

HOUSE AMENDMENTS TO HOUSE BILL 4046

By COMMITTEE ON CLIMATE, ENERGY, AND ENVIRONMENT

February 17

1 On page 1 of the printed bill, delete lines 4 through 24 and delete pages 2 and 3 and insert:

2 **“SECTION 1. (1) Subject to the availability of funding as described under subsection (4)**
3 **of this section, the State Department of Energy shall conduct a study and make a report that**
4 **addresses the following subjects as related to nuclear energy:**

5 **“(a) A description of advanced nuclear reactor technology that includes a discussion of:**

6 **“(A) The different types of advanced nuclear reactors, including but not limited to**
7 **water-cooled, gas-cooled and salt-cooled;**

8 **“(B) The different sizes of advanced nuclear reactors, including but not limited to large,**
9 **small and micro reactors; and**

10 **“(C) Terminology that is recommended for referencing advanced nuclear reactors and**
11 **different types and sizes of advanced nuclear reactors in statute or regulation;**

12 **“(b) The feasibility of constructing advanced nuclear reactors in Oregon, including:**

13 **“(A) Timing necessary for developing advanced nuclear reactor projects, based on avail-**
14 **able information related to completed, canceled, ongoing and proposed projects;**

15 **“(B) A comparison of the levelized cost of energy for advanced nuclear reactors and**
16 **other generation sources, using publicly available data and established methodologies, with**
17 **clear documentation of assumptions and data limitations when proprietary information is not**
18 **available;**

19 **“(C) Risks and benefits of nuclear energy generation for human health and the environ-**
20 **ment, including any potential impacts for one or more environmental justice communities,**
21 **as defined in ORS 469A.400;**

22 **“(D) Government and industry support necessary for developing and decommissioning**
23 **nuclear energy projects;**

24 **“(E) Advantages and disadvantages of nuclear energy generation in Oregon, relative to**
25 **energy diversification, reliability performance, transmission constraints and decarbonization;**

26 **“(F) Safety considerations, including emergency preparedness;**

27 **“(G) Use cases for advanced nuclear reactors as an on-site or otherwise dedicated elec-**
28 **tricity generation source, or co-generation source, for industrial facilities and large energy**
29 **use facilities, as defined in ORS 757.292;**

30 **“(H) Financing, ownership models, financial risk exposures and potential ratepayer im-**
31 **pacts; and**

32 **“(I) The long-term outlook for advanced nuclear reactor deployment in the United States;**

33 **“(c) The potential impacts of nuclear energy on economic growth and workforce devel-**
34 **opment for Oregon communities;**

35 **“(d) A description of the type and characteristics of nuclear waste produced by currently**

1 operating nuclear energy generation sources in the United States and advanced nuclear re-
2 actors, and the ability to safely and legally manage the nuclear waste of the type produced
3 from nuclear energy generation, including:

4 “(A) Existing methods, locations and safety records in the United States for the storage
5 of nuclear waste from nuclear energy generation;

6 “(B) Economic costs of disposing of nuclear waste;

7 “(C) A literature review of the risks and benefits of recycling or reprocessing nuclear
8 waste, including existing federal research and analysis; and

9 “(D) Existing Oregon state and federal legal pathways for the recycling, reprocessing,
10 disposal and temporary and long-term storage of nuclear waste and any pending or proposed
11 changes to existing pathways through legislation, regulation, policy directive or litigation;
12 and

13 “(e) A description, developed through consultation with state agencies listed or described
14 in ORS 469.350 (2), the Oregon Health Authority and any other state agencies that may have
15 relevant regulatory or advisory expertise on nuclear energy, of:

16 “(A) All existing Oregon state statutes and rules applicable to nuclear energy generation,
17 including but not limited to siting, permitting, safety, operations, decommissioning and waste
18 management; and

19 “(B) Any identified areas of uncertainty in the law.

20 “(2) The department shall:

21 “(a) Conduct the study in consultation with:

22 “(A) The Pacific Northwest Electric Power and Conservation Planning Council; and

23 “(B) Oregon State University; and

24 “(b) Seek public input and provide opportunities for public comment during the develop-
25 ment of the report.

26 “(3)(a) In developing the study, the department shall engage with the federally recognized
27 Indian tribes located in this state.

28 “(b) Engagement with the Indian tribes must include direct written contact with the
29 tribal government of each Indian tribe. The department and each tribal government shall
30 reach an agreement on a reasonable amount of time for the tribal government to respond
31 and provide input on the study.

32 “(c) As determined through tribal engagement, the study and report must explicitly
33 consider impacts of and opportunities for nuclear energy development in Oregon with re-
34 lation to tribes, on and off-reservation treaty-reserved rights, first foods and cultural re-
35 sources.

36 “(4)(a) The department shall carry out its duties under this section:

37 “(A) Contingent on the availability of moneys to conduct the work required by this sec-
38 tion from federal, private or other public sources, as described in paragraph (b) of this sub-
39 section;

40 “(B) Utilizing a balanced range of available sources, such as:

41 “(i) Relevant peer-reviewed academic research, including research that incorporates
42 public health data;

43 “(ii) Independent cost analyses;

44 “(iii) Existing resources from the federal Department of Energy National Laboratories;
45 and

1 “(iv) Studies completed by other states; and
2 “(C) In a financially prudent and expedient manner.
3 “(b)(A) The department may accept, for purposes of conducting the study and making the
4 report required by this section, contributions of moneys and assistance from the United
5 States government or its agencies or from any other source, public or private, and agree to
6 conditions placed on the moneys not inconsistent with the duties described in this section.
7 “(B) No later than 30 days after the receipt of any moneys or assistance for purposes of
8 conducting the study, the department shall report to the interim committees or committees
9 of the Legislative Assembly related to energy and post to the department’s website a de-
10 scription of:
11 “(i) The source of the moneys or assistance and the amount of moneys if applicable;
12 “(ii) The anticipated use of the moneys or assistance in completing one or more portions
13 of the study required by this section; and
14 “(iii) A disclosure of any potential conflicts of interest.
15 “(C) No later than 30 days after final receipt of the full amount of moneys or assistance
16 necessary to complete the study, the department shall report to the Office of Legislative
17 Counsel and the interim committees or committees of the Legislative Assembly related to
18 energy, and post to the department’s website, the date by which the department will com-
19 plete the study and submit the report required by this section.
20 “(D) The department shall submit the report required under this section in the manner
21 provided by ORS 192.245 to the interim committees or committees of the Legislative Assem-
22 bly related to energy no later than one year after the date of final receipt of the full amount
23 of moneys or assistance necessary to complete the study.
24 “(E) The final report shall include a full description of the sources of all moneys or as-
25 sistance utilized to complete the study, all sources of information utilized in completing the
26 study and a disclosure of any potential conflicts of interest.
27 “(c) No later than February 15, 2027, the department shall provide an update on the
28 department’s progress in carrying out its duties under this section to the interim commit-
29 tees or committees of the Legislative Assembly related to energy.
30 “SECTION 2. The Nuclear Energy Study Fund is established in the State Treasury, sep-
31 arate and distinct from the General Fund. Interest earned by the Nuclear Energy Study
32 Fund shall be credited to the fund. All moneys in the Nuclear Energy Study Fund are con-
33 tinuously appropriated to the State Department of Energy for the purposes of carrying out
34 the duties described in section 1 of this 2026 Act.
35 “SECTION 3. (1) Sections 1 and 2 of this 2026 Act are repealed on January 2, 2030.
36 “(2) Any moneys remaining in the Nuclear Energy Study Fund on January 2, 2030, that
37 are unexpended, unobligated and not subject to any conditions shall revert to the General
38 Fund.
39 “SECTION 4. This 2026 Act being necessary for the immediate preservation of the public
40 peace, health and safety, an emergency is declared to exist, and this 2026 Act takes effect
41 on its passage.”.
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