



# Oregon

Tina Kotek, Governor



550 Capitol St. NE  
Salem, OR 97301  
Phone: 503-378-4040  
Toll Free: 1-800-221-8035  
FAX: 503-373-7806  
[www.oregon.gov/energy](http://www.oregon.gov/energy)

**To:** Energy Facility Siting Council

**From:** Tom Jackman, Rules Coordinator

**Date:** January 30, 2026

**Subject:** Agenda Item C (Public Hearing): Exemption Rulemaking Public Comment Hearing for the February 13, 2026 EFSC Meeting

**Attachments:** Attachment 1: December 19, 2025 Staff Report for Exemption Rulemaking  
Attachment 2: Public Comments

---

At its December 19, 2025 meeting, the Energy Facility Siting Council (EFSC or Council) authorized issuance of a Notice of Proposed Rulemaking (NOPR) for amendments to EFSC's exemption rules in OAR 345-015-0350 through 0380, as well as a related provision in OAR 345-001-0010. At that same meeting, EFSC authorized staff to schedule a public hearing on the proposed rules, which it did so for February 13, 2026. The NOPR was filed with the Oregon Secretary of State on December 31, 2025. Oral comments will be accepted at the hearing, both in-person at the ODOE Salem office and virtually via the web link, found at EFSC's rulemaking webpage and in the meeting agenda. Additionally, a written public comment period is now open and will close at 5:00 p.m. on March 2, 2026. All written comments must be received by the deadline.

Any written public comments received prior to the February 13, 2026 meeting will be provided to the Council prior to the meeting. See Attachment 2 to this report for comments received as of the date of this staff report. Any comments received after the public hearing will be provided to Council prior to their review and possible decision on amended rules.

Aside from staff's submission of the NOPR and EFSC's scheduling of the public comment period and hearing discussed above, nothing has changed regarding this rulemaking since Council's review of Agenda Item G at the December 19, 2025 meeting. The staff report and associated attachments are included as Attachment 1 to this report.