



DEQ Rulemaking Calendar and Plan

Feb. 17, 2026



State of Oregon
DEQ Department of Environmental Quality

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Information and contacts

If you have questions about a specific rulemaking, you may contact the subject matter expert listed for that rulemaking.

If you have other questions about DEQ rulemaking, contact the Rules Coordinator, Emil Hnidey, at emil.hnidey@deq.oregon.gov or 503-568-0376.

Summary

The Oregon Department of Environmental Quality uses Oregon Administrative Rules to implement Oregon laws. The Environmental Quality Commission has the legal authority to adopt rules that DEQ enforces.

A committee of DEQ's leadership team and the director review all proposed rulemaking concepts and considers how each concept aligns with DEQ priorities. They then determine whether to:

1. Add the concept to the DEQ Rulemaking Plan,
2. Postpone developing the rulemaking concept, or
3. Deny additional work on the concept.

2026 Environmental Quality Commission meeting schedule:

- January 15-16
- March 12-13
- May 14-15
- July 9-10
- September 10-11
- November 12-13

Rules adopted since last report:

December 2025

Three Basin Rule 2025

The revised Three Basin Rule (OAR 340-041-0350), allows NPDES permits in limited circumstances according to the stated objectives of the rule. The Three Basin Rule applies to the Clackamas, North Santiam and McKenzie basins.

The Three Basin Rule was adopted in 1976 as part of Oregon's initial water quality standards under the Clean Water Act, primarily to protect drinking water supplies for downstream communities by prohibiting any new waste discharges into the three basins. The rule last underwent major revisions in 1995. Prior to 1995, past implementation was inconsistent, as documented in a University of Oregon Law School report on the rule. Since 1995, the rule's provisions only allow DEQ to issue Water Pollution Control Facility permits, which allow discharge to groundwater or land application, or certain types of NPDES permits, such as construction stormwater or non-contact cooling water. However, because of a 2020 Supreme Court decision, a wastewater discharge to groundwater that could reach surface water through a subsurface connection would require an NPDES permit. Marion County is concerned that the proposed wastewater treatment plant being planned in Mill City would reach the North Santiam River and would require an NPDES permit, which isn't allowed by the Three Basin Rule.

Pending rulemakings, as of Feb. 17, 2026

There are 18 pending rulemakings in the current DEQ Rulemaking Plan. The table below provides the current schedule for each.

Twelve-month schedule: Oregon's legislative session begins February 2026. EQC meetings are scheduled for January, March, May, July, September, and November 2026

A – Advisory Committee, **N** – Providing Notice (opening comment period), **H** – Public Hearing, **E** – EQC Meeting, **D** – Director Delegated Decision

Rulemaking	February 2026	March 2026	April 2026	May 2026	June 2026	July 2026	August 2026	September 2026	October 2026	November 2026	December 2026	January 2026
Water Quality Fees 2026		E										
Oregon Clean Vehicle Rebate Program 2026	H			E								
ACDP Fees 2026	N	H		E								
Air Quality Fees 2026		A/N	H	E								
Volatile Organic Compounds 2025	N	H				E						
Landfills and Crematory Incinerators 2026		A	N	H		E						
Outstanding Resource Water 2027				A		A	A		N	H		
Umpqua River Basin temperature TMDL				N	H					E		
Clean Fuels Program 2026	A		A		A	N	H			E		
Vehicle Regulations 2026				A		N	H			E		

Cleaner Air Oregon TRV Update 2026	A	A				N	H				E
Recycling Modernization Act 3		A		A		A	N	H			E
John Day River Basin Temperature TMDL				A		N	H				
Snake River Temperature TMDL	A		A			N	H				
Rogue River Basin Temperature TMDL				N	H						
Climate Protection Program EITE 2027					A	A		A			N H
Greenhouse Gas Reporting Program Fees 2026	A	N	H	D							
Coquille TMDL - TBD											

Planned EQC March 2026

1. Water Quality Fees 2026

Subject Matter Expert: Jason Simpson

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503-995-4054

The Water Quality program plans to increase fees in 2026 for fiscal year 2027, as provided in ORS 468B.051 and as authorized by the 2025 Legislature. Per statute, the amount of the increase may not exceed the anticipated increase in the cost of administering the program or 3%, whichever is lower. In addition, the 2025 Oregon Legislature adopted policy option package 120 authorizing DEQ to increase some of its water quality fees by more than 3%. The proposed fees will cover costs associated with sustaining current service levels for water quality programs. Without this increase, DEQ may need to reduce staff. A reduction of staff could slow work and cause a backlog in issuing permits and certifications. DEQ plans to:

- Hold an advisory committee meeting in December 2025
- Publish the notice of rulemaking and open the public comment period in December 2025
- Hold a public hearing in January 2026

Planned EQC May 2026

2. Oregon Clean Vehicle Rebate Program 2026

Subject Matter Expert: Erica Timm

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503-863-4839

This rulemaking proposes to update and clarify elements of the Oregon Clean Vehicle Rebate Program for passenger cars. Proposed changes include limiting the number of rebates an individual can receive and adjusting rebate amounts for the Standard and Charge Ahead Rebates. Due to rising participation and limited funding, the program can only remain open for an estimated 2-3 months under current budget levels. The current rebate levels are set at the highest amount allowed by statute and there is not currently a limit on the number of rebates per individual. Considering rebate adjustments and limiting rebates could decrease demand and enable more individuals to participate in the program.

The rulemaking would also clarify that the Charge Ahead Rebate amount for used vehicles can be no more than the purchase or lease price of the vehicle. The advisory committee will also consider additional provisions such as use of an affordability calculation or fractional rebate for lower priced used vehicles. It would also update citations and processes that reference outdated California rules or retired programs.

Additionally, the proposed rules would revise and clarify provisions of the Zero Emission Rebates for Oregon Fleets (ZERO Fleet) program. This program provides rebates for medium

and heavy duty zero emission vehicles. Among the proposed amendments is the establishment of an official list of eligible vehicles. Only vehicles included on this list would qualify for rebates. Certain luxury electric sport utility vehicles and trucks can fall into the Class 3 medium-duty category based on their Gross Vehicle Weight Rating. However, the rebate levels for Class 3 are designed to support the adoption of fleet-oriented vehicles, such as work trucks and vans. Rebates are therefore not intended to apply to luxury vehicles that meet the weight threshold but do not align with the program's intended purpose.

DEQ plans to:

- Hold advisory committee meetings between October and December 2025
- Publish the notice of rulemaking and open the public comment period in January 2026
- Hold a public hearing in February 2026

3. Air Contaminant Discharge Permits Fee Increase 2026

Subject Matter Expert: Graham Bates

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503-501-0138

The ACDP program is funded by a combination of permit fees, General Fund and federal funds. The amount of General and federal funds available for the program have declined since the 1990's. Permit fees now account for 93% of program expenditures. Unlike the Title V program, the ACDP fee is not limited to a specific dollar amount by statute, nor is the fee indexed to the consumer price index to provide regular inflationary increases. ACDP fees were last increased in 2020 by 70% with the knowledge that the funding would be sufficient for the program until 2026.

As predicted, inflation and personnel services cost increases have created a projected shortfall of fee revenue in comparison to resources required to maintain current services. During the 2025 legislative session DEQ was approved to raise ACDP fees by 20% or for a total of \$1,555,884. This will allow the agency to support the recommended policy option package and recommendations set in the 2025-2027 Governor's budget.

DEQ plans to:

- Hold advisory committee meetings in January 2026
- Publish the notice of rulemaking and open the public comment period in February 2026
- Hold a public hearing in March 2026

4. Air Quality Fees 2026

Subject Matter Expert: Megan Duenas

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503- 887-7934

The Air Quality program needs to increase fees by 3% in 2026 for fiscal year 2027, as provided in **ORS 468A.315, 468A.345 and 468A.750**. Per statute, the amount of the increase may not exceed the anticipated increase in the cost of administering the program or 3%, whichever is lower. The proposed fees will cover costs associated with sustaining current service levels for air quality programs. A periodic small increase in fees also reduce the need to ask for a one-time large fee increase in the future. Without this increase, DEQ may need to reduce staff endangering the program's ability to provide essential program services to Oregonians and maintain the public health benefits associated with program functions. This rate of increase is based on a calculation of the current service level in the 2025-27 Legislatively Adopted Budget compared to the 2023-2025 Legislatively Adopted Budget.

DEQ plans to:

- Hold advisory committee meetings in March 2026
- Publish the notice of rulemaking and open the public comment period in March 2026
- Hold a public hearing in April 2026

Planned EQC July 2026

5. Volatile Organic Compounds 2025

Subject Matter Expert: Farrah Fatemi

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503-915-5671

This rulemaking will reduce emissions of volatile organic compounds from consumer products and architectural and industrial maintenance coatings. This rulemaking is part of efforts in the Air Quality Division to reduce key pollutants that impact public health and impact the State's ability to meet federal Air Quality standards.

DEQ plans to:

- Hold advisory committee meetings between August 2024 and April 2025
- Publish the notice of rulemaking and open the public comment period in February 2026
- Hold a public hearing in March 2026

6. Landfills and Crematories 2026

Subject Matter Expert: Megan Duenas

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503-887-7934

This rulemaking aims to align Oregon Administrative Rules with recent statutory changes, and secondarily, to make non-technical revisions in DEQ's air quality rules that are needed to clarify requirements for regulated entities. In 2025, the Oregon legislature enrolled two separate bills that require rulemaking by DEQ to implement. Specifically, HB 3729 addressed crematory incinerators and SB 726 addressed municipal solid waste landfills in Benton County. Updates to

air quality rules are needed to reflect requirements in both of those bills. As part of this rulemaking, DEQ is also proposing non-technical revisions to clarify several air quality rule divisions. These revisions are being packaged together in this rulemaking because they result in only minor changes and clarifications, with no substantive revisions to the content or structure of the rules.

DEQ plans to:

- Hold advisory committee meeting in March 2026
- Publish the notice of rulemaking and open the public comment period in April 2026
- Hold a public hearing in May 2026

Planned EQC November 2026

7. Umpqua River Basin temperature TMDL

Subject Matter Expert: Michele Martin

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503-880-7737

This proposed rulemaking is to develop the Umpqua River Basin Total Maximum Daily Load for temperature for the Temperature TMDL Replacements under court order.

DEQ plans to:

- Hold advisory committee meetings November 2025
- Publish the notice of rulemaking and open the public comment period in May 2026
- Hold a public hearing in June 2026

8. Clean Fuels Program 2026

Subject Matter Expert: Bill Peters

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503-863-6259

DEQ is conducting this rulemaking to preserve the Clean Fuels Program's renewable electricity provisions due to unforeseen issues. The rulemaking will seek to either modify how the current provision requiring Green-e certification will work or replace that method for ensuring the carbon integrity of renewable electricity claims for charging electric vehicles in the program.

This rulemaking will also develop and propose policy options for the Clean Fuels Program to further support electric vehicles to help preserve the momentum towards transportation electrification that is endangered due to changes in federal policy.

DEQ plans to:

- Hold advisory committee meetings January and July 2026

- Publish the notice of rulemaking and open the public comment period in July 2026
- Hold a public hearing in August 2026

9. Vehicle Regulations 2026

Subject Matter Expert: Gerik Kransky

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971-288-6056

DEQ is conducting this rulemaking to adopt California Air Resources Board (CARB) amendments to the Advanced Clean Trucks (ACT) and Heavy-duty Low NOx Omnibus (HD Omnibus) rule to maintain identicality with CARB rules. This action will provide additional compliance flexibilities, including state credit pooling for manufacturers to meet the requirements under the ACT and, align most of the HD Omnibus requirements with the 2027 federal on-highway heavy-duty emission standards.

Also included in this action are the adoption of recent CARB emergency amendments intended to clarify the applicability of prior new vehicle emission standards given the unprecedented uncertainty created by the purported disapproval of California waivers for the ACT, Omnibus and Advanced Clean Car (ACC) II rules under the Congressional Review Act (CRA).

DEQ plans to:

- Hold an advisory committee meeting May 2026
- Publish the notice of rulemaking and open the public comment period in July 2026
- Hold a public hearing in August 2026

Planned EQC January 2027

10. Cleaner Air Oregon TRV Update 2026

Subject Matter Expert: Megan Duenas

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503-887-7934

DEQ is required to review and update the Priority Toxic Air Contaminant List and Toxicity Reference Values every three years to ensure that these standards are based on the most up to date science.

In the Air Toxics Alignment Rulemaking, approved by EQC in November 2021, DEQ promulgated Division 247, which established “Health Risk-Based Air Quality Standards for Toxic Air Contaminants.” This Division includes tables of both the list of Toxic Air Contaminants that DEQ can require to be reported under different air programs, or the “Priority Toxic Air Contaminant List,” and the regulatory standards for air toxics, or the “Toxicity Reference Values”, or TRVs.

The process for revising, adding, or removing chemicals from Priority List or the list of TRVs based on changes made by authoritative sources is defined in OAR 340-247-0040. This proposed rulemaking will satisfy these requirements and allow DEQ's Toxic Air Contaminant reporting list and regulatory standards to remain consistent with the most up to date science.

DEQ plans to:

- Hold advisory committee meetings in January 2026
- Publish the notice of rulemaking and open the public comment period in August 2026
- Hold a public hearing in September 2026

11. Recycling Modernization Act 3

Subject Matter Expert: Stephanie Caldera

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971-279-9517

The proposed rulemaking is the third for the implementation of the Plastic Pollution and Recycling Modernization Act (2021). The first two rulemakings established and defined many elements of the RMA program and its implementation. The program began implementation July 1, 2025, and the proposed rulemaking would make programmatic and operational updates through amendments to existing rules, many related to definitions and process clarifications.

DEQ plans to:

- Hold advisory committee meetings between November 2025 and August 2027
- Publish the notice of rulemaking and open the public comment period in August 2027
- Hold a public hearing in September 2027

Planned EQC March 2027

12. Outstanding Resource Water 2027

Subject Matter Expert: Aron Borok

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503-887-1173

The objective of this rulemaking is to designate the Wild and Scenic portion of the Illinois River and Rough and Ready Creek, as well as their tributaries and associated wetlands, as Outstanding Resource Waters, and establish policies to protect those waters. This project was identified as a high priority under the 2024 WQS Triennial Review Workplan.

DEQ plans to:

- Hold advisory committee meetings May through August 2026
- Publish the notice of rulemaking and open the public comment period in October 2026
- Hold a public hearing in November 2026

Planned EQC May 2027

13. John Day River Basin temperature TMDL

Subject Matter Expert: Michele Martin

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503-880-7737

This proposed rulemaking is to develop the John Day River Basin Total Maximum Daily Load for temperature for the Temperature TMDL Replacements under court order.

DEQ plans to:

- Hold advisory committee meetings between January and May 2026
- Publish the notice of rulemaking and open the public comment period in July 2026
- Hold a public hearing in August 2026

14. Snake River temperature TMDL

Subject Matter Expert: Michele Martin

Michele.Martin@deq.oregon.gov

503-880-7737

This proposed rulemaking is to develop the Snake River Total Maximum Daily Load for temperature for the Temperature TMDL Replacements under court order.

DEQ plans to:

- Hold advisory committee meetings between February and April 2026
- Publish the notice of rulemaking and open the public comment period in July 2026
- Hold a public hearing in August 2026

Planned EQC July 2027

15. Rogue River Basin temperature TMDL

Subject Matter Expert: Michele Martin

Michele.Martin@deq.oregon.gov

503-880-7737

This proposed rulemaking is to develop the Rogue River Basin Total Maximum Daily Load for temperature for the Temperature TMDL Replacements under court order.

DEQ plans to:

- Hold advisory committee meetings November 2025
- Publish the notice of rulemaking and open the public comment period in May 2026
- Hold a public hearing in June 2026

16. Climate Protection Program EITE 2027

Subject Matter Expert: Evan Manvel

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971-266-9122

DEQ staff are proposing a rulemaking for the Climate Protection Program emissions-intensive trade-exposed (EITE) and direct natural gas (DNG) sources.

On Nov. 21, 2024, the Environmental Quality Commission adopted the Climate Protection Program, OAR 340, Division 273, setting an enforceable and declining cap on greenhouse gas emissions from fossil fuels, beginning Jan. 1, 2025. Regulated entities in the program include natural gas utilities, liquid fuels and propane suppliers, and EITE and DNG sources. While EITE and DNG sources are covered entities and have CPP reporting requirements, they have no compliance obligations for the first three years of the program.

Per [OAR 340-273-0410](#), DEQ has committed to working to develop baseline carbon emissions intensity values and reduction schedules for these EITE and DNG sources for potential EQC adoption. Carbon emissions intensity targets would calculate the number of metric tons of carbon dioxide equivalent per unit of product or process at EITE and DNG sources starting in 2028. If EQC does not adopt any proposed carbon emissions intensity values and/or reduction schedules, DEQ will distribute compliance instruments to EITE and DNG sources per OAR-340-273-0410(5).

DEQ plans to:

- Hold advisory committee meetings between June and October 2026
- Publish the notice of rulemaking and open the public comment period December 2026
- Hold a public hearing in January 2027

Rulemakings delegated to the DEQ Director:

17. Greenhouse Gas Reporting Program Fee Update 2026

Subject Matter Expert: Elizabeth Elbel

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503-869-2215

This rulemaking is necessary to permanently adopt the fee increases for the Greenhouse Gas reporting program initially proposed and adopted through a temporary rulemaking by the EQC in July of 2025. Since temporary rules expire after 180 days, the Greenhouse Gas reporting program fee increase amendments must be made permanent for those changes to persist.

Revenue generated under the prior fee rates cannot sustain the program's current reporting activities, staffing, and level of services. Failing to adopt the temporary fee increases as permanent rule amendments prior to the next invoicing cycle (September 2026) would put the program into a budget shortfall, jeopardizing program implementation.

DEQ plans to:

- Hold an advisory committee meeting February 2026
- Publish the notice of rulemaking and open the public comment period in March 2026
- Hold a public hearing in April 2026

Rulemakings with no EQC date

18. Coquille Subbasin Bacteria, Dissolved Oxygen and Temperature TMDLs

Subject Matter Expert: Bryan Duggan

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503-367-3400

DEQ is conducting a rulemaking to establish Total Maximum Daily Loads to address the impairments to water quality standards and beneficial uses in surface waters in the Coquille Subbasin (South Coast Basin). These impairments are caused by excess bacteria and temperature and inadequate dissolved oxygen and are addressed by identifying and quantifying sources of pollutants affecting these parameters. This rule will also establish a water quality management plan that includes pollutant management strategies, a list of parties responsible for developing management plans and implementing strategies, and a timeline to reduce pollutant loads and attain water quality standards.

Links

Proposed and filed rules

DEQ's rules web page lists proposed and adopted rules.

[DEQ Rulemakings](#)

EQC Meetings

EQC meeting dates, locations and agendas are on the commission web page.

Meeting agendas include rulemaking staff reports that describe DEQ's rulemaking proposal, the process used to develop the proposed rules and the draft rules showing the proposed changes.

[EQC Meetings](#)