

Requested by Representative SMITH DB

**PROPOSED AMENDMENTS TO
HOUSE BILL 2021**

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

3 Delete lines 4 through 11 and insert:
4

5 **“SMALL MODULAR REACTORS**

6
7 **“SECTION 1. Section 2 of this 2021 Act is added to and made a part**
8 **of ORS 469.590 to 469.619.**

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

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

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

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

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

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

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

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

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

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

19 **“(b) The governing body of a county that adopts an ordinance al-**
20 **lowing for the siting of small modular reactors within the unincor-**
21 **porated area subject to the jurisdiction of the county must refer the**
22 **ordinance to electors of the county as described in paragraph (c) of**
23 **this subsection.**

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

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

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