

Requested by Representative SMITH DB

**PROPOSED AMENDMENTS TO
A-ENGROSSED HOUSE BILL 2021**

1 On page 1 of the printed A-engrossed bill, line 2, after “energy” insert a
2 period and delete the rest of the line.

3 Delete line 3.

4 Delete pages 2 through 27 and insert:

5

6

“SMALL MODULAR REACTORS

7

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

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

11 **“(a) ‘High-level radioactive waste’ means spent nuclear fuel**
12 **produced by a small modular reactor and radioactive by-products from**
13 **the reprocessing of spent nuclear fuel produced by a small modular**
14 **reactor.**

15 **“(b) ‘Small modular reactor’ means a nuclear fission reactor that**
16 **has an electric output that does not exceed 300 megawatts.**

17 **“(2) Before issuing a site certificate for a small modular reactor, the**
18 **Energy Facility Siting Council must:**

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

20 **“(A) Within the area subject to the jurisdiction of a city that has**
21 **adopted an ordinance allowing for the siting of small modular reactors**

1 pursuant to subsection (3) of this section; or

2 “(B) Within the unincorporated area subject to the jurisdiction of
3 a county that has adopted an ordinance allowing for the siting of small
4 modular reactors pursuant to subsection (3) of this section;

5 “(b) Find that the emergency planning zone established by the
6 United States Nuclear Regulatory Commission for the small modular
7 reactor is located within the area, whether incorporated or unincor-
8 porated, subject to the jurisdiction of a county that has adopted an
9 ordinance allowing for the siting of small modular reactors pursuant
10 to subsection (3) of this section; and

11 “(c) Find that the proposed disposal of high-level radioactive waste
12 by the small modular reactor comports with a process approved or
13 adopted by the United States Nuclear Regulatory Commission for the
14 disposal of high-level radioactive waste under the same or similar cir-
15 cumstances.

16 “(3)(a) The governing body of a city that adopts an ordinance al-
17 lowing for the siting of small modular reactors within the area subject
18 to the jurisdiction of the city must refer the ordinance to electors of
19 the county as described in paragraph (c) of this subsection.

20 “(b) The governing body of a county that adopts an ordinance al-
21 lowing for the siting of small modular reactors within the unincor-
22 porated area subject to the jurisdiction of the county must refer the
23 ordinance to electors of the county as described in paragraph (c) of
24 this subsection.

25 “(c) If the governing body of a city or county adopts an ordinance
26 under this subsection, the governing body shall refer the measure of
27 the ordinance to the electors of the city or county for approval at the
28 next statewide general election.

29 “(4) ORS 469.595, 469.597, 469.599 and 469.601 do not apply to small
30 modular reactors.

