



# Notes: Oregon Environmental Quality Commission

438<sup>th</sup> Regular Meeting, July 10-11, 2025

Thursday, July 10, 2025

## Welcome and Meeting Open

At 9:07 a.m., Chair Matt Donegan opened the meeting and reviewed the day's agenda.

Attendees: Chair Matt Donegan, Commissioner Karen Moynahan 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 the DEQ Portland headquarters (700 NE Multnomah Street, Portland, Oregon 97232) in the 3<sup>rd</sup> floor conference room.

## Item A: Draft Meeting Minutes (Action)

Commissioners reviewed and acted on the proposed draft minutes from the May 2025 regular meeting.

**Action:** Approve minutes as presented for the May 2025 regular meeting.

**Move:** Commissioner Mark Webb

**Second:** Commissioner Karen Moynahan

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

## Item B: Clean Truck Rules 2025 (Action)

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

Rachel Sakata, Transportation Section Manager, introduced a briefing on proposed permanent changes to the Advanced Clean Truck Rules, which set stricter emission standards for medium- and heavy-duty vehicles. Eric Feeley, Transportation Section Planning Manager, explained the benefits of these changes for Oregonians and the consequences of not adopting the rule. The Clean Truck Rules include the ACT Rules and the Heavy-Duty Engine and Vehicle Omnibus Rule (HD Omnibus). Gerik Kransky, Senior Transportation Policy Advisor, outlined proposed modifications to the ACT Rule, providing compliance flexibility and updates from California. He also mentioned the proposal to delay the HD Omnibus Rule's implementation and highlighted public input guiding DEQ's decisions.

Commissioner Webb raised concerns about diesel pollution, to which Kransky responded that the strategy is part of a broader plan. Director Leah Feldon invited Air Quality Division Administrator Ali Mirzakhilili to discuss Oregon's air quality strategies. Discussion included concerns over potential delays, cost-benefit analysis, and ongoing communications with other states regarding waivers. Chair Donegan emphasized the importance of a pragmatic approach

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to fluctuations and sought updates on EPA and California responses.

**Action:** Adopt rules as proposed in Attachment A as part of Chapter 340, Division 257 and 261 of the Oregon Administrative Rules.

**Move:** Commissioner Mark Webb

**Second:** Commissioner Karen Moynahan

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

### **Item C: Greenhouse Gas Reporting Fee Adjustment (Action)**

**Presenters:** Elizabeth Elbel, Colin McConnaha

At 10:16 a.m., Colin McConnaha, Office of Greenhouse Gas Programs Manager, introduced proposed temporary rules to change fees for companies under Greenhouse Gas Reporting requirements. Elizabeth Elbel, Greenhouse Gas Reporting Program Manager, explained that fees haven't been updated since 2010 and don't cover operating costs. She highlighted the 2025 legislature's authorization to adjust fees to reflect current costs and emphasized the need for a temporary rule to implement these changes later this year.

Commissioner Moynahan sought clarification on business impacts. Elbel noted the agency's outreach for equitable service and reported no negative feedback. McConnaha mentioned that some small sources might need more time to adjust. Commissioner Webb asked about past permit fee increases due to inflation, which Elbel confirmed. McConnaha added details on DEQ's progress tracking and the absence of increased funding. Chair Donegan requested a comparison to California and Washington.

**Action:** First, determine that failure to act promptly would result in serious prejudice to the public interest or the interests of the parties concerned, as described in the Justification section of the staff report for this item, and adopt the temporary rule amendment as shown in Attachment A of the staff report for this item as part of Chapter 340 of the Oregon Administrative Rules to be effective upon filing with the Oregon Secretary of State. Second, that the Environmental Quality Commission delegate authority to DEQ Director Feldon to adopt permanent rulemaking amendments consistent with the temporary rule amendments proposed in Attachment A.

**Move:** Commissioner Karen Moynahan

**Second:** Commissioner Mark Webb

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

### **Break**

At approximately 10:40 a.m., the commission took a short break. Chair Matt Donegan reconvened the meeting at approximately 10:55 a.m.

### **Item D: Legislative Session and Budget Update (Informational)**

**Presenters: Matt Davis, Rian Hooff, Aeron Teverbaugh**

At 10:58 a.m., Policy and External Affairs Manager, Matt Davis, presented information to the commission on the budget and policy outcomes from the 2025 legislative session and their effect on DEQ and the commission. Aeron Teverbaugh, Senior Legislative Policy Analyst, provided an overview of outcomes for the Air Quality Division, including wildfire, transportation electrification, and the Vehicle Inspection Program. Teverbaugh addressed the pushback against VIP, noting its value, and also covered the Clean Fuels Program and improvements in permitting. Staff shared legislative actions in the Land Quality Division, including the successful passage of the High Hazard Rail program and ongoing efforts in Extended Producer Responsibility, Food Waste prevention, and Fuel Tank Seismic Stability. Rian Hoof, Senior Legislative Policy Analyst, presented on water quality bills and responded to Commissioner Moynahan's inquiry about pollution limits and mixing zones.

Commissioner Moynahan inquired about the Firefighting Foam Bill signed by Governor Kotek in May 2025 and the Onsite Septic Financial Assistance legislation, SB 830. Hoof emphasized the need for unapproved funding, while Director Feldon highlighted the lack of funding for groundwater protection. Davis noted the upcoming state biennial budget cycle, with DEQ starting work on the Agency Request Budget and engaging with the commission and public this fall.

**Working Lunch and Executive Session**

At 1:19 p.m., the commission recessed for lunch and executive session. Chair Matt Donegan reconvened the meeting at approximately 1:45 p.m.

**Item E: Per- and Polyfluoroalkyl Substances Strategic Plan (Informational)**

**Presenters: Latonya Jackson, Lori Pillsbury**

Laboratory Administrator, Lori Pillsbury, acknowledged staff efforts on the Per- and Polyfluoroalkyl Substances (PFAS) Strategic Plan. Latonya Jackson, Strategic Coordinator for Toxics and Emerging Contaminants, briefed the commission on the plan. It is aimed at enhancing scientific understanding, managing contamination, and preventing future pollution. She detailed the plan's vision, goals, current actions, and next steps, while answering commissioners' questions about identifying contaminants and inter-agency monitoring. Pillsbury mentioned OHA's drinking water study and related grant. Commissioner Moynahan further inquired about drinking water sample handling and OHA's role.

**Item F: Cleanup Program PFAS 2025 Rulemaking (Informational)**

**Presenters: Ned Fairchild, Mike Kucinski, Franziska Landes, Sarah Van Glubt**

Interim Land Quality Administrator, Mike Kucinski, introduced the presentation on the Environmental Cleanup Program and the goal of the PFAS rulemaking. The Cleanup Program Manager, Ned Fairchild, discussed the program's details and proposed rulemaking to classify certain PFAS compounds as hazardous substances in Oregon.

Commissioners Moynahan and Webb asked clarifying questions about the cleanup process and associated risks. Sarah Van Glubt, the Cleanup Program Project Manager, explained what PFAS are, their uses, and the dangers they present. Commissioner Webb inquired about consensus in the Rulemaking Advisory Committee, and Franziska Landes, Senior Environmental Scientist and Hydrologist, provided additional information on the RAC, while Moynahan sought clarification on potential outcomes if the rule is enacted.

**Break**

At approximately 2:30 p.m., the commission took a short break. Chair Matt Donegan reconvened the meeting at approximately 2:45 p.m.

**Item G: Public Forum**

At approximately 3 p.m., the commission opened the meeting for public comment on 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 rules:

- Cleanup Program PFAS 2025 Rulemaking
- Onsite Wastewater Management Program 2025 Rulemaking
- Water Quality Fees 2025

| Name                           | Affiliation                              | Topic   |
|--------------------------------|--|---|
| 1. Dale Feik (in person)       | Washington County Citizen Action Network | Importance of public engagement in EQC and DEQ priorities and actions                               |
| 2. Tim Miller (virtual)        | Oregon Business for Climate              | Advance Clean Truck rules   |
| 3. Brett Morgan (virtual)      | Climate Solutions                        | Advance Clean Truck rules   |
| 4. Ja'Marian Malley (virtual)  | Portland Harbor Community Coalition      | Equity in DEQ workplace   |
| 5. Cassie Cohen (virtual)      | Portland Harbor Community Coalition      | Written public comment letter submitted regarding equity in the workplace and environmental justice |
| 6. Lauren Dimock (virtual)     | DEQ employee                             | Treatment of BIPOC employees at DEQ   |
| 7. Susanna Farahat (in person) | Not shared                               | Repair of relationships within DEQ  |

Public comment ended at 3:19 p.m.

**Adjourn Meeting**

Chair Matt Donegan adjourned the meeting at 3:25 p.m.

**Friday, July 11, 2025**

## **Welcome and Meeting Open**

At 9:05 a.m., Chair Matt Donegan opened the meeting and reviewed the day's agenda.

Attendees: Chair Matt Donegan, Commissioner Karen Moynahan 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 the DEQ Portland headquarters (700 NE Multnomah Street, Portland, Oregon 97232) in the 3<sup>rd</sup> floor conference room.

## **Item H: Volatile Organic Compounds 2025 Rulemaking (Informational)**

**Presenters: Megan Duenas, Farrah Fatemi, Michael Orman**

Senior Air Quality Manager, Michael Orman, presented plans to reduce volatile organic compounds (VOCs) in consumer products and coatings, with rulemaking expected this year. Megan Duenas, Air Quality Planning Analyst, discussed the environmental impact of VOCs, while Farah Fatemi, Air Quality Planner, outlined their prevalent sources in Oregon and regulatory efforts, including California's VOC restrictions. Commissioners raised concerns about health effects and the cost of the proposed rules. Staff committed to further analysis and stakeholder engagement to ensure a balanced regulatory approach addressing both environmental and economic issues.

Commissioner Moynihan asked about health effects from VOCs in baby wipes which can be toxic when inhaled. The RAC includes members who are focused on reducing VOC risks and local public health agencies have been providing input on that and related issues. Commissions discussed slide 15 and asked additional clarifying questions.

## **Item I: Onsite Wastewater Management Program 2025 Rulemaking (Informational)**

**Presenters: Kiley Clamons, Kyle Nelson, Sean Rochette, Sara Slater**

Water Quality Division Administrator, Jennifer Wigal, and staff presented proposed changes to the Onsite Wastewater Management Program, driven by SB 835 and 931 on accessory dwelling units and sewer availability. The rulemaking will also address variances, nutrient and nitrate loading, operation requirements, and clarify existing rules to enhance public and environmental health. The proposed rulemaking will go before the commission for action in September.

## **Break**

At 10:50 a.m., the commission took a short break. Chair Matt Donegan reconvened the meeting at 11:14 a.m.

## **Item J: Individual National Pollution Discharge Elimination System Permits Backlog (Informational)**

**Presenters: Jeffrey Navarro, Jennifer Wigal**

Water Quality Senior Permit Program Analyst, Jeff Navarro, provided an update on efforts to

reduce the NPDES individual permit backlog, including actions taken under the Consent Judgment. The presentation covered the permit development process, tracking metrics, and potential improvement opportunities. Commissioners asked clarifying questions.

## **Item K: Director’s Report (Informational)**

**Presenters: Leah Feldon, Colin McConnaha, Ali Mirzakhaili, Mike Kucinski, Jennifer Wigal, Laura Fredrickson, Christine Svetkovich, Ruth Hyde**

DEQ provided updates on various agency activities. Director Feldon reported on the April 2025 cyberattack, confirming a security breach and detailing the collaborative response involving DEQ, the Department of Administrative Services and DOJ, with plans for an after-action report. Colin McConnaha, Office of Greenhouse Gas Programs Manager, informed the commission about advancements in the Climate Protection Program, including authorized greenhouse gas reporting fees and three new positions. DEQ is also finalizing an Equity Advisory Committee for the Community Climate Investment component.

Ali Mirzakhaili, Air Quality Division Administrator, reported on the successful electric vehicle rebate program and upgrades to vehicle inspection technology. He also noted that the wildfire season is ahead of the 10-year average. Mike Kucinski, Land Quality Division Administrator, shared that DEQ’s recycling program has reached a milestone with the implementation of the Recycling Modernization Act, making Oregon the first state with a comprehensive producer responsibility program, backed by over \$80 million in investments. Jennifer Wigal, Water Quality Division Administrator, updated the commission on DEQ’s Orca conservation plan, which was recognized by the Oregon Department of Fish and Wildlife. Laura Fredrickson, Eastern Region Administrator, highlighted DEQ’s role in assisting Wasco County and the Oregon Department of Emergency Management in their response and recovery efforts related to the Rowena Fire, which destroyed or severely damaged more than 50 homes and 100 structures in the area. Christine Svetkovich, Northwest Region Administrator, mentioned a prospective purchase agreement for a major baseball stadium project in Portland. Ruth Hyde, Western Region Administrator, reported progress on the Coffin Butte landfill permit renewal and the addition of the J.H. Baxter site to the National Priorities List for Superfund cleanup.

## **Adjourn Meeting**

Chair Matt Donegan adjourned the public meeting at approximately 12:45 p.m.

## **Other Resources**

- [Thursday, July 10 Zoom recording](#) – passcode: %Gjd4JM3
- [Friday, July 12 Zoom recording](#) – passcode: vs^DL6Dn
- [July 2025 EQC web page](#)

## **Non-Discrimination Statement**

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