

Hazardous Waste Rulemaking 2022


Advisory Committee Charter

May 9, 2022

Contact Names:

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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

Alternative Formats

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.oregon.gov.

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Objectives and Scope

Policy Objectives

Fiscal and Economic Impact

[ORS 183.333](#) requires that the Oregon Department of Environmental Quality asks 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

DEQ Facilitator: Ellie Brown

The facilitator:

- Starts and ends the meetings and agenda items on time;
- Encourages open, candid and robust dialogue;
- Encourages innovation by listening to all ideas; 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. A member may assign an alternate if needed. However, it is each committee member's responsibility to fully brief their alternate on all relevant issues and prior committee discussions 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 Ellie Brown, ellie.brown@deq.oregon.gov

The committee member:

- Prepares for and sets aside time for the meeting;

- Provides DEQ staff with copies of relevant research and documentation cited during the meeting;
- Stays focused on the specific agenda topics for the meeting;
- Comments constructively and in good faith;
- Consults regularly with non-Rules Advisory Committee 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

Those who attend the committee meetings, but not members of the committee, are there only to observe and not to actively participate.

DEQ Staff

DEQ commits to making the most effective use of committee members' time by:

- Establishing clear committee goals, meeting objectives and agenda;
- 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 how DEQ will use members' input.

DEQ Support and Website

DEQ will strive to post agenda and meeting materials on the advisory committee website two weeks in advance for review prior to the meeting. DEQ staff will provide a meeting summary highlighting committee discussions, different perspectives and input of committee members. DEQ will not prepare a formal committee report or verbatim notes. DEQ will send the draft meeting summary to the advisory committee for review and input. DEQ will post the final meeting minutes, once approved by the advisory committee members, to the Hazardous Waste Rulemaking advisory committee website and these will become part of the public record.

The advisory committee charter, a full roster of the committee, meeting agenda and summary, and background materials will be on the advisory committee webpage at [Hazardous Waste Rules 2022](#).

Committee Meetings

1. All committee meetings will be:
 - Open to the public - committee can choose whether the public can actively participate in committee meetings at agreed upon times.
 - Recorded.
 - Held virtually via Zoom, accessible via a call-in number or webinar link.
 - Posted two weeks before the meeting on [DEQ Event Calendar](#).
 - Noticed by email to the Agency Rulemaking and Hazardous Waste Rulemaking GovDelivery lists.
2. The committee is expected to meet one time via Zoom:
 - Monday, May 9, 2022

The meeting is scheduled from 9 a.m. to 5 p.m., with an hour for lunch and two breaks. Actual meeting duration time may vary depending on topics and committee progress.

3. DEQ will post meeting materials and agenda to the advisory committee webpage at [Hazardous Waste Rules 2022](#).

Decision Making

DEQ will use the committee’s discussions to form its draft rules and share the proposed rules with the broader public for review and comment as part of DEQ’s rulemaking process.

When DEQ shares information with the group, DEQ will allow reasonable time for comments.

Membership

In convening this committee, DEQ selected members reflecting the range of stakeholders the proposed rules affect, directly and indirectly. We ask representatives to consider the policy, fiscal and other related impacts of the proposed standard on the business or organization they represent.

Name	Title and Affiliation	Representing
Marjorie MartzEmerson*	Independent Environmental Consultant Currently: Coyote & Chirp Biosphere, LLC	<ul style="list-style-type: none">• Environmental Advocates• Small businesses• Rural Oregon• Located in Joseph

Name	Title and Affiliation	Representing
	Formerly: PNW Pollution Prevention Resource	
Jim Denson*	PNW/BC Environmental Protection Manager	<ul style="list-style-type: none"> • Chemical Waste Management • Only hazardous waste landfill in Oregon • Located in Arlington
Lisa Arkin	Executive Director, Beyond Toxics	<ul style="list-style-type: none"> • Environmental Advocates • Environmental Justice • Located in Eugene
Jenna Kube	Environmental Engineer, Intel	<ul style="list-style-type: none"> • Large businesses • Large quantity generators • Located in Portland
Scott Klag	Senior Planner, Metro	<ul style="list-style-type: none"> • Local government • Waste management for Portland Metro Area
Marty French	Laboratory Director, Specialty Analytical	<ul style="list-style-type: none"> • Small Businesses • Environmental and analytical testing • Located in Clackamas

Technical Review Panel

DEQ convened a technical review panel to assist with analyzing the Hazardous Secondary Materials provisions of the Definition of Solid Waste rule. The panel members have expertise in solid waste regulations. The technical review panel is not a decision-making body, but provided technical review and input on DEQ's analyses and recommendations to the advisory committee.

DEQ Technical Review Panel				
Name	Affiliation	Email	Phone	Area of Expertise
Steve Siegel	DEQ	steve.siegel@deq.oregon.gov	503-229-5518	Solid waste policy
Bob Barrows	DEQ	bob.barrows@deq.oregon.gov	541-687-7354	Solid waste policy

Travel Expenses

DEQ is able to reimburse any in state, out-of-town committee members for travel expenses, if DEQ approves them in advance. However, this advisory committee will not require in-person participation.

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 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 specified time 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 comment period for this rulemaking. 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 rules at this time. DEQ may modify the final proposed rules based on public comment. DEQ intends to take a final proposed rule to the Environmental Quality Commission for consideration at its meeting in November of 2022.

DEQ Contacts

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