

Document Review Checklist

- Every document that will be shared with anyone outside of DEQ staff must go through management review. This includes reports and PowerPoint presentations.
- The Notice of Rulemaking and EQC Staff Report must also be reviewed and approved by the relevant Division Administrator.
- Each required reviewer should add their name and the date when they complete their final review and approve the document for distribution.

Document Review Sign Off Sheet – EQC Staff Report				
Reviewer	Name	Date	Date	Date
Program Mgr.				
DA				
Communications				
ARC or AQRC (min. 3 business days)				



State of Oregon Department of Environmental Quality

Oregon Environmental Quality Commission Meeting

November 18, 2021

Rulemaking Action Item H

Oakridge PM₁₀ Redesignation Request and PM₁₀ Maintenance Plan

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DEQ Recommendation to the EQC

DEQ recommends that the Environmental Quality Commission adopt the proposed Oakridge PM₁₀ Maintenance Plan rules in Attachment A as part of Chapter 340 of the Oregon Administrative Rules.

Language of Proposed EQC Motion:

“I move that the commission adopt the proposed rule amendments in Attachment A as part of chapter 340 of the Oregon Administrative Rules.”

DEQ recommends that the Environmental Quality Commission:
Adopt the Oakridge PM₁₀ Maintenance Plan proposed rules in Attachment A as part of chapter 340 of the Oregon Administrative Rules; and

Approve incorporating these rule amendments into the Oregon Clean Air Act State Implementation Plan under OAR 340-200-0040; and

Direct DEQ to submit the SIP revision to the U.S. Environmental Protection Agency for approval.

Introduction

DEQ and the Lane Regional Air Protection Agency (LRAPA) propose permanent rule amendments to chapter 340 of the Oregon Administrative Rules to redesignate the Oakridge airshed as attainment for the national air quality health standards for coarse inhalable particles (PM₁₀); and, include a 10-year maintenance plan to keep air quality within the PM₁₀ health standards.

Request for Other Options

Oregon must update its Clean Air Act State Implementation Plan to document that DEQ has the authority, regulations, and enforcement capability to implement the current National Ambient Air Quality Standards (NAAQS) for PM₁₀. In addition to the redesignation of the Oakridge airshed into attainment, a 10-year maintenance plan provides assurance that air quality programs are adequate to prevent future violation of the NAAQS.

Overview

DEQ and LRAPA propose a revision to the State of Oregon Clean Air Act Implementation Plan, referred to as the State implementation Plan (SIP) under OAR 340-200-0040. This proposed revision would:

- Redesignate the Oakridge-Westfir airshed as attainment for the 24-hour national ambient air quality standards (NAAQS) for coarse inhalable particles (PM₁₀); and
- Include a 10-year maintenance plan to keep air quality within the PM₁₀ health standards.

The Oakridge Urban Growth Boundary (UGB) was designated nonattainment for PM₁₀ and classified as moderate by the U.S. Environmental Protection Agency (EPA) on January 20, 1994. The Oakridge PM₁₀ attainment plan was adopted by the LRAPA Board of Directors at a hearing on August 13, 1996. The Oakridge PM₁₀ attainment plan was subsequently adopted by the Oregon Environmental Quality Commission (EQC) on December 9, 1996, and submitted to EPA. EPA approved the plan on March 15, 1999 ([64 FR 12751](#)). The Oakridge PM₁₀ strategies were successful in achieving the PM₁₀ standards on schedule. On July 26, 2001, EPA published a clean data determination (CDD) and a finding of attainment for the Oakridge PM₁₀ area ([66 FR 38947](#)).

The SIP revision provides for maintenance of the NAAQS for at least 10 years after redesignation. The 10-year maintenance period will begin on the effective date of the EPA approval, which is approximately 30 days after the redesignation request is approved by EPA in the Federal Register (e.g., if EPA approves the redesignation request in the Federal Register in 2023, the 10-year maintenance plan will ensure continued attainment in the area until 2033). The effective date will be clearly stated in the Final Federal Register notice.

Statement of need

What need would the proposed Maintenance Plan address?

The Oakridge-Westfir PM₁₀ Attainment Plan was adopted by LRAPA in 1996 and approved by EPA in December 1999. This proposed redesignation request outlines the specific actions taken in the Oakridge area to successfully meet the federal Clean Air Act requirements and includes a maintenance plan to continue the critical air pollution control strategies during 2015-2035.

If adopted, the proposed Oakridge PM₁₀ Redesignation Request and 10-year Maintenance Plan and associated rule will be submitted to EPA for approval as part of Oregon's State Clean Air Act Implementation Plan.

How would the proposed Maintenance Plan address the need?

As follow-up to the Oakridge PM₁₀ Attainment Plan and as required, the maintenance plan would ensure maintaining the National Ambient Air Quality Standard (NAAQS) for PM₁₀ in the Oakridge area.

How will LRAPA know the rule addressed the need?

The PM₁₀ standard will be maintained during the 10-year maintenance period. The LRAPA air monitoring network will document that air quality in Oakridge meets the federal health standard.

Rules affected, authorities, supporting documents

Lead division

Lane Regional Air Protection Agency

Program or activity

Local air quality agency

Chapter 340 action

Amend OAR 340-200-0400

Statutory Authority - ORS				
468.020	468A.025	468A.035	468A.105	468.120
468.130				

Enter additional statutory authorities here if needed.

Statutes Implemented - ORS				
468A.035	468A.135	468A.150		

Documents relied on for rulemaking

Document title	Document location
The federal Clean Air Act, EPA guidance for the development of attainment plans, guidance for the preparation of emission inventories, and air quality modeling protocol.	www.lrapa.org Lane Regional Air Protection Agency 1010 Main Street Springfield, Oregon 97477

Fee Analysis

This rulemaking does not involve fees.

Statement of fiscal and economic impact

Fiscal and Economic Impact

The proposed maintenance plan includes emission reduction strategies that can be implemented through rules and local ordinances. The proposed changes should not create barriers to economic growth. The largest impacts of this proposed plan will be to the wood-burning homeowner, as some of the emission reduction strategies may result in increased heating costs. However, the homeowner could also experience benefits as a result of the proposed plan through the improvement of air quality in Oakridge, potentially decreasing individual health care costs such as those related to asthma.

Statement of Cost of Compliance

State and federal agencies

The proposed rule has no fiscal or economic impact on state and federal agencies. However, maintenance plan implementation would include allowing the Smoke Safety Plan allow the US. Forest Service and the Oregon Department of Forestry to conduct additional prescribed burning near the Oakridge to help defend against devastating wildfires.

Local governments

The proposed rule has no fiscal or economic impact on local governments. However, maintenance plan implementation would include LRAPA continuing to fund the local air quality program with a combination of EPA Targeted Airshed Grant (TAG) funds and local funds. This rulemaking will likely result in some direct negative economic impacts to the city government through the implementation and enforcement of the ordinance. However, the Oakridge Air Program that implements the TAG includes funding of a dedicated code enforcement officer for the City of Oakridge to offset those negative economic impacts.

Public

Heating costs: The proposed rule has no fiscal or economic impact on the public. However, maintenance plan implementation would include an existing city ordinance that increases restrictions on wood burning when weather conditions could lead to accumulation of particulate in the Oakridge area. The more curtailment (red) days called, the more costs could be accrued by wood-burning residents in terms of higher electric or oil heating costs. In the most likely scenario, a resident who burned three cords of wood and shifted to using more electric heat or other heat sources would see heating cost rise during the heating season. These heating costs are variable depending on the alternative heat source used, the number of curtailment days called during the winter heating season, the cost to purchase cordwood or the transportation costs for a homeowner to cut and haul wood. This additional

cost for non-wood fuels could be offset by the positive economic impact of lower health care costs and fewer missed work days if Oakridge is able to maintain particulate levels below standards.

Large businesses - businesses with more than 50 employees

The proposed rule has no fiscal or economic impact on the large businesses. However, maintenance plan implementation would include application of existing rules regarding new and expanding industry.

Existing industry: There are no major existing industrial sources within the affected area.

New and expanding industry: Currently, new and expanding industrial sources within the Oakridge Nonattainment Area with emissions greater than 15 tons per year of PM₁₀ are required to install pollution control equipment based on the maximum degree of reduction (taking into account economic costs and environmental impacts), known as Best Available Control Technology, and to provide emission offsets. Oakridge first became subject to more stringent requirements for PM₁₀ in 1994, when EPA designated the Oakridge area as nonattainment for PM₁₀.

Additionally, the Oakridge area then became a “Reattainment Area” for PM_{2.5} in 2018 so that any new or expanding industrial source in Oakridge is required to install Best Available Control Technology in lieu of the more potentially costly Lowest Achievable Emission Rate controls. New and expanding industrial sources are also required to obtain emission offsets (i.e., offset their emission increases with equal emission reductions from other sources) and model their emissions to demonstrate that the proposed increase from their facility will not jeopardize compliance with health standards. Costs for Best Available Control Technology controls vary widely depending on the type of process being controlled, and the associated cost of modeling analysis can range from \$4,000 to \$6,000 per model run.

These potential costs, however, are all existing costs resulting from existing requirements. This proposed maintenance plan does not impose any new additional costs for new source review.

Small businesses – businesses with 50 or fewer employees

The proposed rule has no fiscal or economic impact on the small businesses. However, maintenance plan implementation would include, like the costs summarized for large business above, potential costs that are all existing costs resulting from existing requirements. This proposed maintenance plan does not impose any new additional costs for new source review.

Cost of Compliance for Small Businesses

1. Estimated number of small businesses and types of businesses and industries with small businesses subject to proposed rule.

There is one minor LRAPA-permitted source, a rock crusher, located in the area affected by the proposed rules and plan. No new industrial rules are included in the proposal. Reasonably available control technology and fugitive dust control requirements already apply to existing facilities.

2. Projected reporting, recordkeeping and other administrative activities, including costs of professional services, required for small businesses to comply with the proposed rule.

There is no expected cost from administrative activities and other professional services required of small businesses resulting from this proposed rule.

3. Projected equipment, supplies, labor and increased administration required for small businesses to comply with the proposed rule.

Home heating retailers and installers will not face new requirements for equipment, supplies, labor or administration unless there is a need to account for the added woodstove replacements. This effect would be indirect and offset by positive economic benefits of increased sales.

4. Describe how LRAPA involved small businesses in developing this proposed rule.

LRAPA did not involve small businesses in the development of this proposed rule as there is no expected impact on small businesses and other industry in the Oakridge airshed.

Documents relied on for fiscal and economic impact

Document title	Document location
1996 Oakridge-Westfir PM ₁₀ Attainment Plan	LRAPA website: https://www.lrapa.org/DocumentCenter/View/5690/Oregon-PM10-Nonattainment-Area---1996
Oakridge-Westfir PM ₁₀ Redesignation Request and PM ₁₀ Maintenance Plan	https://www.lrapa.org/DocumentCenter/View/5779/Oakridge-Westfir-PM10-Redesignation-Request-and-Maintenance-Plan-with-appendices
LRAPA Staff Report on the 2017 Industrial Air Permitting Rules that included classifying the Oakridge area as a “Reattainment Area”	http://www.lrapa.org/DocumentCenter/View/2899/LRAPA-2017-Permitting-Rules-Staff-Report?bidId=

Advisory committee fiscal review

LRAPA did not appoint a new advisory committee for fiscal review in the development of this proposed rule as there is no expected fiscal impact or other adverse impact on small businesses and other industry in the Oakridge airshed. However, LRAPA has a standing advisory committee that meets most months. LRAPA consulted their Citizens Advisory Committee for this rulemaking and presented a summary of the changes to the committee at their March 30, 2021 meeting. The committee members that attended the meeting agreed to the proposed changes and had questions about LRAPA’s proposal.

Housing cost

As ORS 183.530 and .534 require, LRAPA evaluated whether the proposed rules would have an effect on the development cost of a 6,000-square-foot parcel and construction of a 1,200- square-foot detached, single-family dwelling on that parcel, but lacks specific information upon which it could accurately estimate potential increases. LRAPA has determined that this proposed rulemaking will have no effect on the cost of development of a 6,000 square foot parcel and the construction of a 1,200 square foot detached single family dwelling on that parcel.

Federal relationship

This section complies with OAR 340-011-0029 and ORS 468A.327 to clearly identify the relationship between the proposed rules and applicable federal requirements.

The proposed rules add requirements additional to those in federal requirements. This rulemaking imposes additional requirements to implement the applicable federal requirements for compliance with particulate standards. Section 110 of the Clean Air Act, 42 U.S.C. §7410 requires DEQ/LRAPA to adopt a maintenance plan to reduce particulate matter of 10 micrometers and less (PM₁₀) so that the Oakridge area maintains compliance with the National Ambient Air Quality Standards (NAAQS). The plan must also show the area will continue to meet NAAQS in the future and provide contingency measures in case it fails. Federal requirements mandate adoption of a plan that demonstrates the area will reach attainment of the standard; however, the specific strategies to achieve the standard are not mandated.

The Oakridge PM₁₀ Maintenance Plan is a comprehensive mixture of emission reduction strategies consisting of local ordinances, LRAPA regulations, DEQ regulations, and non-regulatory elements including incentives and education. Residential wood combustion is the most significant contributor to PM₁₀ in Oakridge. The strategies targeting reduction in woodstove emissions include: revised woodstove curtailment levels to increase number of days when burning is restricted or prohibited, requiring removal of an uncertified woodstove upon sale of a home, tightening enforcement of wood stove curtailment, opacity limit on residential woodburning emissions, and expansion of educational efforts to reduce PM₁₀ from woodsmoke. The plan also requires public agencies to avoid prescribed burning if the smoke is expected to affect Oakridge.

If listed strategies fail to maintain attainment with the standard in the Oakridge area, a set of contingency strategies would become effective. These contingency measures include a stricter green-yellow-red advisory program, and prohibition of fireplace use not only on red days but also on yellow days.

Federal requirements set by EPA outline the procedures for preparing, adopting and submitting attainment plans, but Oregon has flexibility about how to meet the standards by establishing specific requirements.

What alternatives did LRAPA consider if any?

The proposed strategies in the Oakridge area PM₁₀ maintenance plan continue the successful strategies included in the 2016 PM_{2.5} Attainment Plan. In developing the proposed strategies for the 2016 Oakridge plan, LRAPA, the advisory committee and Oakridge City officials considered a number of alternatives. The proposed strategies were recommended over alternatives based on evaluation of their technological feasibility and environmental, health, economic, and social impacts. The advisory committee recommended two sets of strategies: an initial set of strategies that brought the community into compliance with the federal PM_{2.5}

air quality standard by 2016 and a second set of contingency strategies, with stricter requirements for residents who use wood stoves, which would be implemented in the event that the federal PM_{2.5} standard is exceeded in future years. Both sets of strategies are included in the Oakridge Maintenance Plan and included in the PM₁₀ Oakridge Maintenance Plan.

Land use

Land-use considerations

In adopting new or amended rules, ORS 197.180 and OAR 340-018-0070 require DEQ to determine whether the proposed rules significantly affect land use. If so, DEQ must explain how the proposed rules comply with state wide land-use planning goals and local acknowledged comprehensive plans.

Under OAR 660-030-0005 and OAR 340 Division 18, DEQ considers that rules affect land use if:

- The statewide land use planning goals specifically refer to the rule or program, or
- The rule or program is reasonably expected to have significant effects on:
- Resources, objects, or areas identified in the statewide planning goals, or
- Present or future land uses identified in acknowledge comprehensive plans

DEQ determined whether the proposed rules involve programs or actions that affect land use by reviewing its Statewide Agency Coordination plan. The plan describes the programs that DEQ determined significantly affect land use. DEQ considers that its programs specifically relate to the following statewide goals:

Goal	Title
5	Natural Resources, Scenic and Historic Areas, and Open Spaces
6	Air, Water and Land Resources Quality
11	Public Facilities and Services
16	Estuarine Resources
19	Ocean Resources

Statewide goals also specifically reference the following DEQ programs:

- Nonpoint source discharge water quality program – Goal 16
- Water quality and sewage disposal systems – Goal 16
- Water quality permits and oil spill regulations – Goal 19

Determination

LRAPA determined that these proposed rules do not affect land use under OAR 340-018-0030 or DEQ’s State Agency Coordination Program.

EQC Prior Involvement

LRAPA shared information about a related rulemaking with the EQC at the December 9, 1996 EQC meeting where the EQC approved the Oakridge area PM₁₀ attainment plan, and at the January 18, 2017 EQC meeting where the EQC approved the Oakridge-Westfir area PM_{2.5} attainment plan.

Advisory Committee

Background

LRAPA has a standing Citizens Advisory Committee. The advisory committee provided feedback on the very similar Oakridge-Westfir PM_{2.5} Redesignation Request and PM_{2.5} Maintenance Plan at their March 30, 2021 meeting. The committee includes representatives across Lane County from industry, agriculture, public health, and the general public. The committee's webpage is located at: <https://www.lrapa.org/157/Advisory-Committee>

The committee members were:

Citizens Advisory Committee	
Name	Representing
Jim Daniels - Chair	Large Industry
Kathleen Lamberg – Vice Chair	General Public
Kelly Wood	Industry
Paul Metzler	General Public
Evelina Davidova-Kamis	Industry
Terry Richardson	General Public
Link Smith	Fire Suppression
Jeff Carman	Public Health
Jack Carter	Industry
Gery Vander Meer (Absent)	General Public
Shane Ruddell (Absent)	Agriculture

Meeting notifications

LRAPA notified people about the advisory committee's activities by:

- Posting the meeting on the LRAPA website:
 - http://www.lrapa.org/AgendaCenter/ViewFile/Agenda/_03302021-159
- Sending a one-time notice to Citizen Advisory Committee subscribers to describe how to sign up for advisory committee meeting notices, and people who signed up for the advisory committee bulletin.
- Adding advisory committee announcements to LRAPA's calendar of public meetings at [LRAPA Calendar](#).

Committee discussions

The Citizens Advisory Committee discussion began with questions of the work LRAPA has conducted in the Oakridge-Westfir to reach attainment. Questions were asked about the impact of wildfires on the airshed's ability to stay in attainment. Discussion was had on the impact on the community and if the redesignation would alter any of the home wood heating programs in Oakridge. No recommendations were made by the Citizens Advisory Committee.

Public Engagement

Public notice

LRAPA and DEQ provided notice of the proposed rulemaking and rulemaking hearing by:

- On July 30, 2021 Filing notice with the Oregon Secretary of State for publication in the August 1, 2021 Oregon Bulletin;
- Notifying the EPA by mail;
- Posting the Notice, Invitation to Comment and Draft Rules on the web page for this rulemaking, located at: <http://www.lrapa.org/270/Proposed-Rules>;
- Emailing 20,788 interested parties on the following DEQ lists through GovDelivery:
 - Rulemaking
 - Air Quality Maintenance Plans
 - DEQ Public Notices
 - New Source Performance Standards and National Emissions Standards for Hazardous Air Pollutants
- Emailing 232 stakeholders on the LRAPA Rulemaking list NotifyMe
- Emailing the following key legislators
 - Senator Peter Courtney
 - Senator Lee Beyer
 - State Representative Tina Kotek
 - Representative Pam Marsh
- Emailing advisory committee members,
- Posting on the LRAPA event calendar: [DEQ Calendar](#)
- Enter other notices here
- Publishing notice in the following newspapers:
 - Register Guard (Eugene) August 1, 2021
 - Highway 58 Herald (Oakridge) August 1, 2021

Public Hearing

LRAPA held one public hearing. LRAPA received no comments at the hearing. Later sections of this document include a summary of the 2 comments received during the open public comment period, LRAPA's responses, and a list of the commenters. Original comments are on file with LRAPA.

Prior to the hearing on September 9, 2021, DEQ authorized LRAPA on behalf of the Environmental Quality Commission under OAR 137-001- 0030, Conduct of Rulemaking Hearings, to act as Hearings Officer for the public comment process of adopting these proposed plans as revisions to the State of Oregon Clean Air Act Implementation Plan. In the same letter dated September 7, 2021, DEQ also determined the maintenance plan to be at least as stringent as comparable maintenance plans previously developed and adopted by DEQ.

Presiding Officers' Record

Hearing

Date	September 9, 2021
Place	Via Zoom
Start Time	12:33 PM
End Time	12:43 PM
Presiding Officer	Board Chair Joe Pishioneri

Presiding Officer:

The presiding officer convened the hearing, summarized procedures for the hearing, and explained that LRAPA was recording the hearing. The presiding officer asked people who wanted to present verbal comments to sign the registration list, or if attending by phone, to indicate their intent to present comments. The presiding officer advised all attending parties interested in receiving future information about the rulemaking to sign up for GovDelivery email notices.

As Oregon Administrative Rule 137-001-0030 requires, the presiding officer summarized the content of the rulemaking notice.

No person presented any oral testimony or written comments.

Summary of Public Comments and LRAPA Responses

Public comment period

LRAPA accepted public comment on the proposed rulemaking from August 1, 2021 until 12:43 p.m. on September 9, 2021.

For public comments received by the close of the public comment period, the following table organizes comments into 4 categories with cross references to the commenter number. LRAPA’s response follows the summary. Original comments are on file with LRAPA.

LRAPA changed the proposed rules in response to comments described in the response sections below.

Summary of Public Comment and Agency Response
Title of Rulemaking: Oakridge PM₁₀ Maintenance Plan and Redesignation Request
Prepared by: LRAPA Staff and Merlyn Hough **Date:** October 8, 2021

<i>Comment Period</i>	The public comment period opened on Sunday, August 1, 2021, and closed on Thursday, September 9, 2021.
<i>Organization of comments and responses</i>	This document summarizes public comment received and LRAPA’s responses on Oakridge PM ₁₀ Maintenance Plan and Redesignation Request. A public hearing was held at the LRAPA Board meeting on September 9, 2021. Comments are summarized by issue category. All persons who provided comments are listed at the back of this document and the comment/response number follows each commenter.
<i>Total Number of Comments</i>	2 comments were received during the comment period.

1. Clarifications
a. Executive Summary
<p><i>1.a.) Comment:</i> Executive Summary</p> <ul style="list-style-type: none"> • The motor vehicle emission PM₁₀ budget (Table 16) for 2015 is lower than the 2015 MVEB for PM 2.5; Appendix IV explains this is due to different PM₁₀ and PM_{2.5} nonattainment boundaries and we recommend including that explanation in the Executive Summary, as well. • Include the 2006 24-hour PM_{2.5} standard within the contingency statement for a future reader’s quick reference to contingency triggers. <p><i>Response:</i> LRAPA added an explanation in Section 7 -Transportation Conformity of the maintenance plan and Appendix IV about the difference between the 2015 motor vehicle emission budget (MVEB) in</p>

the Executive Summary and Appendix IV being due to the different attainment boundaries for PM10 and PM2.5. LRAPA also “(35 µg/m³)” to the Section 8.3 Contingency Plan.

b. Motor Vehicle Emissions Budget

1.b.) Comment: Appendix IV Motor Vehicle Emissions Budget

- Fix “Error! Reference source not found” on p. 2
- Consider including verification that PSU forecast used is approved by Oregon Office of Economic Analysis, as required by Executive Order No 97-22.
- Include the safety margin calculation and show how motor vehicle budget connects with the overall PM2.5 budget and meeting NAAQS attainment.

Response: *LRAPA fixed the reference error on page 2, added details and verification about the PSE population growth forecast, and added links to the MOVES input files and provided more detail on the safety margin calculation in how it relates to the Motor Vehicle Emission Budget (MVEB).*

2. Clarifications for plan

a. General Comments

2.a.) Comment: General Comments:

- The PM10 nonattainment area is the **Oakridge Urban Growth Boundary (UGB) Area** as defined in 40 CFR § 81.338. The maintenance plan refers to the area as the Oakridge-Westfir PM10 area throughout the plan. This may not be appropriate.

Response: *LRAPA agrees and replaced “Oakridge-Westfir” with “Oakridge” where appropriate as suggested.*

b. Background

2.b.) Comment: Background (section 2, page 8):

- The purpose of the sentence at the bottom of this page is unclear - “The area of applicability for the maintenance plan is larger than the Oakridge UGB PM10 (Figure 2) and includes an area that contains the City of Oakridge and the small town of Westfir.” Please explain what this statement means to the maintenance plan, attainment and projected emission inventories, and the motor vehicle emissions budget.
- Please refer to particles >10 µm in diameter as something other than “coarser-sized”, as PM coarse is used to refer to PM10-PM2.5. Merlyn/Lance to look for these use “>10 µm”

Response: *LRAPA added an explanation about how the different nonattainment boundaries for PM2.5 and PM10 result in different aspects to the maintenance plans, emission inventories and MVEB and used different terminology when referring to particles >10 µm.*

c. Monitoring (section 4)

2.c.) Comment: Monitoring (section 4):

- The sentence at the top of page 13, “LRAPA is proposing to replace the current PM10 monitoring with PM2.5 monitoring as a surrogate method upon approval of this PM10 redesignation request and PM10 maintenance plan,” needs to be revised to reflect that the maintenance plan is the first step in getting approval for monitor removal. The maintenance plan should provide a specific, reproducible approach for representing PM10 air quality impacts in the absence of actual PM10 monitoring data, such as an explanation of the PM2.5 surrogate method to be used for verification of continued attainment.
- The maintenance plan should point to the Oregon Annual Network Plan (ANP) process for future approval of monitor removal.

- The maintenance plan should state the monitoring network approved in the ANP is what LRAPA commits to maintaining.

Response: LRAPA revised the monitoring language in Section 4 Air Quality Monitoring as suggested.

d. Use of PM2.5 Monitoring as a Surrogate for PM10 Monitoring in the Future (section 4.2)

2.d.) Comment: Use of PM2.5 Monitoring as a Surrogate for PM10 Monitoring in the Future (section 4.2):

- In establishing a PM2.5 surrogate method as a specific, reproducible approach for representing PM10 conditions, please provide the following items as justification, in line with similar previous justification demonstrations:
- Background on PM10 emission trends in the area.
- Background on ambient PM10 concentrations in the area (i.e., annual DVs).
- The fraction of PM10 that is PM2.5. Please reconsider the current approach of graduated bins, as the linear regression for “All PM Data” is disproportionately influenced by the few high values.
- A scatter plot of PM10 vs. PM2.5 showing the linear regression and correlation coefficient.
- The equation for the linear regression.
- If there are substantial seasonal or event-driven (e.g., wildfire smoke) differences in the PM10 to PM2.5 relationship, include analysis of the fraction of PM10 that is PM2.5, scatter plot, and linear regression for each case. If the PM2.5 to PM10 relationships are different under different circumstances, include a justification for using one over the others.
- Statement of the PM2.5 levels that correspond to PM10 contingency measure triggers in the maintenance plan.

Response: LRAPA revised Section 4.2 as suggested.

e. Emission Inventories (section 5)

2.e.) Comment: Emission Inventories (section 5):

- Footnote number 4 in Table 3 appears missing in the body of the table.
- Please provide supporting documentation for using a curtailment effectiveness of 25 percent
- It should be noted, in section 5.1 second sentence and throughout the document, that all groups excluding VOC were determined to be below the EPA Region 10 insignificance thresholds.
- Should section 5.2 be titled, “Condensable and Filterable PM10 Emissions” vs PM2.5 Emissions?

Response: LRAPA: added a reference to footnote number 4 in the body of the table; a reference to the [EPA Guidance Document for Residential Wood Combustion Emission Control Measures \(EPA-450/2-89-015\)](#) to Appendix III -Future Inventories; clarified that VOC was also a precursor that was determined to be below the EPA Region 10 insignificance thresholds; and, corrected the title of Section 5.2 to include PM10 in lieu of PM2.5.

f. Air Pollution Control Strategies (section 6):

2.f.) Comment: Air Pollution Control Strategies (section 6):

- In order to approve a redesignation to attainment, section 107(d)(3)(E)(iii) of the CAA requires the EPA to determine that the improvement in air quality is due to emissions reductions that are permanent and enforceable and that the improvement results from the implementation of the applicable SIP and applicable federal air pollution control regulations and other permanent and enforceable regulations. Section 6 mentions the control strategies from the 1996 PM10 attainment plan but does not specifically speak to them and their contribution to the improvement

in air quality and their implementation status (e.g., the voluntary woodstove curtailment program, the grant funded buyback program, road sanding agreements and the paving of unpaved streets). These control strategies were all SIP approved and, as such, need to be included in the showing that “actual enforceable emission reductions are responsible for the air quality improvement.”

Response: LRAPA added a list of key control measures to Section 6 as suggested and confirmed the continued commitment from ODOT to use anti-icing chemicals to minimize the use of abrasives for traction in winter weather events. Jim Gamble, District 5 Manager of ODOT provided LRAPA a letter in that regard dated September 20, 2021.

g. Maintenance of Air Quality Health Standards (section 8):

2.g.) Comment: Maintenance of Air Quality Health Standards (section 8):

- The first bullet commits to operation of the PM10 monitoring network during 2021-2035. If you would like the flexibility to remove the PM10 monitor in the future, please commit to continued operation of the PM10 monitoring network consistent with the approved Oregon ANP.
- Please coordinate section 8.2 *Verification of Continued Maintenance of Standards* with section 4.2 *Use of PM2.5 Monitoring as a Surrogate for PM10 Monitoring in the Future* regarding the reproducible approach for removing the PM10 monitor. The PM2.5 surrogate method for demonstrating verification of continued maintenance of the PM10 standard needs to be explained in this section.
- Please provide a statement that LRAPA will coordinate with ODEQ to submit annual “Verification of Continued Attainment” documentation once the PM2.5 surrogate method is implemented. Max added this statement in Section 8.1
- Please coordinate section 8.3 *Contingency Plan* with section 4.2 *Use of PM2.5 Monitoring as a Surrogate for PM10 Monitoring in the Future* regarding the reproducible approach for removing the PM10 monitor. The PM2.5 surrogate trigger level for a 24-hour PM10 violation needs to be clearly identified.

Response: LRAPA revised the language in Section 8 to reference the Oregon Annual Network Plan (ANP) as suggested; LRAPA did not revise Section 8.2 but will continue with PM10 monitoring until the EPA approval of the ANP; added the suggested language about the “Verification of Continued Attainment” in Section 8.1; and, revised Sections 8.3 and 4.2 as suggested.

	Commenter	Affiliation	Comment Response #
1	Oregon Department of Environmental Quality (DEQ) Air Quality Division Karen Font Williams – Air Quality Planner	DEQ Air Quality Division 700 NE Multnomah Street, Suite 600 Portland, Oregon 97232	1.a. – 1.b.
2	United States Environmental Protection Agency (US EPA) – Air and Radiation Division Karl Pepple – Acting Section Chief	US EPA Region 10 1200 Sixth Avenue, Suite 155 Seattle, Washington 98101	2.a. – 2.g.

Re-Entrained Road Dust in the MVEB: It was discovered after LRAPA Board adoption and prior to proposed adoption by the EQC on November 18, 2021 that EPA regulations require the Motor Vehicle Emission Budget (MVEB) to include PM₁₀ from Re-Entrained

Road Dust. LRAPA revised the MVEB on November 5, 2021 to include Re-Entrained Road Dust and showed that the increases are still less than the MVEB.

Implementation

Notification

The critical elements of the proposed plan are already in effect under the City of Oakridge Air Pollution Control Ordinances and ongoing programs of the Lane Regional Air Protection Agency (LRAPA).

The proposed rules would become effective upon filing on approximately November 22, 2021 and would be submitted to EPA immediately thereafter. DEQ would notify LRAPA by email, and LRAPA would similarly notify the City of Oakridge.

Compliance and enforcement

LRAPA and Oakridge staff are already trained in the air monitoring, forecasting, compliance, enforcement and reporting functions necessary for implementation of the proposed plan.

Measuring, sampling, monitoring and reporting

The PM₁₀ standard will be maintained during the 10-year maintenance period. The LRAPA air monitoring network will document that air quality in Oakridge meets the federal health standard.

Five Year Review

Requirement

Oregon law requires DEQ to review new rules within five years after EQC adopts them. The law also exempts some rules from review. DEQ determined whether the rules described in this report are subject to the five-year review. DEQ based its analysis on the law in effect when EQC adopted these rules.

Exemption from five-year rule review

The Administrative Procedures Act exempts all of the proposed rules from the five-year review because the proposed rules would amend or repeal an existing rule. ORS 183.405(4).

Accessibility Information

You may review copies of all documents referenced in this announcement at:

Lane Regional Air Protection Agency

1010 Main Street

Springfield, OR, 97477

To schedule a review of all websites and documents referenced in this announcement, call Robbye Robinson, PHONE NO. 877-285-7272, ext. 214 (toll-free) or Max Hueftle, PHONE NO. 877-285-7272, ext. 231.

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.state.or.us.