



# Notes: Oregon Environmental Quality Commission

## 439<sup>th</sup> Regular Meeting, Sept. 11-12, 2025

Thursday, Sept. 11, 2025

### Welcome and Meeting Open

At 9:06 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 Southern Oregon University (1118 Siskiyou Boulevard, Ashland, Oregon 97520) in the Stevenson Union, Room 319.

### Item A: Draft Meeting Minutes (Action)

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

**Action:** Approve minutes as presented for the July 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: Cleanup Program PFAS 2025 Rulemaking (Action)

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

Interim Land Quality Administrator Mike Kucinski introduced the item on the proposed rule to designate six PFAS compounds as hazardous substances. Ned Fairchild, Cleanup Program Manager, gave an overview; Franziska Landes, Senior Environmental Scientist, detailed the six PFAS compounds and rulemaking elements. Sarah Van Glubt, Natural Resource Specialist, discussed health and environmental risks, the rulemaking process, project scope, and public feedback. Fairchild emphasized the rule's role in improving cleanup program effectiveness.

Commissioners requested clarification on PFAS accumulation, federal regulations, the Portland Harbor process, DEQ's authority, cleanup and liability costs, drinking water risk prevention, and enforcement. Chair Donegan asked about tracking cleanup cost variability for specific sites.

**Action:** Move that the Environmental Quality Commission finds that the six PFAS compounds identified on page three of the staff report may pose a present or future hazard to human health, safety, welfare or the environment should a release occur, and adopts the proposed rule

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)

amendments in Attachment A as part of chapter 340 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.

## **Break**

At 9:58 a.m., the commission took a short break. Chair Matt Donegan reconvened the meeting at 10:29 a.m.

## **Item C: Onsite Wastewater Management Program 2025 Rulemaking (Action)**

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

Interim Deputy Water Quality Administrator Sarah Slater introduced the item on a rulemaking update, referencing the July 2025 EQC meeting. Staff outlined proposed changes from 2023 legislation (SB 835, SB 931) on Accessory Dwelling Units and sewer availability, including variances, nutrient and nitrate loading, and other requirements. Staff presented the intent of the rulemaking including clarifying regulations, simplifying language, removing outdated terms, and aligning with industry standards.

Program Manager Sean Rochette discussed sewer availability and septic repair costs. Kiley Clamons summarized new ADU regulations; Rochette outlined updates to the Onsite Wastewater Management Program. Kyle Nelson reported on stakeholder engagement. Commissioners Webb and Moynahan asked about outreach, cost comparisons, nutrient and nitrate removal costs, and differing requirements for ADUs versus commercial facilities.

**Action:** Move that the Environmental Quality Commission adopt the proposed rule amendments in Attachment A as part of chapter 340 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.

## **Working Lunch and Executive Session**

At 11:58 a.m., the commission recessed for lunch and executive session. Chair Matt Donegan reconvened the meeting at 1:05 p.m.

## **Item D: Three Basin Rule Update (Informational)**

Presenters: Aron Borok, Connie Dou, Jennifer Wigal

Water Quality Division Administrator Jennifer Wigal introduced the item on proposed revisions to the Three Basin Rule, following a November 2024 commission directive. The changes would

allow NPDES permits under limited circumstances and streamline onsite Wastewater Treatment Facility permitting, enabling repairs without EQC approval if the flow and waste strength do not increase. Connie Dou provided the amendment background. Aron Borok outlined options considered, including increased mass loads for existing permits and fiscal impacts. Public comment is open through Dec. 21, 2025; public hearing set for Sept. 15, 2025. DEQ will present the proposal at the next EQC meeting.

## **Item E: Draft 2026 Integrated Report Assessment Methodology (Informational)**

Presenters: Connie Dou, James McConaghie, Jennifer Wigal

Water Quality Division Administrator Jennifer Wigal opened with an overview of Oregon's 2026 Integrated Water Quality Report. Connie Dou summarized the updates to the Clean Water Act framework, new methodologies, and public engagement. The 2026 report will use over 10 million data points from 17 organizations and 55 files. Major updates presented included revised bio-criteria and expanded biological indices. Staff described the peer review, public engagement, and data validation processes to ensure accuracy and transparency.

Leslie Merrick, Water Quality Assessment Program Lead, presented the structure of the Integrated Report, which includes a story map, web map, and online database. Commissioners asked about the web map, monitoring methods, use designations, and assessment process. Merrick updated on methodologies for Harmful Algal Blooms, biological assessments, and bioassessment tools, and covered peer review and public comments. Methodology updates, informed by public feedback, will guide water quality standard comparisons. Commissioners sought clarifications throughout.

## **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 F: 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.

Name (Z = Zoom)	Affiliation (if stated)	Topic
1. Dan VanDyke	Biologist with ODFW	Outstanding Resource Waters – Rogue River
2. Michael Dotson	KS Wild	ORW Triennial Review
3. Frances Oyung	Rogue Riverkeepers	
4. Mary Peveto (Z)	Neighbors for Clean Air	DEQ's Proposal to update the Diesel Particulate Matter Cancer Toxicity Reference Value

5. Mary Steites (Z)	Northwest Environmental Defense Center	Diesel PM TRV Update
6. Kainalu Bailey (Z)	Breathe Oregon Program	Diesel PM TRV Update
7. Dale Feik (Z)	Hillsboro Air and Water	Various
8. Nancy Whitcombe (Z)		
9. Alex Meadows (Z)	Private citizen (DEQ staff)	Leadership and staff

Chair Matt Donegan adjourned the meeting at 3:16 p.m.

**Friday, Sept. 12, 2025**

## **Welcome and Meeting Open**

At 9:06 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 Southern Oregon University (1118 Siskiyou Boulevard, Ashland, Oregon 97520) in the Stevenson Union, Room 319.

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

Presenters: Leah Feldon and Leadership Team

DEQ presented written and verbal updates on agency activities and other issues of interest to the commission.

Director Feldon began with an update on the recruitment for the Office of Equity manager. Over the past month, collaboration occurred with the Office of Cultural Change within the Department of Administrative Services to identify comparable positions in other agencies. The decision was made to include this role on the leadership team. The next step involves meeting with individuals from other agencies to gain insights into their roles and support systems.

Comments were addressed regarding the process for updating toxicity reference values. Staff clarified that the process is underway: proposals are being prepared for commission consideration and adoption, beginning with the Air Toxics Science Advisory Committee's review. A report recommending a change in the diesel value was received, and rulemaking is set to begin, involving an advisory committee to work towards a spring proposal.

Director Feldon recognized the appointment of Silvia Tanner to the commission and the reappointment of Commissioner Webb, both pending Senate confirmation on Sept. 28. Silvia Tanner's background in energy policy and law was highlighted.

A budget update was presented, noting the agency's preparation for the 2027-2029 budget request in a constrained fiscal environment. The August state revenue forecast showed a \$1 billion decline compared to May, mainly due to federal legislation affecting tax collections and social service program funding. The discussion highlighted the complexities of DEQ's funding sources and the importance of monitoring both state and federal trends as planning progresses. It was noted that DEQ's general fund budget comprises about 10-12% of the agency's total budget, with significant variability across divisions.

Updates were provided on the Oregon Clean Vehicle Rebate Program, which reopened in May 2025 and quickly exhausted available funds, prompting another suspension. Approximately 39,000 rebates, totaling over \$17 million, have been issued. A waiting list was created for late applicants, with additional funds expected in spring 2026. Outreach efforts continued with communities and dealers to promote the program, particularly its components for low- and moderate-income individuals.

Staff discussed the EPA's proposed action to rescind the greenhouse gas endangerment finding, with DEQ working on a multi-agency comment before the Sept. 22 deadline. The agency also continued efforts to improve permitting processes, launching a dedicated permit writer team to address new applications and technical modifications more efficiently, with the goal of achieving greater consistency and timeliness.

Regional updates included:

- Provisional approval for a sampling and analysis plan at the Knife River facility, with sampling to begin in October for 12 months.
- Completed the second round of drinking water sampling this summer, as the Oregon Health Authority makes progress on its health assessment this fall.
- On schedule with groundwater management in the Port of Morrow area, where staging ponds are expected to be completed by November 2026.
- Permit renewal and enforcement actions for Lam Weston and J.R. Simplot facilities, and ongoing public notice periods.
- Chemical Waste Management of Northwest, Inc. sought permit modification and expansion, with public comment open until Oct. 3, 2025. The facility's permit renewal process was also underway.
- A major enforcement action was issued against Stella Jones wood treatment facility in Sheridan, resulting in over \$1 million in penalties for multiple environmental violations, and requiring corrective actions. This enforcement was part of a broader accountability effort, with related actions taken by the EPA and the Oregon Department of Justice.

The meeting concluded with further discussion on budgetary impacts, federal staffing shortages, and the effect on permitting and regulatory processes. Significant reductions in federal EPA staff were noted, raising concerns about technical support and oversight for state programs. DEQ is monitoring these developments and planning communications strategies in anticipation of continued federal changes.

The meeting was adjourned after expressions of thanks and appreciation were extended to the participants and the region hosting the meeting.

## **Adjourn Public Meeting**

Chair Matt Donegan adjourned the public meeting at 9:53 a.m.

## **Item H: Ashland Wastewater Treatment Plant Tour (Informational)**

Presenters: Bill Meyers, Heather Tugaw, Chance Metcalf (City of Ashland)

Commissioners received a tour the City of Ashland's Wastewater Treatment Plant. The tour highlighted improvements to the ultraviolet light disinfection system and focused on the plant's Outfall Relocation Project. Completed in 2024, this project relocated the plant's outfall from Ashland Creek to Bear Creek, a stream with higher summer flows and assimilative capacity. This change was made to meet the temperature requirements of the city's National Pollution Discharge Elimination System discharge permit. This tour was not open to the public.

## **Other Resources**

- [Thursday, Sept. 11 Zoom recording](#) – passcode: 9^Tm7yBs
- [Friday, Sept. 12 Zoom recording](#) – passcode: qP.7XiqU
- [September 2025 EQC web page](#)

## **Non-Discrimination Statement**

DEQ does not discriminate on the basis of race, color, national origin, disability, age, sex, religion, sexual orientation, gender identity, or marital status in the administration of its programs and activities. Visit DEQ's [Civil Rights and Environmental Justice page](#).