

## 2026-2028 EFSC Rulemaking Schedule

Project ID	Rulemaking	Description	Current Status	Estimated Completion
In Progress				
R251	Modernization Rulemaking	Consider options to modernize the Council and Department's application process, including an examination of hard copy submission requirements, notice requirements— <b>including for DoW</b> —and the possibility of requiring applicants and certificate holders to submit GIS data for energy facilities.	Preparing to reissue NOPR.	April 2026
R185	Exemptions	Evaluate potential updates to Council rules governing site certificate exemptions under OAR 345-015-0350 to 345-015-0380.	Preparing to issue NOPR.	April 2026
R194	Timely Communication with Tribal Governments	Evaluate options to encourage early communication between applicants and tribal governments early in the application process.	Awaiting tribal feedback on draft rule language.	April 2026
R222	Radioactive Material Transport Fees	Evaluate whether the current radioactive transport fee amounts are adequate to fund programs to prevent, prepare for, and respond to potential accidents involving the transport of radioactive material in Oregon. Evaluate whether additional updates to the rules found in OAR 345-060 are needed to incorporate changes to federal safety standards that have occurred since the rules were last updated.	RAC is developing draft language.	June 2026

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R182	General Compliance	Update OAR 345-026-0005 to 345-026-0170 and related rules to better support ongoing compliance activities.	First RAC meeting in December 2025	August 2026
R252	Organizational Expertise and Retirement and Financial Assurance	Evaluate options to better align the application submission requirements and standards in OAR 345-022.	First RAC meeting in December 2025	August 2026

Project ID	Subject Matter	Description	Stakeholder Engagement	Estimated Timeline
<b>2026</b>				
R252	Application Process Review – Phase 3 <b>(No 2)</b>	Evaluate options to better align the application submission requirements and standards in OAR 345-022. See chart at end for possible options	RAC	July 2026 – July 2027
R253	Application Process Review – Phase 3 <b>(No 3)</b>	Evaluate options to better align the application submission requirements and standards in OAR 345-022. See chart at end for possible options.	RAC	October 2026 – October 2027
R205	Natural Hazards Mitigation	This rulemaking project would evaluate whether and how the siting review process can support the goals of the Oregon Natural Hazard Mitigation Plan and implement natural hazard mitigation strategies.	RAC	December 2026 – October 2027
<b>2027</b>				
R216	Mandatory Conditions in Site Certificates	Review rules in OAR 345-025 to ensure that the mandatory conditions specified by rule are clear, complete, and necessary to be included in each site certificate. Consider allowing flexibility in language to address site specific conditions and circumstances.	RAC	March 2027 – December 2027

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R261	Application Process Review – Phase 3 <b>(No 4)</b>	Evaluate options to better align the application submission requirements and standards in OAR 345-022. See chart at end for possible options	RAC	May 2027 – May 2028
R262	Application Process Review – Phase 3 <b>(No 5)</b>	Evaluate options to better align the application submission requirements and standards in OAR 345-022. See chart at end for possible options.	RAC	August 2027 – August 2028
<b>2028 OR LATER</b>				
R271	Application Process Review – Phase 3 <b>(No 5)</b>	Evaluate options to better align the application submission requirements and standards in OAR 345-022. See chart at end for possible options	RAC	January 2028 – January 2029
R272	Application Process Review – Phase 3 <b>(No 6)</b>	Evaluate options to better align the application submission requirements and standards in OAR 345-022. See chart at end for possible options.	RAC	April 2028 – April 2029

### PHASE 3 Rulemakings for Council Standards

Standards Grouped by Proposed Rulemaking	OAR
Financial Assurance + Organizational Expertise (Currently in rulemaking)	345-022-0010 + 345-022-0050
Structural Standard + Soil Protection	345-022-0020 + 345-022-0022
Protected Areas + Scenic Resources + Recreation	345-022-0040 + 345-022-0080 + 345-022-0100

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Fish and Wildlife Habitat + Threatened and Endangered Species	345-022-0060 + 345-022-0070
Waste Minimization + Public Services + Land Use	345-022-0120 + 345-022-0110 + 345-022-0030
Historic, Cultural and Archaeological Resources	345-022-0090

### PENDING 5-YEAR REVIEWS

Project Name	Description	Due Date
Radioactive Waste Materials Enforcement	Complete 5-year review of OAR 345-029-0503 to 345-029-0560	2/26/2026
Carbon Standards	Complete 5-year review of OAR 345-024-0503	7/25/2027
Wildfire Prevention and Risk Mitigation	Complete 5-year review of OAR 345-022-0115	7/25/2027