

# Air Toxics Alignment Rulemaking

## Rulemaking Overview



State of Oregon  
Department of Environmental Quality



DEQ is conducting a rulemaking to integrate its two programs that address toxic air contaminants:

- **Cleaner Air Oregon** [[OAR 340-245](#)]
- **The Oregon State Air Toxics Program** [[OAR 340-246](#)]

Cleaner Air Oregon, adopted in 2018, is a regulatory program that reduces health risk from industrial sources by setting health-based emission limits. The Oregon State Air Toxics Program, adopted in 2003, is an advisory program that assesses health risks from all sources of toxic air contaminants. This rulemaking aligns the two air toxics programs to address inefficiencies within each program and ensures consistent application of the best available science in current and future air toxics efforts.

## What are the rulemaking priorities?

### Updating the process for setting and revising toxicity values for toxic air contaminants

Currently, Cleaner Air Oregon and the Oregon State Air Toxics Program maintain separate lists of toxic air contaminants and toxicity values (e.g., TRVs, and ABCs). This rulemaking proposes to integrate these two lists of toxicity values and improve the process for setting and updating these values. Creating a common set of values for DEQ's air toxics programs will strengthen DEQ's air toxics programs and make the process for updating them more efficient.

### Aligning the Oregon State Air Toxics Program and the recently established Cleaner Air Oregon Program

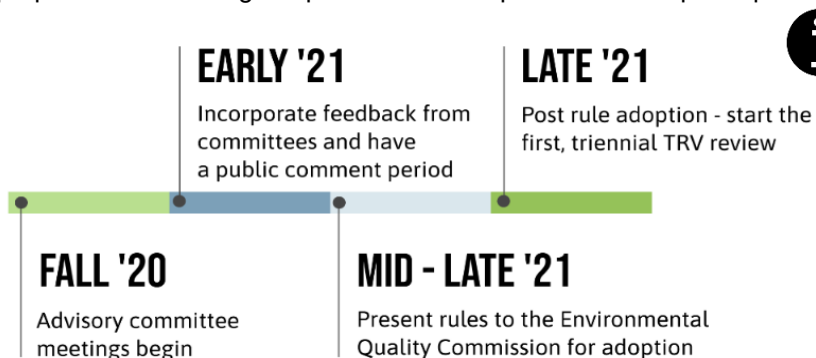
The Oregon State Air Toxics Program needs to be updated to refer to the common set health risk-based values and processes, and to remove rules made redundant by the passage of Cleaner Air Oregon in 2018. The Oregon State Air Toxics Program set valuable groundwork for the Cleaner Air Oregon Program. DEQ proposes new rules to streamline existing processes, remove outdated requirements and continue supporting future work in air toxics that is based on the best science available.

### Clarifying certain CAO requirements for facilities and address inefficiencies in the risk assessment process

A final component of this rulemaking relates to how Cleaner Air Oregon assesses risk from industrial sources. Implementation of existing CAO rules in Division 245 has surfaced unintended gaps and unclear requirements in the risk assessment process. DEQ and OHA want to address the identified inefficiencies early on so that the program can be set up for success as more facilities are called in to the program. Addressing these gaps will create clear expectations for facilities and ensure a comprehensive risk assessment.

## What is the proposed timeline for this rulemaking?

Here is our proposed schedule for this rulemaking. We encourage all Oregonians to provide us with feedback on the proposed rules during the public comment period. We will post updates on how to get involved on our website.



### For more information:

[ORDEQ.org/AirToxics2021](https://www.oregon.gov/DEQ/AirToxics2021)

- Find factsheets on toxicity values (TRVs and ABCs)
- Find an up-to-date timeline for this rulemaking process
- Learn how to send in feedback during the public comment period

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