

DEQ update to the Oregon Environmental Justice Task Force

Prepared for the Aug. 20-21, 2020, EJTF meeting

1. Materials Management reuse/repair grants: \$125,000 awarded to 13 recipients

In July, DEQ awarded \$125,000 to 13 small businesses and non-profit organizations across the state through its Materials Management Repair and Reuse Grants Program. The program received over 50 applications, and awards were granted through a competitive evaluation process. DEQ staff who served on the evaluation team specifically considered what communities the applicants served, including those that served communities with environmental justice concerns or with limited access to reuse and repair opportunities, and how diversity, equity and inclusion was incorporated into the applicant's operations and organizational structure.

For more information about the projects and awards, please visit the Materials Management Repair and Reuse Grants Program website:

<https://www.oregon.gov/deq/mm/Documents/mmGrantDesc.pdf>

2. Cleaner Air Oregon updates, request for EJTF representative on rulemaking advisory committee (fall 2020)

The Cleaner Air Oregon Program will begin new rulemaking this fall, with a projected proposal date of summer 2021 for EQC consideration, to align the CAO program rules with other DEQ air emissions rules and other general program updates. DEQ would like to have a representative of the EJTF serve on the advisory committee, in recognition both of the importance of an environmental justice-centered approach to the program and the policy engagement and knowledge of EJTF members and their representatives. The advisory committee will hold one formal meeting, in November 2020, and will be asked to consider the policy implications and potential fiscal impacts, including those to small businesses, of the proposed draft rules.

A formal letter requesting EJTF participation is attached, and staff are available for clarifying questions.

3. Office of Greenhouse Gas Programs, request for EJTF engagement for technical workshops (fall/winter 2020)

In March, Governor Brown issued Executive Order 20-04, directing state agencies to take a variety of actions to regulate and reduce greenhouse gas emissions. One particular directive in this order is for DEQ and the Environmental Quality Commission to develop rules and program to cap and reduce greenhouse gas emissions from:

- Large stationary sources such as manufacturing facilities
- Transportation fuels including gasoline and diesel used in cars and trucks
- Other liquid and gaseous fuels, including natural gas

In order to fulfill these, and other, directives in the Executive Order, DEQ established a new Office of Greenhouse Gas Programs this spring. This office will house current DEQ programs that relate to greenhouse gas emissions reduction, such as the Greenhouse Gas Reporting Program, and serve as the coordinating entity for new agency activities under EO 20-04.

Earlier this month, DEQ asked the Governor's Office to relay a request for collaboration to the EJTF for upcoming technical workshops. A copy of that request is included with this report for your reference, and DEQ staff are available to answer any logistical questions about the request.

4. 2021-23 Agency Request Budget, equity position request

As part of DEQ's 2021-23 Agency Request Budget, to be submitted this month, the agency is asking for a new position to serve as the full-time coordinator for diversity, equity and inclusion activities. The position description and supporting information for this request is based largely on a 2019-21 request for an equity coordinator position that DEQ did not receive at the time.

The position is proposed as an Operations and Policy Analyst (level 3), and 1 full-time equivalent position. This position would serve as the lead for a variety of DEI efforts, likely including some EJ coordination. The current EJ coordinator position is an Operations and Policy Analyst (level 2), with 0.2 FTE dedicated to EJ work. No decisions or commitments have been made regarding the continuation, or not, of that 0.2 FTE if the new position were approved; however, DEQ will keep the EJTF members informed as the 2021-23 budget processes occur over the next year.

Attachments:

- A: Request for EJTF representative to Cleaner Air Oregon rules advisory committee
- B: Request for EJTF engagement on greenhouse gas emissions reduction technical workshops

Document prepared by:

Stephanie Caldera, DEQ Environmental Justice Coordinator
Email: Caldera.Stephanie@deq.state.or.us
Remote office/mobile phone: 971-279-9517

Nina DeConcini, DEQ Northwest Region Division Administrator
Email: DeConcini.Nina@deq.state.or.us



Oregon

Kate Brown, Governor

Department of Environmental Quality
Agency Headquarters
700 NE Multnomah Street, Suite 600
Portland, OR 97232
(503) 229-5696
FAX (503) 229-6124
TTY 711

Aug. 18, 2020

Dear Chair Iboa and members of the Environmental Justice Task Force,

In April 2016, Governor Kate Brown created the Cleaner Air Oregon program to overhaul industrial air toxics regulations through a partnership of the Department of Environmental Quality and Oregon Health Authority.

The Environmental Quality Commission approved the initial rules in 2018, and DEQ is initiating additional rulemaking, beginning in September 2020. This new effort will update both CAO and other existing air toxics program rules. DEQ will convene an advisory committee to provide input on policy issues and potential fiscal impacts, including those to small businesses.

DEQ is seeking participation on the advisory committee by a representative of Oregon's Environmental Justice Task Force.

Logistics: The advisory committee will meet virtually via an online platform and participation will require at a minimum the ability to call remotely via cell phone. A computer, with audio capacity, and internet connection will allow more complete access.

Anticipated commitment: A single advisory committee meeting is planned for November 2020, as well as an informational pre-meeting, with all dates to be determined soon. The meeting duration times may vary depending on topics and discussion needs.

DEQ would appreciate a response by September 4 in order to complete planning and preparation for these meetings. The work of this advisory committee will help inform a final rule proposal to the Environmental Quality Commission in summer 2021.

If you have questions or comments, please contact Hannah Wilkinson, Project Coordinator at cleanerair@deq.state.or.us, or visit the CAO website for more information about the program: <https://www.oregon.gov/deq/aq/cao/Pages/default.aspx>

Thank you considering participation in this exciting opportunity to continue to develop and improve important aspects of this program. Your input is critical to the success of this endeavor, and represents a significant contribution to national best practices.

Sincerely,

Keith Johnson

Program Manager, Cleaner Air Oregon, Oregon DEQ

Request for EJTF engagement: DEQ Technical Workshops for GHG rulemakings

Email sent by Amira Streeter, Aug. 14, 2020

Good afternoon Task Force members,

DEQ is seeking your expertise and partnership in evaluating the environmental justice implications of programs to cap and reduce greenhouse gas emissions. Specifically, DEQ is interested if the Task Force is willing to co-convene a workshop focused on the Environmental Justice implications of the new cap and reduce programs being developed by DEQ.

In March of this year Governor Brown issued Executive Order 20-04, directing state agencies to take a variety of actions to regulate and reduce GHG emissions. One particular directive in this order is for DEQ and the Environmental Quality Commission to develop rules and program to cap and reduce greenhouse gas emissions from:

- Large stationary sources such as manufacturing facilities
- Transportation fuels including gasoline and diesel used in cars and trucks
- Other liquid and gaseous fuels, including natural gas

DEQ is convening six workshops in the coming weeks to inform the scope of this new program. Workshops are organized around key policy issues and are designed to foster conversation between the agency and stakeholders. A formal rulemaking will follow these workshops. The workshop topics include:

Workshop Topic	Key Issues and Questions
Program Scope	Which GHGs should be covered? What sources of emissions should be regulated? Which entities are responsible for regulated emissions?
Program Stringency	How quickly should cap(s) decline? What is the rationale for these decline rates?
Alternative Compliance Options	Should the program allow for alternative ways of complying with cap(s) aside from DEQ-issued permits? Should the program allow permits from other GHG regulatory programs? Should the program award additional credits to certain actions or investments that reduce GHGs?
Distribution of Compliance Instruments (permits)	How should permits to emit be issued? How can the program avoid emissions leakage? What other factors should the program consider when distributing permits (sectoral differences, market dynamics, etc.)?
Cost Effectiveness	How should the program account for sectoral differences? Should the program allow for trading? Under what circumstances? What strategies exist to reduce economic burden on impacted communities and small businesses?
Impacted Communities	Considering all the above elements, how can impacted communities be protected? What strategies are needed to prevent negative impacts? How does the program incorporate priorities of these communities?

DEQ welcomes any input and collaboration the Task Force is willing to provide, in particular the agency is interested in your involvement in the workshop focused on "Impacted Communities." We are in the early stages of planning that meeting but we expect that meeting will be organized around key issues and themes surfaced in the previous five workshops, with an emphasis on evaluating the equity and environmental justice implications of program and policy design options.

Opportunities for EJTF Collaboration

Is the Task Force willing to co-sponsor or co-convene the Impacted Communities workshop with DEQ? We believe your involvement will lead to a richer dialogue and broader participation from environmental justice communities.

If so, we would also welcome any participation by Task Force members in planning meetings leading up to the workshop.

We look forward to hearing your thoughts on this and any other opportunities for involvement that you see in this effort. I have included Matthew Davis and Colin McConnaha to this email if you have any initial questions.

Thank you,

Amira Streeter (*she/her/hers*)

Natural Resources Policy Advisor

Office of Governor Kate Brown

900 Court Street NE, 254, Salem, Oregon 97301

Office: (503) 373-1680

Assistant: Kourtney Linebaugh

Kourtney.Linebaugh@oregon.gov