



# ENERGY FACILITY SITING COUNCIL

## Energy Facility Siting Council Meeting Notice and Agenda

### Oregon Department of Energy WebEx Teleconference/Webinar

**Friday August 27, 2021 at 8:30 a.m.**

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**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.

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#### WebEx Webinar Presentation:

[Click here to join the Meeting](#)

If you are unable to use the hyperlink above to access the meeting, type the entire web address below in the search bar of your internet browser and hit enter.

<https://oregonenergy.webex.com/oregonenergy/onstage/g.php?MTID=e14dae09bcfc45e34c105a1afb7bbc8d8>

ODOE strongly recommends joining the WebEx meeting online, if possible. 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 .

#### Or join meeting by dialing:

**phone #:** (415) 655-0001

**Access Code:** 145 788 3683

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 Resources:

[WebEx Meeting Instructions](#)

[WebEx How to Raise Your Hand](#)

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## Roll Call and Opening Remarks

- A. **Consent Calendar** - Approval of July 23, 2021 minutes; Council Secretary Report; and other routine Council business.
- B. **Motion to Remove Boardman to Hemingway Contested Case Hearing Officer (Action Item)** - Jesse Ratcliffe, Oregon Department of Justice Senior Assistant Attorney General, will provide an overview of the request by limited party Ms. Irene Gilbert to remove Oregon Office of Administrative Hearings Senior Administrative Law Judge Alison Greene Webster as the EFSC appointed Hearing Officer for the Boardman to Hemingway Transmission Line Contested Case proceeding pursuant to OAR 345-015-0023(7). Council will allow Ms. Gilbert and Idaho Power Corporation (applicant), the only party to respond to Ms. Gilbert's motion, limited time to provide oral testimony.
- C. **B2H - McAllister Interlocutory appeal (Action Item)** – Jesse Ratcliffe, Oregon Department of Justice Senior Assistant Attorney General, will provide an overview of the interlocutory appeal filed by Mr. Michael McAllister, requesting the Council to reverse the Hearing Officer's Ruling and Order on Motions for Summary Determination of Contested Case Issues FW-13, R-2, and SP-2. Council will allow Mr. McAllister, and any party who files a proper and timely response to Mr. McAllister's appeal, limited time to provide oral argument.
- D. **Project Updates (Information Item)** - ODOE project leads will provide brief updates on their active projects.
- E. **Public Comment Period** - This time is reserved for the public to address the Council regarding any item within Council jurisdiction that is not otherwise closed for comment, which includes the Boardman to Hemingway Transmission Line Proposed Order and the Obsidian Solar Center Proposed Order, both of which are in the contested case process.
- F. **Retirement and Financial Assurance Standard Overview (Information Item)** - Sarah Esterson, ODOE Senior Policy Advisor, will provide an overview of the Retirement and Financial Assurance Standard.
- G. **Surety Bond Template Update (Action Item)** - Christopher Clark, ODOE Siting Policy Analyst & EFSC Rules Coordinator will provide staff's recommended updates to the required form for surety bonds.
- H. **Initiation of Radioactive Waste Materials Rulemaking (Action Item)** - Maxwell Woods, ODOE Assistant Director for Nuclear Safety and Emergency Preparedness, Jeff Burrigh, ODOE Nuclear Waste Remediation Specialist and Christopher Clark, ODOE Siting Policy Analyst & EFSC Rules Coordinator will request that Council initiate rulemaking to update rules in OAR chapter 345, division 050 defining radioactive wastes and implement SB 246 (2021). The presentation will include the Department's recommendations for appointment of a Rulemaking Advisory Committee to assist in the development of proposed rules.

- I. **Application Process Review Rulemaking (Action Item)** - Christopher Clark, ODOE Rules Coordinator will request that Council initiate Phase 1 of the Application Process Review Rulemaking Project. Phase 1 is intended to reorganize rules in OAR chapter 345, divisions 015 to 026, to separate procedural and substantive provisions in rules and simplify or clarify procedural rules where practicable.
- J. **PGE Update Boardman Coal Decommissioning (Information Item)** - Lenna Cope, Portland General Electric Senior Environmental Specialist will provide an overview of the plan and timeframe to decommission the Boardman Coal Plant and request termination of the site certificate.

**Adjourn approximately 3:15 p.m.**

**Anticipated Future Energy Facility Siting Council Meetings:**

- **September 23-24, 2021**
- **October 21-22, 2021**

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**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 Dawnita Bruce 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.