



The League of Women Voters of Oregon is a 101-year-old grassroots nonpartisan political organization that encourages informed and active participation in government. We envision informed Oregonians participating in a fully accessible, responsive, and transparent government to achieve the common good. LWVOR Legislative Action is based on advocacy positions formed through studies and member consensus. The League never supports or opposes any candidate or political party.

April 26, 2021

To: House Committee on Energy and Environment
Representative Pam March, Chair
Representatives Ken Helm and David Brock Smith, Vice Chairs

Re: [SB 246A](#) — Radioactive Waste Disposal — Definitions and Enforcement — **Support**

The League of Women Voters of Oregon believes that one of government's most important roles is protecting the public's health and safety. We have strong positions calling for careful safeguards of our natural resources including clean air and water. And the League supports the rule of law and legislative action needed to ensure that the state can take effective action to prevent unlawful actions and respond effectively when they occur. With these positions in mind, **we support SB 246A – Radioactive Waste Disposal—Definitions and Enforcement** as amended by the Senate Energy and Environment Committee and passed unanimously by the Senate on March 11, 2021.

As the Department of Energy (ODOE) has indicated, the trigger for this bill was the 2019 discovery that since 2016, out-of-state entities had used the Arlington Landfill (Gilliam County) as a dumping ground for 2.5 million pounds of radioactive waste. The waste was produced primarily by fracking processes in the Bakken oil fields of North Dakota. Disposing of such waste is illegal in the state of origin and, in fact, in most states, including Oregon. In response, ODOE issued a Notice of Violation to the landfill operator, Chemical Waste Management of the Northwest.

In the process of the investigation of the incident—the first of its kind that has been discovered—ODOE determined that various statutory and regulatory updates and other fixes were needed. Changes were needed to put the state in a position to disincentivize such actions and respond effectively if they were to occur in the future. To begin the process, during the 2020 session HB 4014 (B-Engrossed) passed the Senate Environment and Natural Resources and was headed to the Senate Floor when the session ended. With that effort on the shelf, the Department turned to regulatory issues it could address without legislation. The Energy Facility Siting Council approved the convening of a Rulemaking Advisory Committee (RAC) to address needed rule changes to Division 29 of OAR Chapter 345 pertaining to enforcement and penalties. LWVOR was pleased to participate on the RAC and we support the rules changes that resulted. That experience has made it clear to us that passage of SB 246, practically identical to HB 4014, is critical during this session to ensure that Oregon is adequately protected against future incidents of this nature and ready to respond if they occur.

Thank you for the opportunity to speak to this bill and we urge your vote for SB 246A.

Handwritten signature of Rebecca Gladstone in black ink.

Rebecca Gladstone
LWVOR President

Handwritten signature of Shirley Weathers in black ink.

Shirley Weathers
LWVOR Radioactive Waste Portfolio

Cc: Janine Benner, Director, ODOE