



The Oregon Conservancy Foundation

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Before the House Energy and Environment Committee

**Testimony of Lloyd K. Marbet
Oregon Conservancy Foundation
May 24, 2017**

Mr. Chairperson, members of the Committee, and members of the public, my name is Lloyd K. Marbet and I am the Executive Director of the Oregon Conservancy Foundation. I appear before you today in opposition to SB 990.

SB 990 would allow modular nuclear fission reactors, with an electrical output not to exceed 300 megawatts, to be built and operated within Oregon cities, or within an unincorporated area in Oregon counties. This would be done without having to meet the requirements of the law, passed by Oregon voters in 1980, prohibiting the construction of nuclear power plants until "an adequate repository for the disposal of the high-level radioactive waste produced by the plant has been licensed" by the federal government (ORS 469.595); and the proposed nuclear power plant has been approved by statewide vote of the people. (ORS 469.597)

1980 BALLOT MEASURE 7 NEVER INTENDED TO EXEMPT MODULAR NUCLEAR REACTORS FROM THE REQUIREMENTS OF THIS LAW.

NuScale/Fluor, a major proponent of this legislation, has yet to receive a license for its small modular reactor design from the Nuclear Regulatory Commission. (NRC) Even if the design is eventually licensed, these reactors would produce the same kind of high level nuclear waste produced by the Trojan Nuclear Plant, which for 14 years has been stored on plant site, near St. Helens, OR, waiting for the nuclear garbage man to come take it away to a federally licensed permanent waste repository that still doesn't exist. You would think that nuclear proponents would spend their time focused on cleaning up the tremendous backlog of the nations nuclear waste before proposing clever legislation to circumvent the 1980 ban on producing more of it in Oregon.

High level nuclear waste is not restricted to the boundaries of cities or counties. Even with all the public relations of NuScale/Fluor representatives – proposed local elections, the promises of safety and the so called imperviousness to a multitude of disasters – high level nuclear waste will reside inside each spent NuScale reactor module with the ultimate need for transportation and permanent disposal. No one can project all the scenarios of radiation exposure and accidents that will occur from the reactor site to the unknown location for possible reprocessing of the fuel assemblies and/or subsequent transport of this high level nuclear waste to a final waste repository that is yet to be constructed and capable of accepting this waste.. No one also knows the problems that will occur with the structural components within each reactor module as they are exposed to the long term degradation of radiation over its life of fissioning and the subsequent embrittlement of surrounding metal. What we are offered are projections of nuclear salesmen and academic reactor designers with all their shortcomings, as so aptly described by Admiral Hyman Rickover, the father of the American Nuclear Navy, in testimony to Congress over sixty years ago:

Unfortunately for those who must make far-reaching decisions without the benefit of an intimate knowledge of reactor technology, and unfortunately for the interested public, it is much easier to get the academic side of an issue than the practical side. For a large part those involved with the academic reactors have more inclination and time to present their ideas in reports and orally to those who will listen. Since they are innocently unaware of the real but hidden difficulties of their plans, they speak with great facility and confidence. Those involved with practical reactors, humbled by their experiences, speak less and worry more. – Admiral Hyman G. Rickover - "Paper Reactors, Real Reactors" (5 June 1953)

It was for this reason, and others, that Oregonians wisely chose to protect themselves by passing Ballot Measure 7 in 1980. Do not allow Nuscale/Fluor to do an end run around these protections in their quest for corporate profit. It will not be cities or unincorporated areas in counties that will end up paying the cost of nuclear power. It will be future generations.

Thank you for the opportunity to testify. We ask that you reject SB 990.

When you've got one planet and you've got to keep living there, you don't want to try anything irreversible.
– Amory Lovins

— EXHIBITS —

