



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

ADDITIONAL Testimony of Lloyd K. Marbet

Oregon Conservancy Foundation

February 13, 2023

Madam Chair, members of the Committee, my name is Lloyd K, Marbet. I am the Executive Director of the Oregon Conservancy Foundation (OCF). On February 20, in remote video testimony, I appeared before you in opposition to HB 2215. I refused to “speed read” my “briefly” written testimony submitted to you on February 12. Instead I offered very limited oral comments, due to the two minute limitation put on oral testimony.

I am seventy five years old, and I have been a student of nuclear technology for over 50 years. I am not a lawyer, but have taught myself administrative law. I have intervened before the U.S. Nuclear Regulatory Commission, representing myself and others in lengthy nuclear power plant licensing proceedings, for the proposed Pebble Springs Nuclear Power Plants, that were to be built in Arlington, Oregon, and the proposed Skagit Nuclear Power Plants, that were to be built in Sedro Woolley, Washington.

I have intervened before the Oregon Energy Facility Siting Council (EFSC) regarding the proposed licensing of low level nuclear waste disposal at Teledyne Wa Chang in Albany, Oregon, and the proposed remedial treatment of abandoned uranium mine and uranium ore mill tailings in Lakeview, Oregon; as well as intervening in EFSC’s licensing proceeding on the Pebble Springs Nuclear Power Plants and EFSC’s public hearings on the failed Trojan Nuclear Power Plant in Rainier, Oregon. Trojan’s left over high level nuclear waste still remains on site, in temporary dry cask storage, awaiting permanent disposal. **(For a thorough assessment of the problems with disposing high level nuclear waste, read the written testimony provided by [Tami Thatcher](#).)**

I have submitted testimony in numerous legislative hearings over the years and I am intimately aware of the how the Oregon legislative hearing process has evolved over time, and understand the difficulty that legislators have in processing and adequately reviewing proposed legislation.

It concerns me that the legislative hearing process is evolving into “sound bites,” from the ever decreasing time for citizens to orally testify. The hearings on HB 2215 are sadly an example of this, and while I appreciate the opportunity to submit written testimony, I am

also aware that when one orally testifies one can engage the public servants they are testifying before, and can respond directly to their questions, while at the same time involving all the Representatives present in determining the fate of the legislation before them. This is not available for written testimony, except in private communication that “might” take place between legislators and those who have offered written testimony, or with lobbyists. This reinforces the importance of citizens being able to publically testify and have a reasonable opportunity to witness and exchange concerns.

At the public hearing on February 13, one citizen traveled great distance to testify before you. I know this because, before the hearing, my wife, Cathryn Chudy, was in communication with Cathy Sampson Kruse, who lives on the Oregon Coast and strongly believes it is important to testify against HB 2215 in person, representing herself, and her people, who have been greatly, and negatively, impacted by the nuclear fuel cycle and nuclear waste. She traveled to appear personally before you, even though her husband is in palliative care for cancer. There may have been other witnesses with similar difficulties waiting to testify in the audience.

After hearing testimony from HB 2215 proponents the Committee hearing was suddenly adjourned, with an announcement that another hearing would be held on February 20. No one asked whether anyone in the audience had traveled great distance to testify and wished to give their testimony in person. I have seen this done in other legislative proceedings. It would have been a courtesy of kindness.

I attempted to testify remotely and witnessed the February 13, hearing. I then later participated in the February 20 hearing. I was immediately struck by the way proponents of HB 2215 were treated versus the opponents. I saw no time limitation on testimony from proponents. I watched this remotely, on an evenly split computer screen, I could see each proponent witness while they testified, and at the same time watch the response of the legislative panel. When it came time for the remaining registered opposition witnesses to testify, the screen I was watching suddenly changed to an excessively large timer window obstructing any view of the legislative committee panel, counting down two minutes before an alarm went off. I could barely see in a very small window at the bottom of the screen, each person testifying. People began speed reading their testimony and I was shocked by the herding of witnesses. In past legislative hearings I have not witnessed anything quite like this, and apparently I am not alone.

I have read all of the written testimony submitted in this proceeding. There is testimony offered from experts who have worked in the nuclear industry and are opposing HB 2215. One of them is Dirk Dunning who, also shocked by the way in which this hearing was held, rewrote his testimony and resubmitted it. **[I invite you to read his resubmitted testimony!](#)**

By providing OCF’s additional testimony, We are not seeking special treatment, but are seeking equal treatment of all opponents and proponents testifying on legislation.

**Respectfully submitted,
Lloyd K. Marbet.**