The Oregon Department of Energy administers the Energy Facility Siting Council facility siting process, which consolidates state agency and local government regulations into a single review process. State agencies and local governments participate throughout the process. The two yellow stages indicate where public participation is encouraged.

1. The Request for Expedited Review states the applicant’s intention to submit an Application for Site Certificate of a “Small Capacity Facility” and includes general information about the project. It is not an application to construct the facility.

2. A “Small Capacity Facility” is one which has an average generating capacity of less than 100 Megawatts (MW) and does not include a related or supporting facility, transmission line, or pipeline which itself would qualify as an energy facility.

1. The Department makes a determination whether the facility qualifies for an expedited review.

2. The applicant is then informed of the department’s determination.

1. The applicant submits its Application for Site Certificate which describes the facility, its anticipated impacts and how it will meet EFSC’s standards.

1. ODOE issues the Project Order, which defines the analysis area for various types of impacts and identifies the applicable statutes, rules and ordinances the applicant must address in the Application.

1. ODOE staff and the applicant may conduct a public information meeting to explain the Application and the EFSC evaluation process.

1. Upon reviewing the Application for Site Certificate, ODOE issues a Draft Proposed Order that addresses applicable issues identified by state and local agencies, and includes preliminary evaluation and findings on whether the Application meets EFSC standards.

2. The Draft Proposed Order includes recommended conditions of approval for the construction, operation and retirement of the facility.


2. Members of the public and reviewing agencies have the opportunity to testify at the hearing, or may submit written comments by the comment deadline.

3. Failure to raise a relevant issue either orally at the hearing, or in a timely submitted written comment, precludes further participation in the EFSC process.

1. Following the public hearing, EFSC reviews the Draft Proposed Order during a Council meeting.

2. Based on direction from EFSC, the department issues the Proposed Order and Notice of Contested Case.

1. EFSC reviews the hearing officer’s Recommended Contested Case Order and issues a Final Order approving or denying the Application for Site Certificate. If the Council approves the Application, EFSC also issues a Site Certificate.

2. An appeal of the Final Order proceeds directly to the Oregon Supreme Court.