PFAS 2025 Rulemaking Public Comment

Introduction

The Oregon Department of Environmental Quality seeks public input on a proposed rule update to list several perfluoroalkyl and polyfluoroalkyl substances, commonly called PFAS, as hazardous substances. Updating this rule would allow the DEQ Cleanup Program to test for and require cleanup of these chemicals.

What are PFAS?

PFAS are a large group of chemicals used since the 1950s in many commercial and consumer products, as well as industrial processes. Many PFAS are highly toxic and mobile in the environment. Because PFAS do not easily degrade, they are often called "forever chemicals." PFAS are commonly detected in the environment and can bioaccumulate in fish and animals. Sampling has found PFAS in Oregon, including in drinking water, fish, rivers, groundwater, and soil. To date, Oregon Health Authority has reported 32 Oregon public water systems have detected PFAS, with 23 exceeding drinking water standards.

Once released to the environment, PFAS can cause harmful health impacts to people, fish, and other wildlife that are exposed to the contamination. This rulemaking is needed for DEQ to investigate, assess risk, and cleanup PFAS releases that may pose an unacceptable risk to human health or the environment.

What is the PFAS 2025 rulemaking?

The PFAS 2025 rulemaking proposes to update Oregon's hazardous substances defined in Oregon Administrative Rule 340-122-0115(30) to include six PFAS compounds: PFOA, PFOS, PFHxS, PFNA, HFPO-DA (or GenX), and PFBS. The U.S. Environmental Protection Agency lists two of these compounds, PFOA and PFOS, as federal hazardous substances. All six compounds have legally enforceable EPA drinking water standards under the Safe Drinking Water Act. Public water systems are required to meet these standards when providing drinking water to communities.

DEQ last updated Oregon's hazardous substance definition in 2006, to add methane. Since then, studies have identified toxic impacts of chemicals not currently on the hazardous substance list, particularly PFAS. Other states and EPA have updated their rules to list PFAS as hazardous substances.

This rulemaking is needed for DEQ to investigate and cleanup PFAS that pose unacceptable risks to people or the environment. DEQ may conduct this work or require parties responsible for contamination to do so.

Translation or other formats

Español | 한국어 | 繁體中文 | Русский | Tiếng Việt | العربية

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State of Oregon
DEQ Department of Environmental Quality

Why comment on the rulemaking?

Providing comments is an important part of the public involvement process. We want to hear from as many voices as possible to understand the benefits and consequences of this rulemaking. Anyone is welcome to submit comments about this rulemaking. After the public comment period, DEQ will document and respond to all comments received. DEQ values your input during this formal public comment period.

How to comment on the rulemaking

Anyone can submit written comments to DEQ by email at PFAS2025@deq.oregon.gov or postal mail at Oregon DEQ, Attn: Sarah Van Glubt, 700 NE Multnomah Street, Suite 600, Portland, OR 97232-4100. DEQ is also holding two virtual public hearings where attendees can provide verbal comments on the record.

Virtual public hearing details:

Meeting 1:

- Date: April 22, 2025 at 11:00 a.m.
- Register via Zoom

Meeting 2:

- Date: April 22, 2025 at 6:00 p.m.
- Register via Zoom

Read the full public notice package on the rulemaking website. DEQ will accept comments until April 25, 2025 at 4 p.m.

The rulemaking process

DEQ developed these rules by holding rulemaking advisory committee meetings in November 2024 and January 2025 to get input from a wide range of interests and backgrounds. The proposed rules are on public comment from April 1, 2025 to April 25, 2025. DEQ will incorporate any changes and present the final rules to the Environmental Quality Commission, DEQ's governing board, for adoption. If adopted, the rule will be final and the program can begin the work.

Please see the PFAS 2025 rulemaking website for meeting information, materials, and a sign up form to receive GovDelivery notices related to this rulemaking.

Any questions can be directed to Sarah Van Glubt at sarah.vanglubt@deq.oregon.gov.

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