

Attachment F

Oregon Department of Environmental Quality Proposed Rule Change: Oregon Title V Operating Permit Program Fee Increase

Land Use Evaluation

1. Explain the purpose of the proposed rules.

This proposed rule amendment is necessary to cover increases to personal service costs for all state employees, for existing staff supporting the Title V program for fiscal year (FY) 2007 (July 1, 2006 – June 30, 2007). To respond to the increases, the Department is proposing to increase Title V fees by approximately 3.4 %, which is equal to the change in the Consumer Price Index (CPI) from FY 2005, when Program fees were last increased. Oregon statute provides for fee increases according to the CPI in order to maintain the Program as approved. The federal Clean Air Act requires states to assess fees to fully fund their Title V programs, and Oregon law authorizes the Department to increase the Title V fee by the CPI if needed to keep pace with inflation.

2. Do the proposed rules affect existing rules, programs or activities that are considered land use programs in the DEQ State Agency Coordination (SAC) Program?

Yes No

a. If yes, identify existing program/rule/activity:

The proposal amends Oregon Administrative Rules for Oregon Title V Operating Permit Fees (see Attachment A for proposed rule language). The Oregon Title V program regulates air emissions from major industrial businesses.

b. If yes, do the existing statewide goal compliance and local plan compatibility procedures adequately cover the proposed rules?

Yes No (if no, explain):

The proposed rules would be implemented through the Department's existing stationary source permitting program. An approved Land Use Compatibility Statement is required from local government before an air permit is issued.

c. If no, apply the following criteria to the proposed rules.

Not applicable

3. If the proposed rules have been determined a land use program under 2. above, but are not subject to existing land use compliance and compatibility procedures, explain the new procedures the Department will use to ensure compliance and compatibility.

Not Applicable