

Exhibit CC

Applicable Statutes, Rules, and Local Government Ordinances

Mist Resiliency Project
March 2024

Prepared for



Prepared by



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Table of Contents

1.0 Introduction..... 1
2.0 Additional Statutes and Administrative Rules – OAR 345-021-0010(cc)..... 1
3.0 Spill Response Statutes 4

List of Tables

Table CC-1. Statutes, Rules, and Local Ordinances Referenced in Other Exhibits 2

Acronyms and Abbreviations

CFR	Code of Federal Regulations
EFSC	Energy Facility Siting Council
NWN	Northwest Natural Gas
OAR	Oregon Administrative Rule
ORS	Oregon Revised Statutes
Project	Mist Resiliency Project
RFA	Request for Amendment

1.0 Introduction

Northwest Natural Gas (NWN), the Certificate Holder, proposes to amend the Site Certificate for its underground natural gas storage facility at the Mist Resiliency Project (Project) in Columbia County, Oregon. Per Oregon Administrative Rule (OAR) 345-021-0010(cc), Exhibit CC identifies state statutes and administrative rules and local government ordinances containing approval criteria that the Project must meet for the Energy Facility Siting Council (EFSC) to issue a site certificate, other than those statutes, rules, or ordinances identified in the Project Description and OAR Division 27 Compliance document.

2.0 Additional Statutes and Administrative Rules – OAR 345-021-0010(cc)

OAR 345-021-0010(cc) Identification, by legal citation, of all state statutes and administrative rules and local government ordinances containing standards or criteria that the proposed facility must meet for the Council to issue a site certificate, other than statutes, rules and ordinances identified in Exhibit E, and identification of the agencies administering those statutes, administrative rules and ordinances. The applicant must identify all statutes, administrative rules and ordinances that the applicant knows to be applicable to the proposed facility, whether or not identified in the project order. To the extent not addressed by other materials in the application, the applicant must include a discussion of how the proposed facility meets the requirements of the applicable statutes, administrative rules and ordinances.

Table CC-1 identifies by legal citation and relevant administering agency the state statutes and administrative rules and local government ordinances referenced in other exhibits, with the exception of those presented in the in the Project Description and OAR Division 27 Compliance document. The identified statutes, rules, and ordinances contain standards or criteria that the proposed Project must meet for EFSC to amend the Facility's Site Certificate.

Table CC-1. Statutes, Rules, and Local Ordinances Referenced in Other Exhibits

Administering Agency	Agency Address	Program Description Legal Citation	Relevant Exhibit
Oregon Department of Geology and Mineral Industries	Oregon Department of Geology and Mineral Industries Geologic Survey and Services Program 800 NE Oregon Street #28, Suite 965 Portland, OR 97232	Department of Geology and Mineral Industries Administrative Rules - OAR Chapter 632	Exhibits H, I
Oregon Biodiversity Information Center	Oregon Biodiversity Center Oregon State University Institute for Natural Resources University Center Building 527 SW Hall Street, Suite 335 Portland, OR 97201	Oregon Revised Statutes (ORS) 564.105; OAR 603-73-070 and 345-022-0070	Exhibits P, Q
Oregon Department of Agriculture	Oregon Department of Agriculture Native Plant Conservation 635 Capitol Street NE Salem, OR 97301	Native Plant Conservation Program (Oregon Revised Statutes) ORS Chapter 564 (Wildflowers, Threatened or Endangered Plants); OAR Chapter 603, Division 73 (Plants: Wildflowers and Endangered, Threatened and Candidate Species)	Exhibit Q
Oregon Department of Environmental Quality	Oregon Department of Environmental Quality Salem Administrative Office 4026 Fairview Industrial Drive SE Salem, OR 97302	Hazardous Materials Management ORS Chapters 465 and 466 (Hazardous Waste and Hazardous Materials I and II); and OAR Chapter 340, Divisions 45, 47, 108, 100 through 122, 150, and 160 (Hazardous Waste Management); 40 CFR Parts 110, 122, 262, 265, 280, 302, 355, and 761	Exhibit G
		Solid Waste Management ORS Chapter 459 (Solid Waste Management) and OAR Chapter 340, Division 93 (Solid Waste General Provisions)	Exhibit W

Exhibit CC: Applicable Statutes, Rules, and Local Government Ordinances

Administering Agency	Agency Address	Program Description Legal Citation	Relevant Exhibit
	Oregon Department of Environmental Quality 811 SW Sixth Avenue Portland, OR 97204	Noise Regulations ORS 467.020 and ORS 467.030 (Noise Control) and OAR Chapter 340, Division 35 (Noise Control Regulations)	Exhibit Y
Oregon Department of Fish and Wildlife	Oregon Department of Fish and Wildlife 4034 Fairview Industrial Drive SE Salem, OR 97302 (503) 947-6000	Fish and Wildlife Habitat Mitigation Policy ORS 496; OAR Chapter 635, Divisions 100 and 415 (Fish and Wildlife Habitat Mitigation Policy)	Exhibits P, Q
		State Threatened and Endangered Species OAR Chapter 625, Division 100 (Wildlife Diversity Plan) and OAR 635-044-0130	Exhibit Q
Oregon Department of Land Conservation and Development	Oregon Department of Land Conservation and Development 635 Capital Street NE, Suite 150 Salem, OR 97301	Statewide Planning Goals ORS Chapter 195 (Local Government Planning Coordination); ORS Chapter 197 (Comprehensive Land Use Planning Coordination); ORS Chapter 215 (County Planning, Zoning, Housing Codes); ORS Chapter 469 (Energy, Conservation Program, Energy Facilities); OAR Chapter 660, Division 12 (Transportation Planning), Division 16 (Requirements and Application Procedures for Complying with Statewide Goal 5), Division 33 (Agricultural Land)	Exhibit K
Oregon Office of State Fire Marshal; Oregon State Police	Office of State Fire Marshal, Oregon State Police Emergency Response Services Branch 3565 Trelstad Avenue SE Salem, OR 97317	Emergency Planning and Community Right-To-Know Act OAR Chapter 837, Division 85 (Community Right-To-Know Survey and Compliance Programs)	Exhibits U, V
State Historic Preservation Office	Oregon State Historic Preservation Office 725 Summer Street NE, Suite C Salem, OR 97301	Historic, Cultural and Archaeological Resources Standard ORS 97.745 (Prohibited Acts); ORS 358.920 (Prohibited Conduct); ORS 390.010 (Outdoor Recreation); ORS 390.235 (Archaeological Sites and Historical Material); and OAR 345-022-0090 (Historic, Cultural and Archaeological Resources Standard)	Exhibit S

Administering Agency	Agency Address	Program Description Legal Citation	Relevant Exhibit
Oregon Department of State Lands	Oregon Department of State Lands 775 Summer Street NE, Suite 100 Salem, OR 97301	Department of State Lands - OAR Chapter 141 and ORS 196.795-196.990	Exhibit J
Oregon Water Resources Department – Water Rights Division	Oregon Department of Water Resources Commerce Building 158 12th Avenue NE Salem, OR 97301	Appropriation of Water Generally - ORS Chapter 537; Distribution of Water Watermasters; Change in Use; Transfer or Forfeiture of Water Rights - ORS Chapter 540; Water Resources Administrative Rules - OAR Chapter 690	Exhibit O
Columbia County Planning Division – Land Use	Columbia County Planning Division 230 Strand Street St. Helens, OR 97051	Columbia County Zoning Ordinance and Columbia County Comprehensive Plan Criteria	Exhibit K

3.0 Spill Response Statutes

In regard to reporting and responding to spills or the release of hazardous materials, the following rules and statutes contain state and federal spill reporting requirements:

- Oregon Revised Statutes (ORS) 466.635;
- OAR Chapter 340, Divisions 45, 100, 101, 102, 103, 122, 135, 142, 150, 160;
- 33 Code of Federal Regulations (CFR) part 153; and
- 40 CFR parts 110, 122, 262, 265, 280, 302, 355, 761.

Oregon agencies that may be required to be notified in the event of spill or the release of hazardous materials of reportable quantities include:

- Oregon Office of Emergency Management;
- Oregon Department of Environmental Quality; and
- Oregon State Police.