



The [2021 Legislative Session](#) brought several changes to the Oregon Department of Energy. Learn more and read about what our 2021 legislative priorities were below.

## Changes to ODOE's 2021-23 Budget

The Oregon Department of Energy's 2021-23 budget bill ([SB 5515](#)) was passed by the legislature on June 10, 2021 and signed by the Governor on June 29. [Read our 2021-23 Legislatively Adopted Budget.](#)

[HB 5006](#), a budget reconciliation bill, allocated \$10 million to ODOE to continue our Oregon Solar + Storage Rebate program and \$10.8 million for a new program to incentivize energy efficiency in rebuilding efforts following the September 2020 wildfires.

[HB 2021](#) also created a \$50 million Community Resilient Renewables Investment Fund at ODOE to provide competitive grants for community resilience projects. Learn more about ODOE's [incentive programs here](#).

## New Studies Assigned to ODOE

The Oregon Legislature assigned several new studies for ODOE to conduct over the next couple of years, including on potential regional transmission organizations in Oregon, floating offshore wind, renewable hydrogen, and small-scale renewable energy projects. Learn more [about these studies here](#) and sign up for [email updates](#).

## ODOE's Legislative Priorities:

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

- [HB 2062 \(OLIS\)](#)
- [ODOE One-Pager](#)
- Public Hearings
  - 3/01/21 - [House Energy and Environment](#) (video starts at 2:50)
  - 4/27/21 - [Senate Energy and Environment](#) (video starts at 11:15)

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 will update and create new standards for the following list of appliances, matching standards set by our West Coast neighbors:

High CRI fluorescent lamps

- Computer and computer monitors

- Faucets
- Shower Heads
- Commercial fryers
- Commercial dishwashers
- Commercial steam cookers
- Residential ventilating fans
- Electric storage water heaters
- Portable electric spas (update to existing standard)
- Water coolers (update to existing standard)

ODOE had existing authority to establish new or updated standards by rule, but statute required subsequent conforming legislation. With the passage of HB 2062, ODOE will have limited authority to update standards by rule without requiring this subsequent legislation, but only for the purposes of maintaining alignment with other states for a product with an already-existing standard. The bill will also require consultation with Building Codes Division advisory boards when updates are considered.

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

- [SB 246 \(OLIS\)](#)
- [HB 2831 \(OLIS\)](#)
- [ODOE One-Pager](#)
- Public Hearings
  - 2/04/21 - [Senate Energy and Environment](#) (video starts at 1:18:55)
  - 4/26/21 - [House Energy and Environment](#) (video starts at 1:38)

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 took some actions administratively to prevent and better address future incidents, changes also needed to be made to the state's statutes in this area. Those statutes were written in the late 1970s before this type of waste stream became prevalent. Statutory enhancement ODOE secured 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."

ODOE would like to thank Rep. Janeen Sollman for her leadership on this issue. She introduced a House bill, HB 2831, to accomplish the same aims listed above, and carried SB 246 through the House process since only one of the two bills needed to pass.

## HB 2063 - Standby Generators (Agency Bill)

- [HB 2063 \(OLIS\)](#)
- [ODOE One-Pager](#)
- Public Hearings
  - 2/24/21 - [House Energy and Environment](#) (video starts at 32:55)
  - 4/27/21 - [Senate Energy and Environment](#) (video starts at 6:20)

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)

- [HB 2064 \(OLIS\)](#)
- [ODOE One-Pager](#)
- Public Hearings
  - 2/23/21 - [House Rules](#) (video starts at 9:50)
  - 5/06/21 - [Senate Energy and Environment](#) (video starts at 31:58)

By statute prior to the passage of HB 2064, the Energy Facility Siting Council (EFSC) needed five of its up to seven members present to conduct business. This is unlike most other natural resource agency boards and commissions, which typically require a “majority of members” to be present. 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 changed the quorum requirement to a simple majority of EFSC members.

## Oregon's Biennial 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.

In addition to the public hearings for bills above, ODOE staff presented at the following informational hearings in legislative committees:

Oregon's 2020 Energy Report - 1/25/21  
[House Energy and Environment](#) (video starts at 16:10)

Oregon's 2020 Energy Report - 1/26/21  
[Senate Energy and Environment](#) (video starts at 8:30)

Energy Resilience - 2/10/21  
[House Energy and Environment](#) (video starts at 3:28)

Radioactive Material Disposal - 4/26/21  
[House Energy and Environment](#) (video starts at 2:26)

Regional Power Markets – 4/28/21  
[House Energy and Environment](#) (video starts at 6:05)

Nuclear Power in Oregon: History and Policy - 5/10/21  
[House Energy and Environment](#) (video starts at 1:48)

The Energy Sector's Planning for and Response to Natural Disasters - 5/19/21  
[House Energy and the Environment](#) (video starts at 20:36)