



Oregon

Kate Brown, Governor



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To: Energy Facility Siting Council

From: Maxwell Woods, Assistant Director, ODOE Nuclear Safety and Emergency Preparedness Division
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Date: August 20, 2021

Subject: Agenda Item H, Attachment 1: Proposed RAC Members for Radioactive Waste Materials Rulemaking Project

BACKGROUND

SB 246 (2021) mandates that Council adopt standards and rules as necessary to prevent disposal of radioactive waste in Oregon and provides Council with additional authority to modify the types of materials that are considered to be radioactive waste under state law.

The Department recommends Council initiate rulemaking to revise OAR 345-050-0006 to 345-050-0038 and associated rules to implement changes to ORS chapter 469 enacted by SB 246 (2021). To assist in the development of proposed rules and provide input on potential fiscal and economic impacts, the Department recommends Council appoint a Rulemaking Advisory Committee (RAC) that represents interests likely to be affected by the proposed rules. This document identifies individuals and organizations that staff recommends be appointed to the RAC.

If Council approves the Department's recommendation to appoint a RAC, staff also requests that Council authorize the Department to appoint additional RAC members as needed.

INTERESTS LIKELY TO BE AFFECTED BY RULES

ORS 183.333 encourages agencies to seek public input to the maximum extent possible before giving notice of intent to adopt a rule. The law authorizes an agency to appoint an advisory committee that will represent the interests of persons likely to be affected by the rule to assist the agency in drafting the rule as one method of obtaining public input.

The regulation of radioactive materials and wastes has broad implications for Oregonians, and interests that may be affected by the proposed rules may include regulated entities, public interest groups, state agencies, local governments, tribal governments, and the public at large.

The list below identifies representatives from each of these groups that have confirmed interest in participating in the RAC. In identifying potential RAC members, the Department attempted to balance interest groups while including a mix of technical and non-technical expertise related to the handling, transporting, or disposing of radioactive materials and wastes, including NORM and TENORM wastes, and related to regulatory compliance with those or similar materials.

If interest from additional individuals or organizations is confirmed before the August 27, 2021, staff will provide an updated list during the presentation of this agenda item.

RECOMMENDED RAC APPOINTEES AS OF AUGUST 20, 2021

Confederated Tribes of the Umatilla Indian Reservation

Dave Smith

Gilliam County Government

League of Women Voters of Oregon

Oregon Business & Industry

Oregon Department of Environmental Quality

Oregon Health Authority, Radiation Protection Services

Oregon Metro

Oregon Refuse and Recycling Association

Oregon State University

Physicians for Social Responsibility

Waste Management

Wayne Lei, PhD, CHP