



February 5, 2026

To: Austin Barnes, Marion County Principal Planner
From: Diane Brandt, Policy and Legislative Affairs Director, Renewable Northwest

Re: Marion County BESS Advisory Committee Meeting #1, Setback Discussion and Need for More Safety Standards Discussion

Thank you for the opportunity to participate in the Marion County Battery Energy Storage System (BESS) Advisory Committee (“Committee”) and for taking the time to thoughtfully address this important area of electricity infrastructure. During our first meeting on January 22, I raised the importance of understanding the most current industry standards around safety and I am writing today as a follow up to offer ideas on ways for the Committee to consider these updated safety inputs. Renewable Northwest (“RNW”) believes it is counter productive for the Committee to finalize any setback language - even in draft - before committee members understand current safety standards. If there is concern that this will delay the process, the Committee can reconsider setback language after other issues under discussion.

We are concerned that these standards were not sufficiently covered during the January 22 committee meeting and could impact the committee’s ability to accurately advise County Staff on reasonable setbacks. While the discussion at the first meeting raised concerns based on anecdotal examples of BESS system failures, we did not have a chance to understand what the facts around BESS safety are and current standards. Indeed, with the most up to date NFPA 855 regulations¹ facilities such as those at the Moss Landing incident are no longer allowed to be built or operate. This is a key piece of current BESS technology and siting best practices which have evolved significantly since 2018 and dramatically reduced system failures.² We hope there is time to incorporate this into future committee meetings and, we believe, will be additive to all areas of discussion.

Below are some suggestions on ways to introduce this topic for further discussion with the committee, recognizing limited time and the desire to keep the table at its current formulation and size. We welcome any follow-up or clarifying questions on these options and are ready to offer any assistance needed to facilitate any or all of the following options.

¹ <https://www.nfpa.org/codes-and-standards/nfpa-855-standard-development/855>

² <https://www.epa.gov/electronics-batteries-management/battery-energy-storage-systems-main-considerations-safe>

1. **Ask Committee Members for Safety Experts to Attend or Weigh in:** Several of the Committee members likely have BESS safety experts on staff that are not attending the meetings. They could be invited to attend or offer key materials for the group's consideration.
2. **Provide "Read-ahead" Materials on BESS Safety:** There is a robust set of information from various sources that could be sent outside of meeting times for members to study. However, this does not guarantee common understanding and would still benefit from discussions at the Committee meetings. Some potential resources to share:
 - a. American Clean Power Written Resources on BESS
 - i. [Assessment of Potential Impacts of Fires at BESS Facilities](#)
 - ii. [Battery Energy Storage: Blueprint for Safety](#)
 - iii. [NFPA 855: Improving Energy Storage System Safety](#)
 - b. American Clean Power also has an upcoming video on this topic which will be posted to its website
3. **Invite Third Party Experts to Present:** There are many organizations and individuals who have specialized in this area of BESS safety and usually in collaboration with fire departments or other fire experts. RNW has connections with many of these organizations and individuals and could help facilitate their attendance. These include:
 - a. [Fire and Risk Alliance](#) has done extensive research and work around BESS ordinance that incorporate fire and safety standards.
 - b. *Other Oregon Fire Departments* with BESS Facilities such as Tualatin.
 - c. *Individual Expert Consultants:* American Clean Power has worked with several national fire and safety experts nationally that could be invited to present. These experts have worked on or responded to BESS incidents and have first hand knowledge of addressing those risks moving forward.

Again, we appreciate the County's thoughtful approach to drafting this ordinance. We hope that this process will be able to incorporate the discussion of the most recent safety standards and industry best practices to add to the Committees informed views and offer grounded advice to the County Staff as drafting continues. We look forward to further conversations and are ready to offer assistance, as needed.

Sincerely,



Diane Brandt
Policy and Legislative Affairs Director
Renewable Northwest
BESS Advisory Committee Participant

