

## **HB 2410 -1, -2 STAFF MEASURE SUMMARY**

### **House Committee On Climate, Energy, and Environment**

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**Sub-Referral To:** Joint Committee On Ways and Means

**Meeting Dates:** 2/27, 4/8

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#### **WHAT THE MEASURE DOES:**

The measure allows the Energy Facility Siting Council (EFSC) to issue a site certificate for a small modular reactor energy facility demonstration project located within the geographical area of Umatilla County if EFSC finds that certain criteria are met. It requires ODOE, in cooperation with other entities, to prepare and submit a report that contains certain information related to a small modular reactor energy facility demonstration project. The measure establishes the Umatilla County SMR Demonstration Project Report Fund (Fund). It sunsets the reporting requirement and Fund on January 2, 2027. The Act refers provisions of the measure to the people of Umatilla County for their approval or rejection at the next regular general election held throughout Oregon. The measure takes effect upon approval by a majority of the registered electors of Umatilla County voting on the ballot measure presented at the next regular general election held throughout Oregon.

#### Detailed summary:

##### **Small modular reactor energy facility demonstration project**

Defines terms. Allows the Energy Facility Siting Council (EFSC) to issue a site certificate for a small modular reactor (SMR) energy facility demonstration project located within the geographical area subject to the jurisdiction of Umatilla County if EFSC finds that:

- The demonstration project will utilize microgrid enabling technologies, including microgrid controllers and any other related technologies needed to electrically isolate the demonstration project from the electric grid, so that the demonstration project is capable of operating independently from the electric grid; and
- Use of microgrid enabling technologies by the demonstration project will support community energy resilience.

Prohibits, with exceptions, high-level radioactive waste from being stored at the site of the demonstration project after termination of the operating license issued to the demonstration project by the United States Nuclear Regulatory Commission. Requires, with exceptions, a person operating the demonstration project under a license issued by the United States Nuclear Regulatory Commission to remain responsible for proper temporary storage of high-level radioactive materials at the site of the demonstration project after termination of the license and until such materials are removed from the site for consolidated interim storage or permanent storage. Requires the Oregon Department of Energy (ODOE) and the operators of the demonstration project to pursue agreements with the United States Department of Energy and the United States Nuclear Regulatory Commission to fulfill the waste disposal provisions. Establishes that certain Oregon Revised Statutes do not apply to a small modular reactor demonstration project.

##### **Reporting requirements**

Requires ODOE, in cooperation with the Oregon Department of Land Conservation and Development, the Public Utility Commission and any other interested state agency, to prepare a report that contains certain information and submit the report to the interim committees or committees of the Legislative Assembly related to energy no later than one year after this Act takes effect.

**Fund creation**

Establishes the Umatilla County SMR Demonstration Project Report Fund (Fund) in the State Treasury, separate and distinct from the General Fund, with all moneys in the Fund continuously appropriated to ODOE.

**Sunset provisions**

Sunsets reporting requirement and Fund on January 2, 2027.

**Voter approval**

Refers provisions of measure to the people of Umatilla County for their approval or rejection at the next regular general election held throughout Oregon.

**Effective date**

Takes effect upon approval by a majority of the registered electors of Umatilla County voting on the ballot measure presented at the next regular general election held throughout Oregon.

**ISSUES DISCUSSED:**

- Need for reliable energy sources in Eastern Oregon
- Energy demand in Oregon
- Differences between conventional nuclear power plants and small modular reactors
- Potential positive and negative outcomes from using nuclear energy in Oregon
- Possibilities of reusing spent nuclear fuel rods
- Potential process for Indian tribal consultation when siting nuclear energy projects

**EFFECT OF AMENDMENT:**

- 1 The -1 amendment contains similar provisions as the -2 amendment, with a few modifications.
- 2 The amendment modifies provisions related to a small modular reactor energy facility for a demonstration project and requires the Energy Facility Siting Council (EFSC) to consult with each federally recognized Indian tribe if they express interest and if EFSC receives an application for a site certificate for a small modular reactor energy facility for a demonstration project.

Detailed summary:

Adds new definitions. Requires EFSC to consult with each federally recognized Indian tribes, including the Confederated Tribes of the Umatilla Indian Reservation, if they express interest and if EFSC receives an application for a site certificate for a small modular reactor energy facility for a demonstration project. Requires EFSC to take certain actions when consulting with Indian tribes. Modifies high-level radioactive waste prohibitions. Allows, rather than requires, Oregon Department of Energy (ODOE) to pursue agreements with the United States Department of Energy and the United States Nuclear Regulatory Commission to fulfill the waste disposal provisions. Adds the Oregon Department of Transportation to the list of agencies that ODOE can consult with to prepare a report related to small modular reactor energy facility demonstration projects. Changes date report is due. Removes section 7.

- *FISCAL: Fiscal impact statement issued*
- *REVENUE: Revenue impact statement issued*

**BACKGROUND:**

Nuclear reactors generate electricity when thermal energy is released from the fission of nuclear fuel. According to the Oregon Department of Energy, the Columbia Generating Station in Washington State provides Oregon's nuclear power and the Bonneville Power Administration markets the electricity it produces. In 2004, Portland

General Electric decommissioned its 1,130-megawatt Trojan nuclear-fueled power plant located in Columbia County.

Small modular nuclear reactors (SMRs) are smaller in size and produce less power than conventional nuclear reactors. SMRs typically generate between 50 MW to 300 MW of electricity, compared to over 1,000 MW of power generated from larger nuclear reactors. SMRs are designed to be modular, which means they can be built in factories, transported to the site for assembly, and scaled up by adding multiple reactors to a site if needed.

Oregon's Energy Facility Siting Council (EFSC) may issue site certificates for nuclear-fueled thermal power plants, but only after finding that an 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 (Oregon Revised Statute [ORS] 469.595). If an adequate repository exists and is licensed, the nuclear-fueled thermal power plant site certificate proposal must be approved or rejected by Oregon voters at the next available statewide general election (ORS 469.597).