



The League of Women Voters of Oregon is a 101-year-old grassroots nonpartisan political organization that encourages informed and active participation in government. We envision informed Oregonians participating in a fully accessible, responsive, and transparent government to achieve the common good. LWVOR Legislative Action is based on advocacy positions formed through studies and member consensus. The League never supports or opposes any candidate or political party.

February 4, 2021

To: Senate Committee on Energy and Environment

Senator Lee Beyer, Chair

Senator Lynn Findley, Vice Chair

Email: <https://olis.oregonlegislature.gov/liz/2021R1/Testimony/SEE>

Re: [SB 246](#) – Radioactive Waste Disposal—Definitions and Enforcement **Comments and Support**

The League of Women Voters of Oregon believes that one of government’s most important roles is protecting the public’s health and safety. We have strong positions calling for careful safeguards of our natural resources including clean air and water. And the League supports the rule of law and legislative action needed to ensure that the state can take effective action to prevent unlawful actions and respond effectively when they occur.

With these positions in mind, **we support SB 246 – Radioactive Waste Disposal—Definitions and Enforcement**, adopted as a committee bill by the Senate Environment and Natural Resources Committee on December 4, 2020 and before you now.

As the Department of Energy (ODOE) has indicated, the trigger for this bill was the 2019 discovery that since 2016, out-of-state entities had used the Arlington Landfill (Gilliam County) as a dumping ground for 2.5 million pounds of radioactive waste. The waste was produced primarily by fracking processes in the Bakken oil fields of North Dakota. Disposing of such waste is illegal in the state of origin and, in fact, in most states, including Oregon. In response, ODOE issued a Notice of Violation to the landfill operator, Chemical Waste Management of the Northwest.

In the process of the investigation of the incident—the first of its kind that has been discovered—ODOE determined that various statutory and regulatory updates and other fixes were needed. Changes were needed to put the state in a position to disincentivize such actions and respond effectively if they were to occur in the future. To begin the process, during the 2020 session HB 4014 (B-Engrossed) passed the Senate Environment and Natural Resources and was headed to the Senate Floor when the session ended. With that effort on the shelf, the Department turned to regulatory issues it could address without legislation. The Energy Facility Siting Council approved the convening of a Rulemaking Advisory Committee (RAC) to address needed rule changes to Division 29 of OAR Chapter 345 pertaining to enforcement and penalties. LWVOR was pleased to participate on the RAC and we support the rules changes that resulted. That experience has made it clear to us that passage of SB 246, practically identical to HB 4014, is critical during this session to ensure that Oregon is adequately protected against future incidents of this nature and ready to respond if they occur.

We urge your vote for SB 246.

A handwritten signature in black ink that reads "Rebecca L. Gladstone".

Rebecca Gladstone
LWVOR President

A handwritten signature in black ink that reads "Shirley Weathers".

Shirley Weathers
LWVOR Radioactive Waste Portfolio