

# CFP Expansion 2022 Rulemaking Advisory Committee

## Advisory Committee Charter

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### **Oregon Clean Fuels Program**

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[www.oregon.gov/DEQ](http://www.oregon.gov/DEQ)

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](mailto:deqinfo@deq.state.or.us).

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# Objectives and Scope

## Policy Objectives

The policy objective of the Clean Fuels Program Expansion 2022 Rulemaking is to consider the expansion of the program's carbon intensity reduction requirements beyond the currently adopted 10 percent reduction in average carbon intensity by 2025. Long-term targets will create certainty for investment in and deployment of lower-, zero-, and negative-carbon transportation fuels that are necessary to continue to decarbonize Oregon's transportation sector.

## Scope of the Rulemaking

In addition to expanding the clean fuel standards, the rulemaking may include modifications to the program that will support achievement of the new standards and other modifications to improve the effectiveness of the Clean Fuels Program including but not limited to:

- Corrections and clarifications to OR-GREET 3.0 and the Tier 1 simplified calculators
- Adding new energy economy ratios
- Clarifications to registration and reporting requirements
- Updates to the renewable natural gas, propane, electricity, and hydrogen provisions
- Updates to the advance crediting provisions
- Updates to the market monitoring provisions
- Updates to the enforcement provisions

This list of issues was informed by a listening session that was held with stakeholders on Oct. 13, 2021 in addition to suggestions made by DEQ staff.

## 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

DEQ will be contracting with a third-party facilitator to assist in the planning and management of the rulemaking advisory committee meetings. 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 not to lose good ideas to the consensus process; 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 DEQ project manager.

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 their 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**

The public is welcome to attend all meetings. The facilitator will manage the meetings to accommodate both members and non-members who wish to provide input, but priority will be given to committee members. There will be time on the agenda dedicated to receiving input from the public.

## **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 Staff		
Name	Position	Role
Richard Whitman	Director	Administrator, Office of GHG Programs
Colin McConnaha	Manager, Office of GHG Programs	Project sponsor
Cory-Ann Wind	Clean Fuels Program Manager	Project manager; CFP Team lead
Bill Peters	CFP Markets Analyst	CFP subject matter expert
Kiara Winans	CFP Pathways Specialist	CFP subject matter expert
Stephanie Summers	CFP Reporting Specialist	CFP subject matter expert
Emil Hnidey	Agency Rules Coordinator	Rulemaking process subject matter expert
Harry Esteve	Communications Manager	Media relations

## DEQ Support and Website

DEQ will post agenda and meeting materials on the advisory committee website in advance of each meeting and will do so at least a week in advance whenever possible. The facilitator will provide meeting summaries that highlight committee discussions, different perspectives and input of committee members. Meeting summaries will be posted to the advisory committee website and will be part of the public record.

The advisory committee charter, a full roster of the committee, meeting agendas and summaries, and background materials will all be located on the advisory committee webpage:

<https://www.oregon.gov/deq/rulemaking/Pages/cfp2022.aspx>.

## Committee Meetings

- All committee meetings will be:
  - open to the public
  - advertised on DEQ’s webpage calendar two weeks before the meeting at: DEQ Event Calendar
  - noticed by email to the Clean Fuels Program and Rulemaking GovDelivery lists
  - noticed on DEQ’s Facebook/Twitter/LinkedIn account
- The committee is expected to meet 4-5 times via Zoom. The meeting duration times may vary depending on topics and committee progress.
- There might also be 1-3 workgroups to focus on targeted issues.
- Meeting materials and agenda will be posted to the advisory committee webpage.

## Decision Making

The committee’s discussions will be used by DEQ in forming its draft rule, which will then be proposed for broader public review and comment as part of DEQ’s rulemaking process.

When DEQ shares information with the group, 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.

<b>Rulemaking Advisory Committee Membership</b>			
<b>Primary Representative</b>	<b>Affiliation</b>	<b>Email</b>	<b>Alternate</b>
Maya Kelty	3 Degrees	<a href="mailto:mkelty@3degrees.com">mkelty@3degrees.com</a>	Dave Meyer
Dan Bowerson	Alliance for Automotive Innovation	<a href="mailto:dbowerson@autosinnovate.org">dbowerson@autosinnovate.org</a>	Steve Douglas
Mark Bunch	BP	<a href="mailto:Mark.bunch@bp.com">Mark.bunch@bp.com</a>	Brent Pace
John Thornton	Clean Future	<a href="mailto:john@cleanfuture.us">john@cleanfuture.us</a>	Corbin Diaz
Victoria Paykar	Climate Solutions	<a href="mailto:Victoria.paykar@climatesolutions.org">Victoria.paykar@climatesolutions.org</a>	Meredith Connolly
Michael Graham	Columbia Willamette Clean Cities Coalition	<a href="mailto:michael@cwcleancities.onmicrosoft.com">michael@cwcleancities.onmicrosoft.com</a>	Madeline Reznick
Mason Murphy	Confederated Tribes of Umatilla	<a href="mailto:masonmurphy@ctuir.org">masonmurphy@ctuir.org</a>	
DJ Builta	Ed Staub	<a href="mailto:Dj.builta@edstaub.com">Dj.builta@edstaub.com</a>	Nick Staub
Jason Heuser	EWEB	<a href="mailto:Jason.heuser@eweb.org">Jason.heuser@eweb.org</a>	
Lindsay Fitzgerald	Gevo	<a href="mailto:lfitzgerald@gevo.com">lfitzgerald@gevo.com</a>	Austin Vaillancourt
Jeff Rola	Go Bio	<a href="mailto:jprola51@aol.com">jprola51@aol.com</a>	
Floyd Vergara	National Biodiesel Board	<a href="mailto:fvergara@biodiesel.org">fvergara@biodiesel.org</a>	Jeff Earl
Alex Schay	Northwest Gas Association	<a href="mailto:aschay@nwalliance.net">aschay@nwalliance.net</a>	Scott Winkler
Jana Gastellum	Oregon Environmental Council	<a href="mailto:janag@oeonline.org">janag@oeonline.org</a>	Nora Apter
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Jessica Hoffman	RPMG	<a href="mailto:jwhoffmann@rpmgllc.com">jwhoffmann@rpmgllc.com</a>	Jon Costantino
Jeremy Martin	Union of Concerned Scientists	<a href="mailto:jmartin@ucsusa.org">jmartin@ucsusa.org</a>	Maria Cecilia Pinto de Mauro
Sergio Lopez	Verde	<a href="mailto:sergiolopez@verdenw.org">sergiolopez@verdenw.org</a>	
Jessica Spiegel	Western States Petroleum Association	<a href="mailto:jspiegel@wspea.org">jspiegel@wspea.org</a>	
Matt Sloak	Pacific Propane Gas Association	<a href="mailto:matt@kdafirm.com">matt@kdafirm.com</a>	Darren Engle

## Travel Expenses

DEQ is able to reimburse any in state, out-of-town committee members for travel expenses, if DEQ approves them in advance.

## 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

Committee members will provide information as much in advance as possible of the meeting at which such information is used. The members will also share all relevant information with each other to the maximum extent possible. If a member believes the relevant information is proprietary in nature, the member will 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 meeting .

# DEQ Contacts

Primary Contact: Cory-Ann Wind, [cory.ann.wind@deq.state.or.us](mailto:cory.ann.wind@deq.state.or.us)

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