



DEQ Rulemaking Calendar and Plan

May 14, 2025



This document was prepared by
Oregon Department of Environmental Quality
Policy and External Affairs
700 NE Multnomah Street, Suite 600
Portland Oregon, 97232

Contact: Emil Hnidey
hnidey.emil@deq.state.or.us
Phone: 503-568-0376
www.oregon.gov/deq



Translation or other formats

[Español](#) | [한국어](#) | [繁體中文](#) | [Русский](#) | [Tiếng Việt](#) | [العربية](#)
800-452-4011 | TTY: 711 | deqinfo@deq.oregon.gov

Non-discrimination statement

DEQ does not discriminate on the basis of race, color, national origin, disability, age or sex in administration of its programs or activities. Visit DEQ's [Civil Rights and Environmental Justice page](#).

Table of Contents

Information and contacts	2
Summary	3
2025 EQC Meeting Schedule:	4
Rules adopted since last report:	4
May 2025	4
Willamette River Mainstem and Major Tributaries TMDL	4
Underground Storage Tanks 2025	4
Pending rulemakings	5
Planned EQC May 2025	6
Planned EQC July 2025	6
3) Clean Truck Rules 2025 (Permanent)	6
Planned EQC September 2025	6
4) Onsite 2025	6
5) PFAS 2025	7
Planned EQC November 2025	7
6) Volatile Organic Compounds (VOCs) 2025	7
7) Clean Air Oregon Toxic Air Contaminant Review 2025	7
8) Three Basin Rule 2025	8
Planned EQC January 2026	9
9) Rogue River Basin temperature TMDL	9
10) John Day River Basin temperature TMDL	9
Rulemakings delegated to the DEQ Director:	9
11) Air Quality Rules to Address Federal Regulations 2024	9
12) Water Quality Fees 2025	10
13) Air Quality Fees 2025	10
Rulemakings with no EQC date	11
14) Coquille Subbasin Bacteria, Dissolved Oxygen and Temperature TMDLs	11
Links	12
Proposed and Filed Rules	12
EQC Meetings	12

Information and contacts

If you have questions about a specific rulemaking, you may contact the subject matter expert listed for that rulemaking.

If you have other questions about DEQ rulemaking, contact the Rules Coordinator, Emil Hnidey, at emil.hnidey@deq.oregon.gov or 503-568-0376.

Summary

The Oregon Department of Environmental Quality uses Oregon Administrative Rules to implement Oregon laws. The Environmental Quality Commission has the legal authority to adopt rules that DEQ enforces.

A committee of DEQ's leadership team and the director review all proposed rulemaking concepts and considers how each concept aligns with DEQ priorities. They then determine whether to:

1. Add the concept to the DEQ Rulemaking Plan,
2. Postpone developing the rulemaking concept, or
3. Deny additional work on the concept.

2025 EQC Meeting Schedule:

- January 9-10
- March 13-14
- May 8-9
- July 10-11
- September 11-12
- November. 13-14

Rules adopted since last report:

May 2025

Willamette River Mainstem and Major Tributaries TMDL

In 2013, the United States Environmental Protection Agency disapproved the Natural Conditions Criterion contained in Oregon's water quality standard for temperature due to the 2012 U.S. District Court decision for *NWEA v. EPA*, 855 F. Supp. 2d 1199 (D. Or., 2012). This portion of the temperature water quality standard was used in most temperature TMDLs issued from 2003 through 2012. On Oct. 4, 2019, the U.S. District Court issued a judgment for *NWEA v. EPA*, No. 3:12-cv-01751-HZ (D. Or., Oct. 4, 2019) and required DEQ and USEPA to replace 15 Oregon temperature TMDLs that were based on the Natural Conditions Criterion and to reissue the temperature TMDLs based on the remaining elements of the temperature water quality standard.

This proposed rulemaking is to develop the **Willamette River mainstem and major tributaries** Total Maximum Daily Load (TMDL) for temperature for the Temperature TMDL Replacements under court order.

Underground Storage Tanks 2025

The intent of this rulemaking is to improve the safety of underground storage tank (UST) systems by increasing DEQ oversight of the work that UST service providers and supervisors perform on UST systems, and by ensuring that those who work on UST equipment demonstrate a minimum competency in performing that work. The rules governing UST service providers were updated in 2003, and do not reflect the newer requirements for testing of UST equipment that were updated in Oregon in 2018 and implemented in 2020.

Pending rulemakings

There are 12 pending rulemakings in the current DEQ Rulemaking Plan. The table below provides the current schedule for each.

May 9, 2025	2025											
	M	J	J	A	S	O	N	D	J	F	M	A
Legislative Session EQC Meeting												
	E		E		E		E					
1. Clean Truck Rules 2025 (Permanent)			E									
2. Onsite 2025					E							
3. PFAS 2025					E							
4. Volatile Organic Compounds (VOCs) 2025	H				E							
5. Cleaner Air Oregon TRV 2025	N	H					E					
6. Three Basin Rule 2025	A	A	N	H			E					
7. Rogue River Basin temperature TMDL		N	H									
8. John Day River Basin temperature TMDL		N	H									
9. AQ Rules to Address Federal Regulations												
10. Water Quality Fees 2025	H		D									
11. Air Quality Fees 2025	H		D									
12. Coquille TMDL - TBD												
A – Advisory Committee N – Providing Notice (opening comment period) H – Public Hearing E – EQC Meeting D – Director Delegated Decision												

Planned EQC May 2025

Planned EQC July 2025

3) Clean Truck Rules 2025 (Permanent)

Subject Matter Expert: Eric Feeley

Eric.FEELEY@deq.oregon.gov

503-915-2798

The proposed rules makes revisions to both the Advanced Clean Trucks Rule and the Heavy Duty Low Nox Omnibus rule. The Advanced Clean Trucks Rule requires manufacturers of medium and heavy duty trucks to produce and deliver for sale an increasing percentage of zero emission vehicles, starting with the 2025 model year in Oregon. The Heavy Duty Low Nox Omnibus rule requires manufacturers of heavy-duty engines to meet more stringent emissions requirements. Oregon adopted both of these California rules by reference back in 2021. The proposed rule would incorporate minor amendments to California's Advanced Clean Truck Rule which include additional compliance flexibilities for truck manufacturers. The rule would also delay the start of the Low Nox Omnibus rule from 2025 to 2026. This one-year delay would make the temporary rules previously adopted by the EQC permanent.

DEQ plans to:

- Hold an advisory committee meeting February 2025
- Publish the notice of rulemaking and open the public comment period in March 2025
- Hold a public hearing in April 2025

Planned EQC September 2025

4) Onsite 2025

Subject Matter Expert: Kyle Nelson

kyle.nelson@deq.oregon.gov

503-781-7376

The intent of this rulemaking is to address sewer availability and ADU issues prompted by bills enacted by the 2023 Legislature, and to generally modernize, clarify and improve program rule language, including enhancing environmental protection in high-risk areas. The last substantial onsite program rule changes occurred in 2014.

DEQ plans to:

- Hold advisory committee meetings between November 2024 and January 2025

- Publish the notice of rulemaking and open the public comment period in April 2025
- Hold a public hearing in May 2025

5) PFAS 2025

Subject Matter Expert: Sarah Van Glubt

Sarah.VanGlubt@deq.oregon.gov

503-709-8253

This rulemaking proposes to include two per- and polyfluoroalkyl substances (PFAS), perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS), including their salts and structural isomers, in the definition of hazardous substances in Oregon Administrative Rule (OAR) 340-122-0115 (30) which would give the Department authority to require investigation and removal and remedial actions of PFOA and PFOS releases and align with the US Environmental Protection Agency's (EPA) approach. PFOA and PFOS are among the most commonly detected PFAS, are known or suspected carcinogens, and have been shown to exhibit toxicity effects to humans and wildlife even at low levels of exposure.

DEQ plans to:

- Hold advisory committee meetings between November 2024 and January 2025
- Publish the notice of rulemaking and open the public comment period in March 2025
- Hold a public hearing in April 2025

Planned EQC November 2025

6) Volatile Organic Compounds (VOCs) 2025

Subject Matter Expert: Farrah Fatemi

Farrah.Fatemi@deq.oregon.gov

503-915-5671

This rulemaking will reduce emissions of volatile organic compounds (VOCs) from consumer products and architectural and industrial maintenance (AIM) coatings. This rulemaking is part of efforts in the Air Quality Division to reduce key pollutants that impact public health, and impact the State's ability to meet federal Air Quality standards.

DEQ plans to:

- Hold advisory committee meetings between August 2024 and April 2025
- Publish the notice of rulemaking and open the public comment period in June 2025
- Hold a public hearing in July 2025

7) Clean Air Oregon Toxic Air Contaminant Review 2025

Subject Matter Expert: Megan Duenas

megan.duenas@deq.oregon.gov

503-887-7934

Every three years DEQ and OHA must review the Priority Air Contaminant List and Toxicity Reference Values found in OAR 340-247-8010 and 340-247-8020 and update if needed. This is the first time this rule is being implemented under the new rules approved by EQC in November 2021, the Air Toxics Alignment Rulemaking. In the Air Toxics Alignment Rulemaking, the TRVs were split from the Risk Based Concentrations (RBCs), with the TRVs existing in Chapter 340 Division 247. CAO has worked with the same TRVs since its creation and have not been updated since 2018. Currently, the agencies are finalizing the review process and asking for feedback from the ATSAC before making determinations on TRV values.

DEQ plans to:

- Hold an advisory committee meeting in April 2025
- Publish the notice of rulemaking and open the public comment period in May 2025
- Hold a public hearing in June 2025

8) Three Basin Rule 2025

Subject Matter Expert: Aron Borok

Aron.BOROK@deq.oregon.gov

503-229-5050

DEQ is proposing to revise the Three Basin Rule (OAR 340-041-0350), as directed by EQC on Nov. 21, 2024, to allow NPDES permits in limited circumstances according to the stated objectives of the rule. The Three Basin Rule applies to the Clackamas, North Santiam and McKenzie basins.

The Three Basin Rule was adopted in 1976 as part of Oregon's initial water quality standards under the Clean Water Act, primarily to protect drinking water supplies for downstream communities by prohibiting any new waste discharges into the three basins. The rule last underwent major revisions in 1995. Prior to 1995, past implementation was inconsistent, as documented in a University of Oregon Law School report on the rule. Since 1995, the rule's provisions only allow DEQ to issue Water Pollution Control Facility permits, which allow discharge to groundwater or land application, or certain types of NPDES permits, such as construction stormwater or non-contact cooling water. However, because of a 2020 Supreme Court decision, a wastewater discharge to groundwater that could reach surface water through a subsurface connection would require an NPDES permit. Marion County is concerned that the proposed wastewater treatment plant being planned in Mill City would reach the North Santiam River and would require an NPDES permit, which isn't allowed by the Three Basin Rule.

DEQ plans to:

- Hold an advisory committee meetings between March and June 2025
- Publish the notice of rulemaking and open the public comment period in July 2025
- Hold a public hearing in August 2025

Planned EQC January 2026

9) Rogue River Basin temperature TMDL

Subject Matter Expert: Michele Martin

Michele.Martin@deq.oregon.gov

503-880-7737

This proposed rulemaking is to develop the Rogue River Basin Total Maximum Daily Load (TMDL) for temperature for the Temperature TMDL Replacements under court order.

DEQ plans to:

- Hold advisory committee meetings between February and April 2025
- Publish the notice of rulemaking and open the public comment period in June 2025
- Hold a public hearing in July 2025

10) John Day River Basin temperature TMDL

Subject Matter Expert: Michele Martin

Michele.Martin@deq.oregon.gov

503-880-7737

This proposed rulemaking is to develop the John Day River Basin Total Maximum Daily Load (TMDL) for temperature for the Temperature TMDL Replacements under court order.

DEQ plans to:

- Hold advisory committee meetings between February and April 2025
- Publish the notice of rulemaking and open the public comment period in June 2025
- Hold a public hearing in July 2025

Rulemakings delegated to the DEQ Director:

11) Air Quality Rules to Address Federal Regulations 2024

Subject Matter Expert: Dan DeFehr
Rulemaking Plan 2024

503-875-5520

This rulemaking is to meet DEQ's obligations to U.S. EPA under the Clean Air Act and Performance Partnership Agreement by adopting rules every two years which implement amended and updated federal regulations in Oregon that have been promulgated by EPA. The purpose of this rulemaking is to ensure that Oregon's rules are updated to align with the most recently updated federal regulations.

12) Water Quality Fees 2025

Subject Matter Expert: Jason Siimpson

Jason.Simpson@deq.oregon.gov

503-995-4054

The Water Quality program needs to increase fees by 3% in 2025 for fiscal year 2026, as provided in ORS 468B.051. Per statute, the amount of the increase may not exceed the anticipated increase in the cost of administering the program or 3%, whichever is lower. The proposed fees will cover costs associated with sustaining current service levels for water quality programs. Without this increase, DEQ may need to reduce staff. In 2015, the Oregon Legislature commissioned an independent third-party consultant to evaluate the permitting program's backlog of permits (19% of permits were current in 2018). Since the incorporation of the recommendations, the backlog of permits has decreased significantly with 50% being current. A reduction of staff will hinder additional progress and could cause the backlog to grow again. Therefore, DEQ proposes amending rules to increase water quality fees by 3% above 2025 fees.

DEQ plans to:

- Hold an advisory committee meeting February 2025
- Publish the notice of rulemaking and open the public comment period in April 2025
- Hold a public hearing in May 2025

13) Air Quality Fees 2025

Subject Matter Expert: Tim Wollerman

Tim.WOLLERMAN@deq.oregon.gov

503-875-4965

The Air Quality program needs to increase fees, as provided in ORS 468A.315, 468A.345 and 468A.750, to maintain current service levels. Per statute, the amount of the increase may not exceed the anticipated increase in the cost of administering the program or 3%, whichever is lower. Programs included in this fee increase include:

- Title V
- Cleaner Air Oregon
- Asbestos

This rulemaking implements increases already authorized by the legislature for the agency's 2023-2025 biennial budget. The rulemaking does not include any proposed fees under consideration during the 2025 legislative session.

DEQ plans to:

- Hold an advisory committee meeting February 2025
- Publish the notice of rulemaking and open the public comment period in April 2025
- Hold a public hearing in May 2025

Rulemakings with no EQC date

14) Coquille Subbasin Bacteria, Dissolved Oxygen and Temperature TMDLs

Subject Matter Expert: Bryan Duggan

Bryan.DUGGAN@deq.oregon.gov

503-367-3400

DEQ is conducting a rulemaking to establish Total Maximum Daily Loads to address the impairments to water quality standards and beneficial uses in surface waters in the Coquille Subbasin (South Coast Basin). These impairments are caused by excess bacteria and temperature and inadequate dissolved oxygen and are addressed by identifying and quantifying sources of pollutants affecting these parameters. This rule will also establish a water quality management plan that includes pollutant management strategies, a list of parties responsible for developing management plans and implementing strategies, and a timeline to reduce pollutant loads and attain water quality standards.

DEQ plans to:

- Hold advisory committee meetings 2023
- Publish the notice of rulemaking and open the public comment period in late 2023
- Hold a public hearing in early 2024

Links

Proposed and Filed Rules

DEQ's rules web page lists proposed and adopted rules.

[DEQ Rulemakings](#)

EQC Meetings

EQC meeting dates, locations and agendas are on the commission web page.

Meeting agendas include rulemaking staff reports that describe DEQ's rulemaking proposal, the process used to develop the proposed rules and the draft rules showing the proposed changes.

[EQC Meetings](#)