

State of Oregon
DEPARTMENT OF ENVIRONMENTAL QUALITY
Land Use Evaluation Statement

Rulemaking Proposal
for
Adoption of Air Quality Permit Program Streamlining and Updates

1. Explain the purpose of the proposed rules.

The proposed rulemaking would improve the Air Quality permitting process and help maintain a fully delegated and federally approved permitting program. The rule changes address rules that are inadequate, redundant, unclear, or outdated. Many of the rule changes simplify, update and align permitting rules with federal requirements. Other changes include adopting a federal delisting of a volatile organic compound and a correction to Oregon's recently adopted Utility Mercury Rules. All of the proposed changes would maintain an equivalent level of environmental protection and stringency. See Attachment A for a more complete summary of the proposed revisions.

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 Department's issuance of air permits is an action determined to have effects on land use. The Department will implement the proposed rule revisions through its Title V Operating Permit Program and Air Contaminant Discharge Permit (ACDP) Program.

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 Department will implement these rules through the ACDP and Title V permitting programs. Currently, cities and counties must provide a Land Use Compatibility Statement approval before the Department issues these permits or approves a Notice of Construction.

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

Not applicable.

In the space below, state if the proposed rules are considered programs affecting land use. State the criteria and reasons for the determination.

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.