Tips on Searching... Search by Rule Number

Rules Coordinators

If you receive an error message while trying to submit rule filings, please contact us for a resolution. See the message regarding this error.

About the OARs
Administrative Rules are created by most agencies and some boards and

At the next screen, click on “Search Current Rules” on the left side of the screen.

Accessing the Search Function

Oregon Secretary of State

Home Business Voting Elections State Archives Audits

Oregon Administrative Rules Database

Welcome to the Oregon Administrative Rules Database (OARD).

Select from the options on the left:
Browse through all the current Oregon Administrative Rules in one of three search features;
Trace back through Oregon Administrative Rule Filings;
Find hearings and view filings in the current and past Oregon Bulletins;
For state agency Rules Coordinators and Rules Writers only: login to draft and file Rules.

If you have questions about the content and meaning of OARs contact the agency Rules Coordinators.
If you have questions about the search features above or our web site contact the Publications Unit at 503-373-6701 option 2, or email Adminrules.Archives@oregon.gov.

OARD Home
Search Current Rules
Search Filings
Access the Oregon Bulletin
Access the Annual Compilation
FAQ
Rules Coordinator / Rules Writer Login

The “Browse by Chapter” function will display all of the divisions with the DEQ rules at once.

The “Quick Search” allows you to search for a specific, individual rule.

The “Rule Text Search” allows you to search for a specific word or phrase within the text of the rules. To search for DEQ rules, select 340 from the Chapter drop down list.

Rules Search Options

^ Browse By Chapter

Select a chapter...▼

Order by: Chapter Number Chapter Name

^ Browse By Chapter

^ Quick Search By Rule Number

Rule Number !

^ Rule Text Search

Filter By Chapter

Select a Chapter...▼

Search By

Exact Contains Exclude

Exact Contains Exclude

Exact Contains Exclude

All must match (AND) Any matches (OR)

How to Easily Access Rules

You can bookmark or favorite any DEQ rule Division or individual rule. You can then access the rule or Division with one click.

Bookmark all DEQ Rules

Here is a link for the page with all DEQ rules:

<https://secure.sos.state.or.us/oard/displayChapterRules.action?selectedChapter=80>

If you go to that page, you can Bookmark or Favorite the page and return to it with one click.

To create this Bookmark or Favorite:

- Go to Chapter 340 rules using the “Browse by Chapter” function described above
- Click on any rule Division to select it



- Click on the blue hyperlink Division name to open the rules in the selected Division

Open the Division

Click here to open the Division



The screenshot shows the Department of Environmental Quality website. At the top, the text "Department of Environmental Quality" is displayed in a large, dark font. Below it, "Chapter 340" is shown in a smaller font. A dark green horizontal bar contains the text "Division 11 - RULES OF GENERAL APPLICABILITY AND ORGANIZATION" with a small upward-pointing arrow to its left. Below this bar, the text "RULES OF GENERAL APPLICABILITY AND ORGANIZATION" is displayed in blue. Underneath, two blue hyperlinks are listed: "340-011-0003 Confidentiality and Inadmissibility of Mediation Communications" and "340-011-0004 Confidentiality and Inadmissibility of Workplace Interpersonal Dispute Mediation Communications". A large blue arrow points from the text "Click here to open the Division" down to the "Division 11" bar.

-Click on blue hyperlink “Department of Environmental Quality” above the words “Chapter 340”

Select Chapter 340

Click here to select all Chapter 340 rules



The screenshot shows the Department of Environmental Quality website with the "Department of Environmental Quality" header in blue. Below it, "Chapter 340" is displayed in blue. Underneath, "Division 11" and "RULES OF GENERAL APPLICABILITY AND ORGANIZATION" are shown in dark grey. A blue hyperlink "340-011-0003 Confidentiality and Inadmissibility of Mediation Communications" is visible. Below the hyperlink, two numbered paragraphs are displayed: "(1) The words and phrases used in this rule have the same meaning as given to them in ORS 36.110 and 36.234." and "(2) Nothing in this rule affects any confidentiality created by other law. Nothing in this rule relieves a public body from complying with the Public Meetings Law, ORS 192.610 to 192.690. Whether or not they are confidential under this or other rules of the agency, mediation communications are exempt from disclosure under the Public Records Law to the extent provided in 192.410 to 192.505." A large blue arrow points from the text "Click here to select all Chapter 340 rules" down to the "Department of Environmental Quality" header.

-Bookmark/Favorite that page

Bookmark a Rule Division

-Click on the Division number you want to select



-Click on the blue hyperlink Division name to open all rules in that Division



-Bookmark or Favorite the page

Bookmark an Individual Rule

-Open the Division as explained above

-Click on the blue hyperlink rule number of the rule you want

-At the bottom of the page, click on the blue hyperlink “Please use this link to bookmark or link to this rule”

The screenshot shows a webpage titled "Bookmark/Favorite a Rule". Below the title is the instruction "Click here to open the linked page". A large blue arrow points downwards from this instruction to a red-bordered box containing the text "Please use this link to bookmark or link to this rule." Above this box, the following text is visible: "Statutory/Other Authority: ORS 36.224", "Statutes/Other Implemented: ORS 36.224, 36.228, 36.230 & 36.232", "History:", "DEQ 12-2018, minor correction filed 03/28/2018, effective 03/28/2018", and "DEQ 18-2000, f. & cert. ef. 12-1-00".

Accessibility

DEQ can provide documents in an alternate format or in a language other than English upon request. Call DEQ at 800-452-4011 or email deqinfo@deq.state.or.us.