

Federal Actions Rulemaking Public Hearing

Air Quality

July 15, 2025

Virtual

Agenda

Introductions of Oregon Department of Environmental Quality staff

Information Session

Question and Answer Session

Comments from Public

End

Statement of Need

- The proposed rules would align Oregon rules with federal rules.

Air Quality Rules to Address Federal Regulations 2025

Rule Updates

#	Rule Concept/Topic	Oregon Administrative Revision(s)
1	Typical adoption of federal regulations by reference, Code of Federal Regulations date change	OAR 340-200-0035(1), 340-238-0040(4), 340-238-0060, 340-244-0030(3), 340-244-0220
2	Startup Shutdown Malfunction affirmative defense	OAR 340-214-0300, 340-214-0330, 340-214-0340, 340-214-0360
3	PM 2.5 National Ambient Air Quality Standard	OAR 340-202-0060, 340-200-0035, 340-200-0020(162)
4	SO ₂ NAAQS	OAR 340-202-0070

Code of Federal Regulations date change

Typical adoption of federal regulations by reference, Code of Federal Regulations date change

- Regulates facilities subject to the new or modified NESHAP and NSPS regulations
- Change “C.F.R.” to “CFR” throughout.
- Names of several regulations are being adjusted to more closely align with the name of the federal regulation

Affirmative defense

Startup Shutdown Malfunction affirmative defense:

- Affirmative defense due to an emergency for Title V sources is no longer allowed by EPA rule.
- Previously, if the exceedances occurred due to a qualifying emergency circumstance, a source could claim the affirmative defense.

National Ambient Air Quality Standard

PM 2.5 and SO₂ National Ambient Air Quality Standard update:

- Feb. 7, 2024, EPA adopted a revised PM_{2.5} NAAQS
- On Dec. 27, 2024, EPA adopted revised SO₂ NAAQS.

Public Comment Period

- DEQ will only consider comments on the proposed rules that DEQ receives by **4 p.m., on July 21, 2025.**
- **Email:** Send comments by email to:
FedRegs.2025@deq.oregon.gov
- **Postal mail:** Oregon DEQ, Attn: Alex Meadows, 700 NE Multnomah St., Room 600, Portland, OR 97232-4100

Summary of rule changes

Amend		
Division	Rule	Title
340	238-0040	New Source Performance Standards: Definitions
340	238-0060	Federal Regulations Adopted by Reference
340	244-0030	General Provisions for Stationary Sources
340	244-0220	Emission Standards
340	214-0300	Excess Emissions and Emergency Provision: Purpose
340	214-0330	Excess Emissions and Emergency Provision: Other Emissions
340	214-0340	Excess Emissions Reporting Requirements
340	202-0060	Ambient Air Quality Standards: Suspended Particulate Matter
340	202-0070	Ambient Air Quality Standards: Sulfur Dioxide
340	200-0035	Reference Materials
340	200-0020	General Air Quality Definitions
Repeal		
340	214-0360	Excess Emissions and Emergency Provision: Emergency as an Affirmative Defense for Title V Permitted Sources

Title VI and alternative formats

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