

Secretary of State  
**NOTICE OF PROPOSED RULEMAKING HEARING\***

A Statement of Need and Fiscal Impact accompanies this form.

Energy Facility Siting Council	OAR Chapter 345
Agency and Division	Administrative Rules Chapter Number

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Rules Coordinator	Address	Telephone

**RULE CAPTION**

Amend Carbon Dioxide Emission Standard for Non Base Load Electric Generating Facilities

October 5, 2009	10:00	Oregon Department of Energy, 625 Marion St NE, Salem OR.	TBD
Hearing Date	Time	Location	Hearings Officer

*Auxiliary aids for persons with disabilities are available upon advance request. Participation by telephone can be arranged; please contact Meiko Kristiansen in advance at (503) 378-3895*

**RULEMAKING ACTION**

**AMEND:** OAR 345-024-0590 and OAR 345-001-0010

Stat. Auth.: ORS 469.470, ORS 469.503

Other Auth.:

Stats. Implemented: ORS 469.501, ORS 469.503

**RULE SUMMARY**

Rule amendments are proposed pursuant to a petition submitted by Portland General Electric Company (PGE) in accordance with OAR 137-001-0070. The proposed amendment to OAR 345-024-0590(5) would provide an alternate means of measuring "actual gross carbon emissions" every five years during the operation of a non-base load power plant. The proposed amendments will allow a certificate holder for a non-base load power plant to report actual carbon dioxide emissions consistent with any mandatory carbon dioxide emissions reporting required by either the Oregon Department of Environmental Quality or the United State Environmental Protection Agency. These amendments are suggested to account for new variable power electric plants that are needed to accommodate the variable nature of electric power available from wind and other renewable sources.

In addition, the proposed amendment to OAR 345-001-0010 would amend section (38) "non-base load power plant" to provide that for facilities designed to operate at variable load, the annual limit of 6,600 hours of operation could be determined by dividing the annual electric output of the facility by the nominal electric generating capacity of the facility.

PGE's petition and suggested rule language are posted on the Oregon Department of Energy website:  
<http://www.oregon.gov/ENERGY/announce.shtml>

The Department requests public comment on the proposed amendments. Comments can be submitted by US Mail or by email. Please submit US Mail comments to the Rules Coordinator at the address above. Alternately, comments can be emailed to the rules coordinator at [john.white@state.or.us](mailto:john.white@state.or.us)

October 8, 2009

**Last Day for Public Comment** (Last day to submit written comments to the Rules Coordinator)

Signature	Printed name	Date
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