

## **HB 2062 - Energy Efficiency Standards (Agency Bill)**

As technology improves over time, household appliances and products are becoming more energy efficient, which reduces consumer costs and greenhouse gas emissions. While Federal standards pre-empt state standards, many states enact standards for equipment that is not covered by federal standards. California, Washington, and Oregon, along with British Columbia, have historically been leaders in setting appliance standards that eventually become the national standard. HB 2062 seeks to update and create new standards for the following list of appliances, matching standards set by our West Coast neighbors:

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|------------------------------------|--|
| 1) High CRI fluorescent lamps      | 7) Commercial steam cookers                              |
| 2) Computers and computer monitors | 8) Residential ventilating fans                          |
| 3) Faucets                         | 9) Electric storage water heaters                        |
| 4) Shower heads                    | 10) Portable electric spas (update to existing standard) |
| 5) Commercial fryers               | 11) Water coolers (update to existing standard)          |
| 6) Commercial dishwashers          |  |

ODOE has existing authority to establish new or updated standards by rule, but statute requires subsequent conforming legislation. HB 2062 would provide ODOE with the limited authority to update standards by rule without requiring this subsequent legislation, but only for the purposes of maintaining alignment with another west coast jurisdiction for a product with an already-existing standard.

## **SB 246/HB 2831 - Radioactive Waste Disposal (Committee/Member Bills)**

In the fall of 2019, the Oregon Department of Energy discovered, based on a citizen tip, that the Chemical Waste Management of the Northwest landfill in Arlington had accepted two and a half million pounds of Technologically Enhanced Naturally Occurring Radioactive Materials, or TENORM, over a three-year period. ODOE determined that this disposal violated the state's prohibition against the disposal of radioactive waste within the state, and issued a Notice of Violation to the landfill operator, Waste Management, on February 20, 2020.

This incident highlighted the need to clarify and strengthen the state's rules and regulations on radioactive waste. While the Department is taking some actions administratively to prevent and better address future incidents, changes will need to be made to the state's statutes in this area, which were written in the late 1970s before this type of waste stream became prevalent. Statutory enhancements ODOE is seeking via SB 246 include: better defined investigative powers to pursue potential violations; clarified authority to require corrective action in the event of unlawful disposal; clarified authority to require preventative measures; and authority for the agency to update and clarify, through a rulemaking, what qualifies for an exemption from the term "radioactive waste."

## HB 2063 - Standby Generators (Agency Bill)

In order to operate, electric power generators that serve as back-up power supplies to industrial or other operating sources, but that do not connect to the electricity grid, must obtain permits from local governments and the Department of Environmental Quality. Under current law, these standby generators that are over 25 MW must also apply to the Energy Facility Siting Council for a site certificate or for an exemption from EFSC. This bill would clarify that site certificates or exemptions are not necessary for backup standby generators that are incapable of interconnecting to the grid. Most of these types of generators are associated with cloud computer data centers, and this bill would relieve developers of those facilities from the cost and time associated with seeking an exemption from EFSC.

## HB 2064 - Energy Facility Siting Council Quorum (Agency Bill)

By statute, in order to conduct business, the Energy Facility Siting Council (EFSC) must have five of its up to seven members present. This is unlike most other natural resource agency boards and commissions, which typically require a “majority of members” to be present to conduct business. When EFSC has fewer than seven members due to unfilled vacancies, requiring five members versus a majority of members can result in significant delays in EFSC review of rulemaking, energy projects, and other siting business. This can slow down economic and energy development. These delays and irregular meeting schedules can also make it harder for the public to participate, a key component of the EFSC process. HB 2064 would change the quorum requirement to a simple majority of EFSC members.

## Oregon’s Energy Report and ODOE as a Resource

In addition to working toward passage of these four bills this session, the Oregon Department of Energy serves as an independent resource for Oregon lawmakers and others on energy policy. Our recently-published Biennial Energy Report can be accessed [here](#) and includes information on many of the topics expected to be addressed this legislative session. Our subject-matter experts can answer questions, share research and data, provide analysis, or provide informative testimony.

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