

# Senate Bill 360

Sponsored by Senator BOQUIST (Pre-session filed.)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Exempts small modular reactors from certain siting restrictions that apply to nuclear-fueled thermal power plants.

Requires small modular reactors to be sited in city or county where electors of city or county have approved small modular reactors being located in city or county.

Requires emergency planning zones for small modular reactors to be located in county where electors of county have approved small modular reactors being located in county.

Requires proposed disposal of high-level radioactive waste by small modular reactor to comport with process approved or adopted by United States Nuclear Regulatory Commission.

## A BILL FOR AN ACT

1  
2 Relating to small nuclear reactors.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2021 Act is added to and made a part of ORS 469.590 to**  
5 **469.619.**

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

7 (a) **“High-level radioactive waste” means spent nuclear fuel produced by a small modular**  
8 **reactor and radioactive byproducts from the reprocessing of spent nuclear fuel produced by**  
9 **a small modular reactor.**

10 (b) **“Small modular reactor” means a nuclear fission reactor that has an electric output**  
11 **that does not exceed 300 megawatts.**

12 (2) **Before issuing a site certificate for a small modular reactor, the Energy Facility Sit-**  
13 **ing Council must:**

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

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

18 (B) **Within the unincorporated area subject to the jurisdiction of a county that has**  
19 **adopted an ordinance allowing for the siting of small modular reactors pursuant to sub-**  
20 **section (3) of this section;**

21 (b) **Find that the emergency planning zone established by the United States Nuclear**  
22 **Regulatory Commission for the small modular reactor is located within the area, whether**  
23 **incorporated or unincorporated, subject to the jurisdiction of a county that has adopted an**  
24 **ordinance allowing for the siting of small modular reactors pursuant to subsection (3) of this**  
25 **section; and**

26 (c) **Find that the proposed disposal of high-level radioactive waste by the small modular**  
27 **reactor comports with a process approved or adopted by the United States Nuclear Regula-**  
28 **tory Commission for the disposal of high-level radioactive waste under the same or similar**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 **circumstances.**

2 **(3)(a) The governing body of a city that adopts an ordinance allowing for the siting of**  
3 **small modular reactors within the area subject to the jurisdiction of the city must refer the**  
4 **ordinance to electors of the county as described in paragraph (c) of this subsection.**

5 **(b) The governing body of a county that adopts an ordinance allowing for the siting of**  
6 **small modular reactors within the unincorporated area subject to the jurisdiction of the**  
7 **county must refer the ordinance to electors of the county as described in paragraph (c) of**  
8 **this subsection.**

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

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