



ENERGY FACILITY SITING COUNCIL

■ Marcy Grail, Chair ■ Kent Howe, Vice-Chair ■ Cindy Condon ■ Jordan Truitt ■ Perry Chocktoot ■ Ann Beier ■ Richard Devlin

Energy Facility Siting Council Meeting Notice and Agenda

Friday February 23, 2024 8:30 AM

**Oregon Department of Energy
550 Capitol St. NE
Salem, OR 97301**

WebEx Webinar Information:

<https://odoe.webex.com/odoe/j.php?MTID=mad64e1d952d4667db5f93088342b5166>

Or join WebEx meeting by phone: 408-418-9388 **Access Code:** 2337 137 9922 **Meeting password:** EFSC

Please Note: Every effort will be made to consider items as they are indicated. However, the Council agenda and the order of agenda items are subject to change.

Roll Call and Opening Remarks

- A. Consent Calendar (Action Item & Information Item)** – Approval of January 26, 2024 minutes; Council Secretary Report; and other routine Council business.
- B. Contested Case Rulemaking (Action Item)** – Thomas Jackman, Rulemaking Coordinator. Council will consider staff’s recommendation to formally initiate the Contested Case Rulemaking by filing a Notice of Proposed Rulemaking with the Oregon Secretary of State. The rulemaking would evaluate options to improve clarity in the contested case process and improve consistency with the Attorney General’s Model Rules for Contested Cases under OAR chapter 137.
- C. 2024 Site Certificate Amendment Rulemaking (Action Item)** – Thomas Jackman, Siting Policy Analyst & Rules Coordinator. Council will consider staff’s recommendation to initiate informal proceedings to evaluate potential rule changes to the rules governing the amendment of site certificates in OAR chapter 345, division 027. Staff will also request Council’s authorization to solicit public comment to assist in the completion of the review required under ORS 183.405 for rules adopted in 2020, and to solicit applications to serve on a Rulemaking Advisory Committee for the rulemaking.
- D. Public Comment Period (Information Item)** – This time is reserved for the public to address the Council regarding any item within Council jurisdiction that is not otherwise closed for comment.
- E. 2024 Annual Election of Officers (Action Item)** – Todd Cornett, Council Secretary. Consistent with OAR 345-011-0010(1), Council will complete its obligation to annually elect a Chair and a Vice Chair.

- F. Trojan Independent Spent Fuel Storage Installation Security Plan Update (Action Item)** – Mark Reese, ODOE Radiological Emergency Planning Coordinator. Council will receive an update on modifications to the Security Plan for the Trojan Independent Spent Fuel Storage Installation (ISFSI). Pursuant with ORS 469.430 and OAR chapter 345, division 070, Council will review the modifications and consider whether the revised plan contains adequate provisions to ensure the protection and public health and safety.
- G. Financial Assurance Review – Forms and Institutions (Action Items)** – Sisily Fleming, Fiscal Analyst. Council will consider the following:
- a) A request from PGE to add Mizuho Bank to the list of financial institutions approved to act as issuers of financial instruments related to the Council’s Retirement and Financial Assurance standard.
 - b) A request from Savion to add Deutsche Bank to the list of financial institutions approved to act as issuers of financial instruments related to the Council’s Retirement and Financial Assurance standard.
 - c) A request from the Hermiston Power Project to add language to their Letter of Credit form as requested from the issuing bank, Natixis.
- H. Operations and Policy Analyst Process Improvement Work Plan (Information Item)** – Amrit Kaur, Operations and Policy Analyst. Council will receive an update on the Siting Division’s plan and forecast for programmatic and resource improvements.
- I. Request to Amend Mitigation Plans (Action Item)** – Sarah Esterson, Senior Policy Advisor. The certificate holder for the Montague Solar Facility Site Certificate (162 MW solar, Gilliam County) seeks approval to allow use of sheep at the facility for weed and vegetation management. The use of sheep would be reflected in the Noxious Weed Plan and Fire Safety Plan, necessitating plan amendments. Council may approve, modify, or reject the proposed changes to the mitigation plans.

Anticipated Adjournment at 12:30 p.m.

Anticipated Future Energy Facility Siting Council Meetings:

- **March 21-22, 2024 - Possibly in Boardman**
- **April 18-19, 2024**

Webex Webinar Additional Information

When you join, please use your full name so it is easier to identify attendees and manage public comments. Public participants will be in listen-only mode, but can use the WebEx tool to “raise your hand” to provide comments during Agenda Item D.

Phone participants will be in listen-only mode, but to notify the host that you wish to make a comment press *3 to raise your hand. Council will offer an opportunity for phone participants to provide comments during Agenda Item D.

[WebEx Meeting Instructions](#)

[WebEx How to Raise Your Hand](#)

Meeting Materials associated with the agenda items are available at:

<https://www.oregon.gov/energy/facilities-safety/facilities/Pages/Council-Meetings.aspx>

Siting Project Updates:

To sign up for siting project updates click here: <http://web.energy.oregon.gov/cn/a6n53/subscribe>

Requests to the Council to Address an Issue:

Pursuant to Oregon Administrative Rule 345-011-0035, the public may ask the Council formally to address relevant issues within the Council’s jurisdiction at future meetings. Please be sure to include information about why the issue should be on the agenda. Your request must be in writing and received at least 14 days before the Council meeting.

To ask the Council to address an issue, call or write:

EFSC Secretary

Energy Siting Division/ODOE

550 Capitol St. NE

Salem, OR 97301-3737

Toll-Free (in Oregon): 1-800-221-8035

Phone: 503-378-8328

<https://www.oregon.gov/energy/facilities-safety/facilities>

Americans with Disabilities Act: The Oregon Department of Energy will make reasonable accommodations upon request. Please contact us at least 72 hours before the meeting. Call Nancy Hatch at 503-378-3895 (office) or 503-428-7905 (mobile); Fax 503-373-7806, or toll free in Oregon at 800-221-8035. TTY users should call the Oregon Relay Service at 711.

Parking Information

There are limited numbers of metered visitor parking spaces at the ODOE parking lot. The link below will take you to a map of the location of the ODOE office and details on parking.

https://www.oregon.gov/energy/Get-Involved/Documents/ODOE_Parking.pdf