

Air Quality Permitting Updates 2022

Advisory Committee Charter

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



State of Oregon
Department of
Environmental
Quality

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.

Table of Contents

Table of Contents	iii
Objectives and Scope	1
Policy Objectives	1
Fiscal and Economic Impact	1
Roles	1
Facilitator	1
Committee Members	1
Non-Committee Member Attendees	2
DEQ Staff	2
DEQ Support and Website	2
Committee Meetings	3
Decision Making	3
Membership	4
Public Records and Confidentiality	5
Information Exchange	5
Public Involvement	5
DEQ Contacts	5

Objectives and Scope

Policy Objectives

DEQ is proposing to update several rules that pertain to air quality permitting. Overall, the goals of this rulemaking are to ensure that communities are protected and to ensure that permits are comprehensive and meet all regulatory requirements. The rulemaking may include:

- Correcting typos and incorrect cross-references;
- Addressing deficiencies identified in the 2018 Secretary of State audit of the air quality permitting program;
- Simplifying and clarifying rules to reduce resource needs and speed up processing;
- Improving permitting process consistency across the state;
- Refining earlier streamlining efforts to better achieve desired outcomes;
- Addressing environmental justice concerns and requirements from recent legislation.

Fiscal and Economic Impact

ORS 183.333 requires that DEQ ask the committee to consider the fiscal and economic impact of the proposed rules including.

- Whether the rules will have a fiscal impact, and if so, what the extent of that impact will be.
- Whether the rules will have a significant adverse impact on small businesses, and if so, how DEQ can reduce the rules' negative fiscal impact on small businesses.

Roles

Facilitator

The facilitator:

- Encourages open, candid and robust dialogue;
- Starts and ends the meetings and agenda items on time;
- Encourages innovation by listening to all ideas;
- Tries to keep track of good ideas even if there is not consensus; and
- Recognizes when the discussion is outside the scope of the meeting and steers the discussion back to the focus of the meeting.

Committee Members

Advisory committee members must attend each meeting to ensure continuity throughout the process. An alternate may be assigned if needed. However, it is each committee member's responsibility to fully brief their alternate on all relevant issues and prior committee discussions in order to meet the meeting objectives and keep the project on schedule. The primary and alternate members of the committee cannot participate in the same meeting. If a member's absence is unavoidable, please notify the facilitator and DEQ lead rule writer.

The committee member:

- Prepares for and sets aside time for the meetings;
- Provides DEQ staff with copies of relevant research and documentation cited during the meeting;
- Stays focused on the specific agenda topics for each meeting;
- Comments constructively and in good faith;
- Consults regularly with constituencies to inform them on the process and gather their input;
- Treats everyone and his or her opinions with respect;
- Allows one person to speak at a time;
- Is courteous by not engaging in sidebar discussions; and
- Avoids representing to the public or media the views of any other committee member or the committee as a whole.

Non-Committee Member Attendees

Those who attend the committee meetings, but are not members of the committee are there only to observe and not to actively participate. If non-committee members are present at a meeting, DEQ may allow time during the meeting for public input.

DEQ Staff

DEQ is committed to making the most effective use of committee member's time by:

- Establishing clear committee goals, meeting objectives and agendas;
- Giving committee members reasonable access to staff;
- Encouraging all members to take part in discussions; and
- Providing a clear description of members' roles, the committee timeline, the level of agreement expected and feedback on how members' input is used.

DEQ Support and Website

DEQ will post agenda and meeting materials on the advisory committee website at least one week in advance. DEQ staff, working with the facilitator, will provide meeting summaries that highlight committee discussions, different perspectives and input of committee members. DEQ will not prepare a formal committee report. DEQ, working with the facilitator, will send draft meeting summaries to the advisory committee for review and input. DEQ will post final meeting minutes to the advisory committee website and those minutes will be part of the public record.

The advisory committee charter, a full roster of the committee, meeting agendas and minutes, and background materials will all be located on the advisory committee [webpage](#).

Committee Meetings

1. All committee meetings will be:
 - open to the public, although the committee can choose whether to include and a means for public input
 - advertised on DEQ's webpage calendar two weeks before the meeting at: [DEQ Event Calendar](#)
 - noticed by email to the Air Quality Permits and Rulemaking GovDelivery lists
 - noticed on DEQ's Facebook/Twitter account
 - accessible via a call-in number and Zoom link
2. The committee is expected to meet remotely four times for approximately four hours each meeting. Meeting duration may vary depending on topics and committee progress.
3. Meeting materials and agenda will be posted to the advisory committee webpage.

Decision Making

DEQ will use the committee's discussions in forming its draft rules, which DEQ will then propose for broader public review and comment as part of DEQ's rulemaking process.

When DEQ shares information with the advisory committee, DEQ will allow a reasonable timeframe for comments.

Membership

In convening this committee, DEQ selected members that reflect the range of stakeholders the proposed rules affect, both directly and indirectly. Representatives should be able to consider the policy, fiscal and economic impact of the proposed standard on the business or organization they represent.

Advisory Committee Membership	
Committee Members	
Name	Affiliation
David Monro	Portland General Electric
Pamela Pulliam	Lonza
Jeff Hunter Ellen Porter (alternate)	Perkins Coie, LLP (alternate: LMI Environmental)
Monica Wright Rodrigo González-Abraham (alternate)	Jacobs
Jonah Sandford	Northwest Environmental Defense Center
Molly Tack-Hooper Ashley Bennett (alternate)	Earthjustice
Brian Brazil Jackie White (alternate)	Northwest Pulp and Paper Association
Tom Wood Geoff Tichenor (alternate)	Oregon Business and Industry
Mary Peveto	Neighbors for Clean Air
Lisa Arkin	Beyond Toxics
Sergio Lopez	Verde
Nadège Dubuisson Brendon Haggerty (alternate)	Multnomah County Public Health

Public Records and Confidentiality

Committee communications and records, such as formal documents, discussion drafts, meeting summaries and exhibits are public records and are available for public inspection and copying. DEQ does not assume responsibility for protecting proprietary or confidential business information shared during committee or subcommittee meetings. However, the private documents of individual committee members generally are not considered public records if DEQ does not have copies.

Information Exchange

DEQ expects committee members to provide information as much in advance as possible of the meeting at which such information is used. DEQ expects the members to share all relevant information with each other as much as possible. If a member believes the relevant information is proprietary, DEQ expects the member to provide a general description of the information and the reason for not providing it.

Public Involvement

All meetings will be open to the public. The committee can choose whether to allow public input during a committee meeting. DEQ may set aside time for the public to speak.

Once the committee process is complete, DEQ will develop draft rules and conduct a public rulemaking process. That process will include a specified period during which the public can submit comments on the proposed rules. DEQ will also hold a public hearing during which any member of the public can submit written or verbal comments. Individual committee members may provide comments to DEQ on the full draft rule at this time. DEQ may modify the final proposed rules based on public comment. DEQ intends to take a final proposed rule to the EQC for consideration at its November 2022 meeting.

DEQ Contacts

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