



PFAS 2025

Advisory Committee Charter

Rulemaking Contact: Sarah Van Glubt

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Translation and other formats

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Objectives and scope

Policy objectives

The PFAS 2025 Advisory Committee's purpose is to provide input to the Department of Environmental Quality on proposed rulemaking DEQ is undertaking to include perfluorooctanoic acid (PFOA) and perfluorooctane sulfonic acid (PFOS), including their salts and structural isomers, in the definition of hazardous substances in Oregon Administrative Rule (OAR) 340-122-0115 (30). No language changes to the rule are proposed. OAR 340-122-0115 (30) references the US Environmental Protection Agency's (EPA) list of hazardous substances in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). At the time Oregon's hazardous substances rules were last updated (March 2006), PFAS were not included in EPA's list of CERCLA hazardous substances. EPA designated PFOA and PFOS as CERCLA hazardous substances in May 2024. By updating this rule, DEQ will readopt the EPA's current list of hazardous substances, including PFOA and PFOS. This rulemaking will give the Department the authority and discretion to require investigation and assessment of risk at PFOA and PFOS release sites and remediation where necessary to protect present and future public health, safety and welfare, and the environment. The Advisory Committee will provide DEQ input on the fiscal, economic, and racial equity implications for parties and communities impacted by the proposed rules.

Fiscal, economic and racial equity impacts

ORS 183.333 requires that DEQ ask the committee to consider the fiscal and economic impact of the proposed rules including:

- Whether the rules will have a fiscal impact, and if so, what the extent of that impact will be.
- Whether the rules will have a significant adverse impact on small businesses, and if so, how DEQ can reduce the rules' negative fiscal impact on small businesses.

ORS 183.333 (a)(F) requires agencies to provide a statement identifying how adoption of the rule(s) will affect racial equity in Oregon. To aide in crafting this statement DEQ will ask the committee to provide input on this question.

Roles

DEQ facilitator

The facilitator:

- Encourages open, candid and robust dialogue;
- Starts and ends the meetings and agenda items on time;
- Encourages innovation by listening to all ideas;
- Tries not to lose good ideas to the consensus process; and

- Recognizes when the discussion is outside the scope of the meeting and steers the discussion back to the focus of the meeting.

Committee members

Advisory committee members must attend each meeting to ensure continuity throughout the process. An alternate may be assigned if needed. However, it is each committee member's responsibility to fully brief their alternate on all relevant issues and prior committee discussions in order to meet the meeting objectives and keep the project on schedule. The primary and alternate members of the committee cannot participate in the same meeting. If a member's absence is unavoidable, please notify the DEQ project manager.

The committee member:

- Prepares for and sets aside time for the meetings;
- Provides DEQ staff with copies of relevant research and documentation cited during the meeting;
- Stays focused on the specific agenda topics for each meeting;
- Comments constructively and in good faith;
- Consults regularly with constituencies to inform them on the process and gather their input;
- Treats everyone and their opinions with respect;
- Allows one person to speak at a time;
- Is courteous by not engaging in sidebar discussions; and
- Avoids representing to the public or media the views of any other committee member or the committee as a whole.

Non-committee member attendees

Those who attend the committee meetings but are not members of the committee are there only to observe and not to actively participate. If non-committee members are present at a meeting, DEQ may allow time during the meeting for their input.

DEQ staff

DEQ is committed to making the most effective use of committee member's time by:

- Establishing clear committee goals, meeting objectives and agendas;
- Giving committee members reasonable access to staff;
- Encouraging all members to take part in discussions; and
- Providing a clear description of members' roles, the committee timeline, the level of agreement expected and feedback on how members' input is used.

DEQ support and website

DEQ will post agenda and meeting materials on the advisory committee website at least one week in advance. DEQ administrative staff will provide meeting summaries that highlight committee discussions, different perspectives and input of committee members. DEQ will not prepare a formal committee report. DEQ will send draft meeting summaries to the advisory committee for review and input. Final meeting minutes will be posted to the advisory committee website and will be part of the public record.

The advisory committee charter, a full roster of the committee, meeting agendas and minutes, and background materials will all be located on the advisory committee [webpage](#).

Committee meetings

1. All committee meetings will be:
 - open to the public, although the committee can choose whether the public can actively participate in committee meetings
 - advertised on DEQ's webpage calendar two weeks before the meeting at: [DEQ Event Calendar](#)
 - [noticed by email](#) to the PFAS GovDelivery list
 - accessible via Zoom webinar
2. The committee is expected to meet two times at between October 2024 and February 2025, by virtual means (Zoom webinar or other). The meeting duration times may vary depending on topics and committee progress.
3. Meeting materials and agenda will be posted to the advisory committee webpage.

Decision making

The committee does not have any decision-making responsibilities. Rather, the committee's discussions will be used by DEQ in forming its draft rule, which will then be proposed for broader public review and comment as part of DEQ's rulemaking process.

When DEQ shares information with the group, DEQ will allow a reasonable timeframe for comments during and after meetings. Committee members are welcome to provide input throughout this process.

Membership

In convening this committee, DEQ selected members that reflect the range of parties and communities the proposed rules affect, both directly and indirectly. Representatives should be able to consider the policy, fiscal, economic, and racial equity impact of the proposed rulemaking on the entity, community, business, or organization they represent.

Name	Affiliation	Alternate Name
Negonnekodoqua Blair	Confederated Tribes of the Umatilla Indian Reservation	<i>Pending</i>
Anzie St Clair	Port of Portland	David Breen
Jim Denson	Waste Management	Jason Davendonis
Jamie DeWitt	Oregon State University	Macon Carroll
Heather Gosack	WSP	Kelsi Evans
Jeremy Haney	Oregon Military Department	Kelly Toynton
Jeff Hunter	Perkins Coie, on behalf of Oregon Business & Industry	Chris Rich
Michael Karnosh	Confederated Tribes of Grand Ronde	Keri Handaly
Johnny Leavy	City of Medford Public Works Water Reclamation Division Oregon Association of Clean Water Agencies	Robert Corliss
Karen Lewotsky	Oregon Environmental Council	<i>Pending</i>
Jamie Porter	Rainbow Water District	Eric Carlson
Rose Poton	Verde	Cheyenne Holliday
Teryn Yazdani	Columbia Riverkeeper	Miles Johnson

Travel expenses

DEQ is able to reimburse any in state, out-of-town committee members for travel expenses, if DEQ approves them in advance.

Public records and confidentiality

Committee communications and records, such as formal documents, discussion drafts, meeting summaries and exhibits are public records and are available for public inspection and copying. DEQ does not assume responsibility for protecting proprietary or confidential business information shared during committee or subcommittee meetings. However, the private documents of individual committee members generally are not considered public records if DEQ does not have copies.

Information exchange

Committee members will provide information as much in advance as possible of the meeting at which such information is used. The members will also share all relevant information with DEQ to the maximum extent possible which DEQ will then share with the rest of the committee members where appropriate. If a member believes the relevant information is proprietary in nature, the member will provide a general description of the information and the reason for not providing it. Committee members should only send emails (and other communications) to DEQ and not the committee because including all members on an email could constitute a violation of Oregon's Public Meetings Law.

Public involvement

All meetings will be open to the public. The committee can choose whether to allow public input during a committee meeting. DEQ may set aside time for the public to speak.

Once the committee process is complete, DEQ will develop draft rules and conduct a public rulemaking process. That process will include a specified period during which the public can submit comments on the proposed rules. DEQ will also hold a public hearing during which any member of the public can submit written or verbal comments. Individual committee members may provide comments to DEQ on the full draft rule at this time. DEQ may modify the final proposed rules based on public comment. DEQ intends to take a final proposed rule to the EQC for consideration at its meeting in the summer of 2025.

DEQ contacts

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