



The Oregon Conservancy Foundation

19140 SE Bakers Ferry Rd., Boring Oregon 97009-9158

P. O. Box 982, Clackamas, Oregon 97015

Email: cnsrvncy@cascadeaccess.com

Phone: (503) 637- 6130

Before the House Committee on Climate, Energy and Environment

Testimony of Lloyd K. Marbet and the Oregon Conservancy Foundation In opposition to HB 4046 and the -2 amendment February 10, 2026

Chair Lively, members of the Committee, and members of the public, my name is Lloyd Marbet and I am the Executive Director of the Oregon Conservancy Foundation (OCF). We appear before you today in opposition to HB 4046.

HB 4046 is an effort to use “private” and federal funding to perform a nuclear power study that will then be used to repeal or provide exemptions to Oregon’s 1980 ballot measure law that has protected Oregon for 46 years. This law requires a federally licensed permanent repository for disposal of high level nuclear waste and a statewide vote of approval, before any commercial nuclear power plants can be built and operated in Oregon.

How long the nuclear industry has operated without any real accountability for its fuel cycle impacts. How long poor, rural, and indigenous communities have suffered these impacts nationwide. There are over ten thousand abandoned uranium mines in our country needing cleanup. There are more than 90,000 metric tons of radioactive spent fuel from commercial reactors sitting in storage containers across our country on the properties of operating and retired nuclear plants. (Source: Nuclear Regulatory Commission) This includes the Trojan Nuclear Plant located in Rainier, Oregon next to the Columbia River.

We all know a federally licensed high level nuclear waste repository doesn’t exist, nor do we know if such a repository will ever exist! You don’t need another study to document that. What we need is what we have long demanded:

“ACCOUNTABILITY.”

This bill proposes a way to coopt the Oregon Department Of Energy (ODOE) by turning it into a fundraiser for private and federal funds. It provides ODOE “may accept” these funds...**“and agree to conditions placed on the moneys not inconsistent with the duties described in this section” of the bill.** [Section (5)(b) in HB4046] - [Section 1(b)(A) in -2 amendments]

What this does is open a pathway to help private interests compromise the very checks and balances that government has created to protect the public interest. If the state of

Oregon is to conduct a study, and that is questionable, it should finance it with taxpayer dollars, and with no strings attached!

ODOE is also asked to “Conduct the study in consultation with Oregon State University” (OSU). [Section 1.(2)(d) in HB4046] [Section 1.(2)(B) in the -2 amendment] OSU has a direct conflict of interest. It developed NuScale’s SMNR design and was given equity shares in NuScale. There’s nothing like inviting the fox into the henhouse to help study the chickens.

Furthermore we all know that the Trump administration has put nuclear power on steroids, stripping regulations, compromising the Nuclear Regulatory Commission, with the help of Congress’s 2024 ADVANCE ACT, reducing radiation protection standards, using the Military and the US Department of Energy to expedite approval of advanced Reactor designs for purposes of “dominance,” “national security lethality” and the incorporation of Mega Artificial Intelligence (AI) Data Centers. I’m sure they will all want to help contribute to Oregon’s study.

(See the following Presidential Orders: [Protecting American Energy From State Overreach](#); [Zero-Based Regulatory Budgeting To Unleash American Energy](#); [Restoring Gold Standard Science](#); [Ordering the Reform of the Nuclear Regulatory Commission](#); [Reinvigorating the Nuclear Industrial Base](#); [Reforming Nuclear Reactor Testing at the Department of Energy](#); [Deploying Advanced Nuclear Reactor Technologies for National Security](#); plus [Army](#) and [Navy](#) military press releases.)

Finally both HB 4046 and the -2 amendment ends with an emergency clause. For what purpose is an emergency being declared for “the public peace, health and safety” other than preventing the use of the referendum process to put this legislation to a vote of the people? If people were to a vote on this, I am willing to bet they would not want regulatory agencies fundraising from private and federal sources in order to help remove a law created to protect them from a technology subjected to the wrecking ball described in the quote at the end of this testimony:

Thank you for the opportunity to testify. In the name of sanity we ask that you table HB 4046.

***They're taking a wrecking ball to the system of nuclear safety and security regulation oversight that has kept the U.S. from having another Three Mile Island accident. I am absolutely worried about the safety of these reactors. [1/28/26](#)
– Edwin Lyman, Director of Nuclear Power Safety, Union of Concerned Scientists***