



EQC Director's Report: Dec. 2, 2025

Attachment A: Federal Rollback Tracking

Title: EPA proposal to rescind Greenhouse Gas (GHG) regulation authority and vehicle emission standards

Description

EPA has proposed eliminating its 2009 finding that greenhouse gases pose a threat to public health and welfare. That change would effectively remove EPA's authority to regulate GHG emissions from new vehicles and engines.

If finalized, this would remove the federal framework that underpins vehicle emission standards and leave much weaker protections in place nationwide. For Oregon, losing those standards would make it more difficult to reach our air quality and climate goals and increase health risks for communities already burdened by traffic-related pollution.

Current status

EPA released the proposal in August 2025 and accepted public comment until Sept. 22, 2025. EPA will compile public comments and then issue a final rule at a later date.

Potential agency action(s)

DEQ provided oral testimony at the public hearings on Aug. 19-20, 2025, and submitted written public comments to EPA.

Title: EPA proposal to rescind HFC regulation

Description

The EPA has proposed changes to hydrofluorocarbon (HFC) regulations, including a proposed rule to rescind some Obama-era leak repair and maintenance rules for HFCs, and another proposal to relax technology transition rules for various sectors.

Current status

EPA released the proposal in October 2025 and accepted public comment until Nov. 17, 2025. EPA will compile public comments and then issue a final rule at a later date.

Potential agency action(s)

No direct DEQ actions are anticipated. DEQ will monitor whether and how the EPA's proposal is changed.

Title: EPA proposal to rescind GHG Reporting Requirements

Description

EPA has proposed eliminating nearly all reporting requirements in their federal greenhouse gas reporting program (GHGRP) established in 40 C.F.R. Part 98.

The GHGRP requires reporting of GHG data from large sources and suppliers across a range of industry sectors. The GHGRP collects greenhouse gas data from 47 source categories and currently has over a decade of annual data from these sources, including reports from more than 8,000 direct emitters and suppliers of GHGs.

If finalized, this would significantly diminish the available GHG emissions data nationally. In Oregon, our state GHG Reporting Program would persist so the vast majority of GHG data used by state programs would continue.

Current status

EPA released the proposal on Sept. 12, 2025, and accepted public comment until Nov. 3, 2025. EPA will compile public comments and then issue a final rule at a later date.

Potential agency action(s)
DEQ provided comments requesting that EPA reconsider their proposal and that request under Section 103(a) of the CAA. Oregon's Attorney General signed on to a multi-state letter expressing opposition to EPA's proposal.
DEQ may consider proposing technical changes to both the state's GHGRP rules and in the Clean Fuels Program to adjust to lack of federal GHG data in the future.

Title: EPA proposal to rescind Mercury Air Toxics Standards
Description
On June 11, 2025, the EPA proposed to repeal the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for coal- and oil-fired electric generating units (EGUs). On May 22, 2025, EPA proposed a final rule to remove the NESHAP. The rule took effect on the same day as the published final rule.
In April 2025, President Trump, under a separate action, exempted 47 companies operating 68 coal-fired EGUs from the NESHAP. President Trump exempted an additional 3 facilities in July 2025. Environmental groups challenged the exemptions in Air Alliance Houston, et al., v. Donald Trump , Docket No. 1:25-cv-01852 (D.D.C. June 12, 2025) and Air Alliance Houston, et al., v. EPA, Docket No. 25-1143 (D.C. Cir. June 12, 2025) which are currently held in abeyance.
Current status
DEQ and the Oregon Health Authority provided comment to EPA on the proposed repeal of the rule. No stationary sources in Oregon were subject to the NESHAP, but DEQ expressed concern about contributions to global mercury emissions and the fate and transport of those emissions that could potentially impact Oregon's air, land and water.
Potential agency action(s)
DEQ proposes to continue to track ambient concentrations of mercury in air and water, however the agency does not anticipate proposing any specific actions to the commission given the lack of sources in Oregon subject to the rescinded rules.

Title: EPA proposal to reconsider the PM 2.5 National Ambient Air Quality Standard
Description
On Feb. 7, 2024, EPA proposed a final rule to revise the NAAQS for primary annual PM _{2.5} standard from 12.0 µg/m ³ to 9.0 µg/m ³ . The revised standard took effect on March 12, 2025, and EPA announced a reconsideration of the revised PM NAAQS.
Current status
On Jan. 29, 2025, DEQ proposed to EPA that all areas within Oregon be designated as attaining the revised PM NAAQS. Under the Clean Air Act, EPA must determine whether areas within states are attaining a revised NAAQS within two years of the revised standard taking effect.
EPA has not published a proposed revision to the PM NAAQS but has informed states and interested parties that it continues to be a priority of the agency to propose a rule revision before the agency is required to formally determine the attainment status areas within states.
Potential agency action(s)
DEQ will continue to track EPA's work on the PM NAAQS and inform the commission.

Title: USDA proposal to rescind the Roadless Area Conservation Rule
Description
On Aug. 29, 2025, the United States Department of Agriculture published a rule to rescind the 2001

Roadless Area Conservation Rule (2001 Roadless Rule) (66 FR 3244 , 36 CFR Subpart B (2001)), which prohibits road construction, road reconstruction, and timber harvesting in inventoried roadless areas, with limited exceptions. The proposed rule included the initiation of an environmental impact assessment that will evaluate the impacts of the proposed rule rescission and study alternatives for roadless area conservation on National Forest System lands, including the Tongass National Forest, in the context of multiple use resource management.
Current status
DEQ submitted comment on the proposed repeal of the Roadless Rule. USDA stated it expects to issue a final rule and EIS in 2026.
Potential agency action(s)
DEQ will continue to monitor the rulemaking effort and inform the commission of any final changes and, if necessary, consideration for action in Oregon.

Title: Waters of the United States
Description
<p>EPA is working to propose a new rule redefining “waters of the United States” (WOTUS). The rule is expected to increase conformity with the May 2023 Supreme Court decision in the <i>Sackett v. Environmental Protection Agency</i> case. Based on listening sessions, evaluations by both the EPA and the U.S. Army Corps of Engineers (USACE), and other information from federal staff and news, we anticipate that the new rule will fully rework and revise the WOTUS definition.</p> <p>The newest rule will refine a rule issued in September 2023 and a memorandum signed March 25, 2025, both jointly executed by EPA and USACE. The September 2023 rule, “<i>Revised Definition of ‘Waters of the United States’; Conforming,</i>” conformed to the May 2023 Supreme Court decision. The memorandum signed on March 12, 2025, by the EPA and the USACE provided guidance for implementing the “continuous surface connection” requirement. In other words, we anticipate the newest rule to maintain the “relatively permanent” standard and narrow the scope to waters with continuous surface water connections to a navigable water.</p> <p>Since the issuance of the March 2025 memo, the USACE Portland District’s jurisdictional determinations have regularly issued determinations that wetlands and waters without a continuous surface water connection are not WOTUS. These determinations have resulted in less protective regulatory measures for the implementation of Clean Water Act Section 401 water quality certification issued by DEQ because the water quality certification is only required when discharge may be placed within a WOTUS. A reduction in WOTUS jurisdiction by USACE and EPA directly reduces the regulatory authority of DEQ’s 401 water quality certification program to ensure water quality compliance within the state.</p> <p>Oregon Department of State Lands continues to operate the state wetland and waters removal-fill permit, which provides many protections to Oregon waters defined as “Waters of this state.”</p>
Current status
EPA and USACE conducted a 30-day public comment process from March 24, 2025, to April 23, 2025, to solicit feedback from state and Tribal co-regulators; industry, agricultural, environmental and conservation stakeholders; and the public on topics related to the implementation of the definition of WOTUS. Over 4,000 comments were received. A new rule in the Federal Registrar by EPA is anticipated by the end of 2025 but may be delayed due to the federal government shutdown.
Potential agency action(s)
<p>A joint comment letter by the Attorneys General of New York, Illinois, Massachusetts, Michigan, and Oregon was submitted during the public comment period.</p> <p>EPA and USACE held WOTUS listening sessions for state and local governments on April 29, May 6, and May 28, 2025. DEQ 401 water quality staff attended at least one of the listening sessions.</p> <p>Once the rule revisions are proposed, DEQ will evaluate the rule and coordinate across state agencies, the</p>

Governor's Office and DOJ as appropriate, in developing and submitting comments.