



# Notes: Oregon Environmental Quality Commission

437<sup>th</sup> Regular Meeting, May 8-9, 2025

**Thursday, May 8, 2025**

## Welcome and Meeting Open

At 9:08 a.m., Chair Matt Donegan opened the meeting and reviewed the day's agenda.

Attendees: Chair Matt Donegan, Commissioner Karen Moynahan, Commissioner Amy Schlusser and Commissioner Mark Webb. Also present were DEQ Director Leah Feldon and Department of Justice Counsel Gary Vrooman.

The meeting was held via Zoom and in person at Central Oregon Community College (2600 NW College Way, Bend, Oregon 97703) in the Health Careers Center Building, Room HCC-230.

## Item A: Draft Meeting Minutes (Action)

Commissioners reviewed and took action on the proposed draft minutes from the March 2025 regular meeting and the April 2025 special meeting.

**Action:** Approve minutes as presented for the March 2025 regular meeting and the April 2025 special meeting.

**Move:** Commissioner Mark Webb

**Second:** Commissioner Amy Schlusser

The commission approved the motion unanimously. Chair Matt Donegan, Commissioner Karen Moynahan, Commissioner Amy Schlusser and Commissioner Mark Webb in favor.

## Item B: Willamette River Mainstem and Major Tributaries TMDL (Action)

**Presenters:** Brian Creutzburg, Steve Mrazik, Jennifer Wigal

At 9:10 a.m., Jennifer Wigal, Water Quality Administrator, introduced DEQ's proposed court-ordered rulemaking to revise a Total Maximum Daily Load to address temperature impairments in the Willamette River Mainstem and Major Tributaries. DEQ staff requested that the commission adopt the Willamette River Mainstem and Major Tributaries TMDL as an amendment to the Willamette Subbasins TMDLs for temperature adopted by the commission in August 2024, by reference into rule. Staff presented information to the commission on the importance of making the TMDL consistent with current temperature standards.

**Action:** Adopt the proposed rules as seen in Attachment A as part of Chapter 340, Division 42 of the Oregon Administrative Rules and to incorporate, by reference, the Total Maximum Daily Loads rule amendments for the Willamette Subbasins (Attachment B) and Water Quality Management Plan (Attachment C) for temperature.

**Move:** Commissioner Mark Webb

**Translation or other formats**

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

**Second:** Commissioner Karen Moynahan

The commission approved the motion unanimously. Chair Matt Donegan, Commissioner Karen Moynahan, Commissioner Amy Schlusser and Commissioner Mark Webb in favor.

### **Item C: Underground Storage Tanks 2025 (Action)**

**Presenters:** Mark Drouin, Diana Foss, Mike Kucinski

Land Quality Administrator Mike Kucinski introduced the item. DEQ staff presented details on proposed updates to the rules that govern the licensing and work requirements for the contractors who perform services on regulated underground storage tank systems. DEQ staff presented information about how the updates will clarify the language between the Underground Storage Tank contractor rules and the UST equipment rules aligning Oregon's rules with the federal regulations. Staff also presented information on how the updates will increase oversight of the testing, repair and construction work performed by licensed UST contractors to increase compliance with the UST regulations.

**Action:** Adopt the proposed rule amendments in Attachment A as part of Chapter 340 of the Oregon Administrative Rules.

**Move:** Commissioner Karen Moynahan

**Second:** Commissioner Amy Schlusser

The commission approved the motion unanimously. Chair Matt Donegan, Commissioner Karen Moynahan, Commissioner Amy Schlusser and Commissioner Mark Webb in favor.

### **Break**

At 10:47 a.m., the commission took a short break. Chair Matt Donegan reconvened the meeting at 11:03 a.m.

### **Item D: Clean Truck Rules 2025 (Informational)**

**Presenters:** Eric Feeley, Gerik Kransky, Rachel Sakata

DEQ provided an update on the Clean Truck 2025 rulemaking, including key considerations, the latest federal actions, market considerations, and progress to date.

### **Working Lunch and Executive Session**

At 12:15 p.m., the commission recessed for lunch and executive session. Chair Matt Donegan reconvened the meeting at approximately 1:30 p.m.

### **Item E: Public Forum**

The commission held a comment opportunity for any environmental and public health issues relevant to DEQ and EQC. Sign-ups to comment occurred shortly before the start of this agenda item, and people were asked to limit comments to two minutes or less. The commission could not accept comment on the following proposed rule: Clean Truck Rules 2025.

Name	Affiliation (if stated)	Topic
1. Dale Feik		Justice and truth

2. Ann Vileisis	Audubon Society	Outstanding Resource Waters nominations
3. James Fraser	Non-profit fish organization (TU)	Water Quality Standards Triennial Review
4. Don Elder	Pacific Rivers	Water Quality Standards Triennial Review

Chair Matt Donegan adjourned the public meeting at 1:45 p.m.

## **Item F: West Bend Pilot Project Tour**

**Presenters: Jennifer Horton, Michael Orman**

Commissioners received a tour of some of the areas treated in the West Bend Prescribed Burn Pilot, a project from spring 2024 that resulted in just over 1,800 acres treated using prescribed fire. The tour included a discussion of lessons learned and how the pilot can be utilized for collaborative use of prescribed fire moving forward.

**Friday, May 9, 2025**

## **Welcome and Meeting Open**

At 9:09 a.m., Chair Matt Donegan opened the meeting and reviewed the day's agenda.

Attendees: Chair Matt Donegan, Commissioner Karen Moynahan, Commissioner Amy Schlusser and Commissioner Mark Webb. Also present were DEQ Director Leah Feldon and Department of Justice Counsel Gary Vrooman.

The meeting was held via Zoom and in person at Central Oregon Community College (2600 NW College Way, Bend, Oregon 97703) in the Health Careers Center Building, Room HCC-230.

## **Item G: Water Quality Triennial Review Workplan (Informational)**

**Presenters: Connie Dou, James McConaghie, Jennifer Wigal**

Water Quality Administrator Jennifer Wigal introduced the informational item on the recently completed 2024 Triennial Review of the State's Water Quality Standards. Connie Dou outlined the foundation of the workplan and how it relates to other water quality programs. She said that the Clean Water Act requires states to review water quality standards and hold a public hearing at least once every three years. James McConaghie presented information about the high-priority water quality standards projects the program must complete or initiate between July 2025 and June 2027. He said those standards set the environmental protection goals for waterbodies to improve beneficial use protection, to comply with federal regulations, or to clarify how to implement existing standards.

## **Item H: DEQ's Strategic Plan (Action)**

**Presenters: Matt Davis, Leah Feldon, Lauren Wirtis**

DEQ presented a draft strategic plan to the commission and sought direction from the commission to finalize the plan and begin implementing it.

**Action:** Director DEQ Director Feldon to finalize the draft strategic plan, submit it to the Department of Administrative Services for review, and initiate implementation of the plan.

**Move:** Commissioner Amy Schlusser

**Second:** Commissioner Mark Webb

The commission approved the motion unanimously. Chair Matt Donegan, Commissioner Karen Moynahan, Commissioner Amy Schlusser and Commissioner Mark Webb in favor.

## **Break**

At approximately 11 a.m., the commission took a short break. Chair Matt Donegan reconvened the meeting at approximately 11:20 a.m.

## **Item I: Cleaner Air Oregon Toxic Contaminant Review and Update Rulemaking (Informational)**

**Presenters:** Holly Dixon (OHA), J.R. Giska, Gabriela Goldfarb (OHA), Ali Mirzakhilili, Apple Riberty

At 1:27 p.m., Air Quality Administrator Ali Mirzakhilili introduced the item. Holly Dixon provided the commissioners with an overview of the Cleaner Air Oregon program which regulates emissions of toxic air contaminants from industrial and commercial facilities based on local risks to health program and the Risk Assessment process. Staff provided the commission with updates on the Air Toxics Science Advisory Committee process and proposed timeline for the proposed Toxicity Reference Values rulemaking and implementation J.R. Giska highlighted the Rulemaking Advisory Committee's role for this rulemaking. Commissioners asked clarifying questions throughout the presentation. Specifically, Commissioner Amy Schlusser asked about the program's reporting of TRVs as well as the availability of information on toxics and emissions DEQ and OHA have. Commissioner Karen Moynahan asked if there are synergistic effects between TRVs or between TRVs and airborne viruses that OHA and DEQ prioritize in the communities where enhanced risks are found. Staff noted that in risk assessments, it is typical to look at all the chemicals that are emitted.

## **Lunch Break**

At 12:16 p.m., the commission took a break for lunch.

Due to previous commitments, Chair Matt Donegan was unable to attend the afternoon portion of the meeting. Commissioner Amy Schlusser assumed the chair position for the remainder of the meeting.

Acting Chair Amy Schlusser reconvened the meeting at 1:27 p.m.

## **Item J: Director's Report (Informational)**

**Presenters:** Leah Feldon, Ali Mirzakhilili, Jennifer Wigal, Laura Fredrickson, Christine Svetkovich (virtual), Lori Pillsbury (virtual)

Director Leah Feldon provided the commissioners with updates on items that were not part of

the written Director's Report. Feldon informed commissioners that she recently attended a government- to-government consultation that was officially between the Yakima Nation and with the United States Army Corps of Engineers and the EPA. The topic was the Superfund site, Bradford Island, and the status of the cleanup and removal of a landfill. Feldon also mentioned the President Trump's recently released budget proposal. She highlighted three major categories of funding that would be depleted under the current budget proposal: grants, clean water and drinking water state revolving funds, and Superfund. Commissioners asked clarifying questions.

Feldon provided the commissioners with an update on the agency's cyber-attack, how it affected agency operations, how the agency has been responding, the status and future steps.

Air Quality Administrator Ali Mirzakhilili provided updates to the commission on the grant and incentive programs DEQ's Air Quality Division is launching. They are the medium- heavy-duty diesel grants, which are going live June 2, and the Oregon Clean Vehicle Rebate Program. Commissioner Amy Schlusser inquired about outreach related to making sure people know about the program.

Water Quality Administrator Jennifer Wigal provided updates to the commission around DEQ's collaboration with the Governor's office and the Oregon Department of Fish and Wildlife. Her report focused on the Columbia River Basin. She provided updates on DEQ's efforts to implement the temperature TMDL for the Columbia River. Wigal highlighted DEQ's work with the agency's Washington Ecology counterparts and developing the TMDL implementation plans. Wigal provided an update on the agency's report to the commission last fall around Total Dissolved Gas and how we sync our programs with the operation of the hydropower facilities and ensuring that TDG levels are balanced in conjunction with fish passage efforts.

Eastern Region Administrator Laura Fredrickson provided the commission with an update on DEQ's response to severe flooding in Harney County which involved support from DEQ staff in emergency response, water quality permitting and Materials Management. Fredrickson also reported that DEQ's Eastern Region is continuing to work with the City of Burns and Business Oregon to consider best funding opportunities to upgrade their wastewater treatment plant. Fredrickson also provided the commission with an update on the Lower Umatilla Basin Groundwater Management Area and DEQ's collaboration with the Oregon Department of Agriculture and Oregon Water Resources Department. She referred to the trends analysis released in January on the nitrate levels in the Lower Umatilla which revealed the levels continue to increase in the basin groundwater. She reported that DEQ continues to monitor nitrate levels on a quarterly basis. Commissioner Amy Schlusser indicated an interest in new data sets which are not available. Fredrickson also reported on DEQ's continued work with Oregon Consensus, an extension of Portland State University, and their focus on what volunteer actions community members can take to complement what's outlined in the nitrate reduction plan. Moving forward, she said, DEQ will be meeting with EPA on an annual meeting and will continue to provide quarterly updates.

Northwest Region Administrator Christine Svetkovich, who appeared virtually, provided the commissioners with updates on Zenith Energy in Northwest Portland noting that DEQ relaunched the public process on the draft air permit in April and two public meetings are scheduled in May. She said the public comment period was extended due to the cyberattack which took down many essential business functions, including filling public records requests for records and communications on Zenith. Svetkovich also reported that DEQ reached a settlement regarding the enforcement case associated with Zenith's authorized connection to and use of the McCall Dock. She highlighted the project on Moore and Wright Islands, which is a highly visible active cleanup site in the middle of North Portland, and stated that the project, which is funded by the Columbia Slough Settlement Fund and an EPA Brownfields grant, illustrates a positive process.

Laboratory and Environmental Assessment Division Administrator Lori Pillsbury, who appeared virtually, provided an update on the development of DEQ's agency-wide PFAS Strategic Plan which began more than a year ago. She said DEQ is making progress on the high-level plan to address risks associated with PFAS chemicals and contamination across Oregon. She said the effort is currently being supported by the EPA's Columbia River Toxics Reduction Lead Grant which has provided funding for the plan and implementation activities. The plan is expected to be completed by June 2025 and brought before the commission in July when there will be an update on the Cleanup Program's PFAS rulemaking.

[See the full Director's Report](#) for additional details.

## **Item K: Recognition of DEQ's Ambassadors of Public Service (Informational)**

**Presenter: Leah Feldon**

At approximately 1:41 p.m., Director Leah Feldon introduced the item and provided background to the commissioners about the purpose, process and history of the Governor's annual recognition of state government employees. Feldon introduced DEQ's nominees for the 2025 Ambassadors of Public Service awards for "Empowering Innovation." Staff appeared virtually.

This was an opportunity for Feldon, on behalf of DEQ, to honor the employees, listed below, as exemplary for their dedication to innovation and the spirit of public service. Three nominees were named as State Ambassadors of Public Service.

- Mitch Frister (attended virtually)
- Amanda Ingmire (could not attend – one of the State Ambassadors of Public Service)
- Jessica Joye (attended virtually)
- Ania Loyd (attended virtually)
- Kara Masters (attended virtually – one of the State Ambassadors of Public Service)
- Sarah Rockwell (attended virtually)
- Erica Timm (attended virtually – one of the State Ambassadors of Public Service)
- Martina Frey (attended virtually)

## **Adjourn Meeting**

Acting Chair Amy Schlusser adjourned the meeting at 1:58 p.m.

## **Other Resources**

- [Thursday, May 8 Zoom recording](#) – passcode: ^Q1+i4CS
- [Friday, May 9 Zoom recording](#) – passcode:
- [May 2025 EQC web page](#)

## **Non-Discrimination Statement**

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