

The Oregon Conservancy Foundation

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.. Before the House Committee on Climate, Energy and Environment

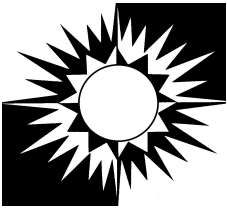
Testimony of Cathryn Chudy Oregon Conservancy Foundation February 13, 2023

Madam Chair, members of the Committee, and the public, my name is Cathryn Chudy and I am a Board Member of the Oregon Conservancy Foundation (OCF). I am testifying on behalf of myself in opposition to HB 2215. I add my testimony to that being offered by Lloyd Marbet on behalf of OCF.

I lived in Salem, Oregon in 1980, and I remember collecting signatures and putting lawn signs out for Ballot Measure 7. I was relieved and reassured when the people of Oregon voted to prohibit the construction and operating of nuclear power plants until there is a federally licensed high level nuclear waste repository for commercial nuclear waste, and a statewide vote of the people.

These protections in the current law have wisely and safely served the people of Oregon for decades, and now this proposed bill is an attempt by industry proponents to take away these essential protections, when nothing has changed. Billions of taxpayer dollars have been spent over the years and there **still** is no federally licensed high level nuclear waste repository for commercial nuclear waste. Any nuclear power plant that gets built and operates will in fact and effect become the permanent site for the toxic waste to sit, as it currently does at the Trojan nuclear power plant site in Oregon. Today Trojan is decommissioned, prematurely shut down by malfunctioning components, **but its high level nuclear waste remains onsite, 32 years later, awaiting a future waste disposal operation that does not exist.** Even if a high level nuclear waste repository existed, no one knows if it will successfully store this toxic radioactive waste for the tens of thousands of years it must be removed from the environment. Future generations, deriving no benefit from the creation of this highly toxic waste, will inherit the legacy and be the ones who will know. (See attached, OCF 2022 Fact Sheet.)

I thank you for the opportunity to testify and ask that you continue to protect Oregonians by rejecting HB 2215.



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Nuclear Power in Oregon?

A Fact Sheet on Small Modular Nuclear Reactors

What are Small Modular (Nuclear) Reactors?

- According to the World Nuclear Association: “Small modular reactors (SMRs) are defined as nuclear reactors, generally 300MWe equivalent or less, designed with modular technology using module factory fabrication, pursuing economies of series production and short construction times.” (“Small Nuclear Power Reactors” 1/2019) SMRs can be used to generate electricity, and combined with other SMRs to increase total electrical output.

What is NuScale/Fluor’s Small Modular Nuclear Reactor (SMNR) Design?

- NuScale is a publically traded company headquartered in Portland, Oregon whose primary investor is Fluor Corporation. It’s website is at: <https://www.nuscalepower.com/>.
- The SMNR design proposed by NuScale originated at Oregon State University and is a modular pressurized light water nuclear reactor using enriched Uranium 235 for fuel.
- In December of 2016, NuScale submitted a SMNR Design Certification Application to the Nuclear Regulatory Commission (NRC) for approval. The NRC issued a Final Safety Analysis Report on 8/28/20. (“Application Review Schedule for the NuScale Design” on NRC’s website: <https://www.nrc.gov/>.) On 11/10/20 NuScale announced a 25% power increase in its reactor design and In 2022 the NRC approved NuScale’s Reactor design.
- A single SMNR module is designated “small” because each module will be approximately 76-foot tall, 15-foot in diameter and projected to produce 77 MWe. It would be manufactured in a factory yet to operate and transported to a plant site location.
- The SMNR can be combined with other modules at the plant site and connected to a control room. Projected contracts routinely describe 6, 8 and 12 pack combined units. A 12 unit 924 MWe power station would be equal to approximately 80% of the power output of the decommissioned Trojan Nuclear Power Plant. Most likely, approved SMNRs will be installed in multiple units which will be far from “small.”
- Nuscale’s reactor design produces the same kind of high-level radioactive nuclear waste currently stored at nuclear plant sites across the country. This waste was never intended to be stored indefinitely. All commercial high level nuclear waste, produced since 1957, awaits transport to a federally licensed waste repository which after all these years still does not exist.



Current Oregon law regarding nuclear power.

- In 1980, Oregon voters approved Ballot Measure 7, prohibiting new construction and operation of nuclear power generating plants statewide until the following conditions are met:

ORS 469.595 Condition to site certificate for nuclear-fueled thermal power plant. Before issuing a site certificate for a nuclear-fueled thermal power plant, the Energy Facility Siting Council must find that an

See Reverse Side

adequate repository for the disposal of the high-level radioactive waste produced by the plant has been licensed to operate by the appropriate agency of the federal government. The repository must provide for the terminal disposition of such waste, with or without provision for retrieval for reprocessing.

ORS 469.597 Election procedure; elector approval required. (1) Notwithstanding the provisions of ORS 469.370, if the Energy Facility Siting Council finds that the requirements of ORS 469.595 have been satisfied and proposes to issue a site certificate for a nuclear-fueled thermal power plant, the proposal shall be submitted to the electors of this state for their approval or rejection at the next available statewide general election. The procedures for submitting a proposal to the electors under this section shall conform, as nearly as possible to those for state measures, including but not limited to procedures for printing related material in the voters' pamphlet.

(2) A site certificate for a nuclear-fueled thermal power plant shall not be issued until the electors of this state have approved the issuance of the certificate at an election held pursuant to subsection (1) of this section.

Oregon's law was adopted by ballot measure. Can it be changed by the Oregon Legislature?

Yes, it is a statutory law! In the last three full sessions of the Oregon State Legislature: 2017, 2019 and 2021, multiple bills were sponsored on behalf of NuScale, either proposing to **repeal** the entire ballot measure law or **exempt** Small Modular Nuclear Reactors and reduce the geographic area of voter approval from statewide to just the county or the city where they might be built. This ignores the fact that accidental radiation releases are not restricted by artificial boundaries. Also, accidents can happen during transport of reactor modules, both before and after the fissioning of their nuclear fuel, on routes through cities and counties where voters would not be allowed to vote in the reduced site approval process. **Oregon's legislative session started on January 17, 2023 and NUSCALE IS BACK! Tell your state representatives to keep Oregon's 1980 ballot measure law as it is.**

What will SMNRs' cost and do we need them?

- From the mining and enrichment of uranium, the construction, operation, and decommissioning of nuclear plants, to the transportation and ultimate disposal of large amounts of nuclear waste, the nuclear fuel cycle has been plagued with high costs, hidden subsidies, health and environmental impacts, and unresolved waste disposal problems.
- From the very beginning, the nuclear industry mastered the art of public relations, promoting endless promises of benefits - "power too cheap to meter," while leaving taxpayers and the public "holding the bag" with cost overruns and broken promises. Now the industry persists in selling the public on the resurgence of nuclear technology, promising new reactor designs to meet the concerns about climate change, a projected need for base load power backing up renewable energy, combating global poverty, and conducting business as usual. The last thing in their play book is true accountability. Substituting one failed energy technology for another is not a solution to climate change.
- No one knows what the true costs of SMNRs will be, because we have no experience with their actual operation, either with single or combined modules. We are asked to continue the nuclear experiment, trust in their new public relations, and hope the outcome will justify the promises being made.
- 44 years ago, when the Trojan Nuclear Plant was built in Oregon, one of the first facilities to operate was its Visitors Information Center. At this high tech media operation, the public went on tours with colorful video presentations and fancy brochures about the nuclear fuel cycle, how Trojan would work, and how high level nuclear waste would be disposed of. Today Trojan is decommissioned, prematurely shut down by malfunctioning components, **but its high level nuclear waste remains onsite, awaiting a future waste disposal operation that does not exist.** Even if a high level nuclear waste repository existed, no one knows if it will successfully store this waste for the tens of thousands of years it must be removed from the environment. Future generations, deriving no benefit from the creation of this highly toxic waste, will be the ones who will know. **The message we send them, and what we leave them, is up to you!**

And the cost of a thing is the amount of what I will call life which is required to be exchanged for it, immediately or in the long run.

– Henry David Thoreau