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On Behalf Of: Families for Safe Technology  
Committee: House Committee On Agriculture, Land Use, Natural Resources, and Water  
Measure: HB4090

You can jump to the very bottom to read my position of opposing the bill HB 4090 but I support the HB 4090-3 amendment.

Explanation:

HB 4090 would exempt nuclear reactors sited on federal land in Oregon from the requirements of the 1980 ballot measure law passed by Oregon voters. This 1980 law has protected Oregonians for 44 years from expensive failing nuclear power plants with their backed up high level radioactive waste that has no permanent federally licenced repository.

The 1980 law says:

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ORS 469.595 Condition to site certificate for nuclear-fueled thermal power plant. Before issuing a site certificate for a nuclear-fueled thermal power plant, the Energy Facility Siting Council must find that an adequate repository for the disposal of the high-level radioactive waste produced by the plant has been licensed to operate by the appropriate agency of the federal government. The repository must provide for the terminal disposition of such waste, with or without provision for retrieval for reprocessing.

ORS 469.597 Election procedure; elector approval required. (1) Notwithstanding the provisions of ORS 469.370, if the Energy Facility Siting Council finds that the requirements of ORS 469.595 have been satisfied and proposes to issue a site certificate for a nuclear-fueled thermal power plant, the proposal shall be submitted to the electors of this state for their approval or rejection at the next available statewide general election. The procedures for submitting a proposal to the electors under this section shall conform, as nearly as possible to those for state measures, including but not limited to procedures for

printing related material in the voters' pamphlet.

The United States Nuclear Regulatory Commission (NRC) licenses nuclear power plants by using the National Environmental Policy Act as part of its review under 10 OCF Testimony, Page 1 of 2 Code of Federal Regulations Part 51. HB4090, [under proposed Section 1 ORS

469.370(13)(a)(b)(B)] would gut the Energy Facility Siting Council's (EFSC) review of proposed nuclear power plants in Oregon if built on federal land. Nuclear power plants would also fall under the exemption definition contained in HB 4090: Section 1 ORS 469.370(13)(a)(b)(C) An "energy facility" as defined as any of the following:

(i) An electric power generating plant under ORS 469.300 (11)(a)(A) that does not produce electric power from fossil fuels

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I question as well the wisdom of exempting all the other generating facilities listed under

HB 4090's Section 1 ORS 469.370(13)(a)(b). Oregon's Energy Facility Siting Council (EFSC) came into existence with the formation of the Nuclear and Thermal Energy Council in 1971. Since its inception it has gained expertise in the siting of all of HB 4090's proposed exempted energy facilities. For what purpose are we now proposing to

abandon state involvement in approving energy facilities built on federal land within our

state, especially if it might conflict with the concerns of people living in Oregon and state

laws enacted to provide protection?

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To summarize: I ask HB 4090 that this bill be OPPOSED .

But the amendment HB-4090-3 be SUPPORTED.

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