PROPOSED AMENDMENTS TO
HOUSE BILL 2021

In line 2 of the printed bill, after “energy” insert a period and delete the rest of the line.

Delete lines 4 through 11 and insert:

“SMALL MODULAR REACTORS

SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS 469.590 to 469.619.

SECTION 2. (1) As used in this section:

(a) ‘High-level radioactive waste’ means spent nuclear fuel produced by a small modular reactor and radioactive by-products from the reprocessing of spent nuclear fuel produced by a small modular reactor.

(b) ‘Small modular reactor’ means a nuclear fission reactor that has an electric output that does not exceed 300 megawatts.

(2) Before issuing a site certificate for a small modular reactor, the Energy Facility Siting Council must:

(a) Find that the site for the small modular reactor is located:

(A) Within the area subject to the jurisdiction of a city that has adopted an ordinance allowing for the siting of small modular reactors pursuant to subsection (3) of this section; or
“(B) Within the unincorporated area subject to the jurisdiction of a county that has adopted an ordinance allowing for the siting of small modular reactors pursuant to subsection (3) of this section;

“(b) Find that the emergency planning zone established by the United States Nuclear Regulatory Commission for the small modular reactor is located within the area, whether incorporated or unincorporated, subject to the jurisdiction of a county that has adopted an ordinance allowing for the siting of small modular reactors pursuant to subsection (3) of this section; and

“(c) Find that the proposed disposal of high-level radioactive waste by the small modular reactor comports with a process approved or adopted by the United States Nuclear Regulatory Commission for the disposal of high-level radioactive waste under the same or similar circumstances.

“(3)(a) The governing body of a city that adopts an ordinance allowing for the siting of small modular reactors within the area subject to the jurisdiction of the city must refer the ordinance to electors of the county as described in paragraph (c) of this subsection.

“(b) The governing body of a county that adopts an ordinance allowing for the siting of small modular reactors within the unincorporated area subject to the jurisdiction of the county must refer the ordinance to electors of the county as described in paragraph (c) of this subsection.

“(c) If the governing body of a city or county adopts an ordinance under this subsection, the governing body shall refer the measure of the ordinance to the electors of the city or county for approval at the next statewide general election.

“(4) ORS 469.595, 469.597, 469.599 and 469.601 do not apply to small modular reactors.
“CAPTIONS

“SECTION 3. The unit captions used in this 2021 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2021 Act.”.