



Two Oral Comment Sessions for the May 25-26, 2017 Rulemaking Hearing

Reorganization of Division 27 and rewrite of rules governing
requests for amendments to site certificates

Summary

Date Issued: May 8, 2017

Proposal: Reorganization of Division 27 and rewrite of rules governing requests for site certificate amendments.

Second Rulemaking Hearing:

Date: May 25-26, 2017

Time: EFSC meeting begins at 4:00 p.m.
Rulemaking hearing begins at 4:30 p.m.

Location: Meitner Conference Room
Oregon Department of Energy
550 Capitol St. NE, 1st Floor
Salem, OR 97301

Call-in: 877-873-8017

Passcode: 799345

Oral Comment:

To provide ample time for each interested person to provide oral comment to the Council, two oral comment sessions will be held for this hearing.

Session 1: Thurs., May 25, beginning at 4:30 p.m.

Session 2: Friday, May, 26, beginning at 10:15 a.m.

Each interested person will be allotted one, 20-minute time period to provide oral comment. An interested person may comment in either session, but cannot comment in both.

The Council requests anyone interested in commenting to RSVP staff by sending an email to EFSC.rulemaking@oregon.gov, or by calling the EFSC Rules Coordinator at 503-373-2127 before 5 p.m. May 23, 2017. While this is not a requirement to provide comment, it will greatly assist staff in planning for the hearing.

This is a one-day extension of the May 25, 2017 comment deadline provided in the Oregon Bulletin notice dated May 1, 2017.

Written Comment Deadline:

Close of the rulemaking hearing on May 26, 2017

This is a one-day extension of the May 25, 2017 comment deadline provided in the Oregon Bulletin notice dated May 1, 2017.

Introduction

The ultimate goals of the proposed rules are to enhance the opportunity for public participation while minimizing increases in review time. This rulemaking is not intended to alter the substantive aspects of how the Council's rules and standards apply to the Council's review of a request for an amendment to a site certificate. The scope of this rulemaking is intended to be strictly procedural in nature and effect.

Description of Rulemaking Activity

The proposed rules would provide three different review processes by which the Council could review a change to a site certificate proposed by a certificate holder in a request for amendment (RFA). A default, one-size-fits-most process that the Council would use to review a change requiring an amendment as described in 345-027-0050(2) – (5). A secondary process with less steps than the default process that the Council could use at its discretion to review a change requiring an amendment under 345-027-0050(2) – (5). And a transfer process that the Council would use to review a change that transfers ownership of the facility or ownership of the certificate holder as described in 345-027-0050(1).

For a more detailed summary of the changes being proposed as part of this rulemaking, please see the

prior Public Notice dated April 21, 2017 on the EFSC Rulemaking webpage here:

<http://www.oregon.gov/energy/Get-Involved/Pages/Energy-Facility-Siting-Council-Rulemaking.aspx>

EFSC Decision Process

EFSC relies upon its authority under ORS 469.470 and ORS 469.501 to conduct rulemaking. EFSC will make all decisions on the proposed rule amendments at a public meeting and will provide public notice of the date, time, and location of all EFSC meetings.

Comment Period

EFSC requests public comment on these proposed rules. EFSC also requests public comment on whether other options should be considered for achieving the substantive goals of the proposed rules while reducing the negative economic impact of the proposed rules on business.

The Oregon Department of Energy will accept written comments on the proposed rules until the end of the rulemaking hearing on May 26, 2017. Any person or agency may provide oral comments on this rulemaking in person or via telephone during the rulemaking hearing.

Any person or agency may send written comments by email to EFSC.rulemaking@oregon.gov, or by mail, hand-delivery or fax to:

EFSC Rules Coordinator
Oregon Department of Energy
550 Capitol St. NE
Salem, OR 97301
Fax: 503-373-7806

More Information

Please contact Jason Sierman at 503-373-2127, by email to jason.sierman@oregon.gov, or at the mailing address listed above with any questions regarding this rulemaking.

Additional information about the proposed rulemaking and updates on the rulemaking review process are available using any of the following options:

1) Oregon Department of Energy's Webpage

Details and more information about this rulemaking, including: proposed rule language; a crosswalk document comparing existing Division 27 rules to proposed rules; process charts showing how EFSC reviews RFAs under existing rules, how RFAs would be reviewed under proposed rules, and staff's concept of an expedited review process; documents relied upon in preparing the rule; required rulemaking forms that have been filed with the Oregon Secretary of State; and links to past EFSC meeting materials containing more information relating to this rulemaking are available online at: <http://www.oregon.gov/energy/Get-Involved/Pages/Energy-Facility-Siting-Council-Rulemaking.aspx>

2) Updates by Email

Subscribe to GovDelivery for email updates on EFSC rulemaking activities and other activities related to energy facilities under EFSC jurisdiction. GovDelivery is an automated email system that allows the public to manage subscriptions to receive information on ODOE's projects and events. For more information, please visit: <http://tinyurl.com/EFSC-email>.

3) In Hardcopy

Copies of the proposed rules, and all the information related to this rulemaking that is posted to the EFSC webpage, are available in hardcopy for public inspection at:

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

Accessibility Information

The Oregon Department of Energy is committed to accommodating people with disabilities. If you require any special physical or language accommodations, or need information in an alternate format, please contact Esther Kooistra at 503-378-3895, toll-free in Oregon at 800-221-8035, or by email to: Esther.Kooistra@oregon.gov.