

**Testimony in Support of House Bill 2410 (2025)
Maureen McGee, on Behalf of Umatilla County**

**Before the House Committee on Climate, Energy and Environment
Thursday, February 27, 2025 at 8:00 am**

Chair Lively, Vice Chairs Gamba and Levy and Members of the Committee, my name is Maureen McGee. I am a Government Affairs Attorney with a background in Oregon Climate Policy, and I am testifying today in support of House Bill 2410 on behalf of my client, Umatilla County.

You have already heard some history today around Oregon's laws for siting new nuclear facilities, which I would like to provide some additional background on. I'll then walk through a description of what HB 2410 does, and provide some additional context for why Umatilla County urges your support of HB 2410.

In 1971, the Oregon Legislature established the Nuclear and Thermal Energy Council to regulate the siting of nuclear and coal-fired generating plants in this state. Just four years later, in 1975, this legislative body replaced NTEC with the Energy Facility Siting Counsel, or EFSC.¹ The creation of EFSC established a detailed process in Oregon for engaging with stakeholders, communities, other regulatory entities and commenting agencies to carefully site energy facilities in this state, including nuclear facilities, in line with Oregon's comprehensive land use laws.

Soon after creation of EFSC, in 1980, the Oregon voters passed Ballot Measure 7 by 54% of the vote.² Contrary to a somewhat common belief, Ballot Measure 7 did *not* place a Constitutional prohibition on nuclear in Oregon, nor does such a Constitutional prohibition exist. Instead, Ballot Measure 7 created new provisions within EFSC's statutes that placed insurmountable barriers to EFSC's ability to approve siting new nuclear facilities in this state, thus serving as a practical moratorium on nuclear energy.³

While the statutes adopted via Measure 7 remain in effect today, our region is facing growing and significantly different energy challenges than those of the past. Electricity demand in the Northwest is expected to grow more than 30% in the next decade.⁴ Oregon has adopted aggressive clean energy goals that require phasing out the use of greenhouse-gas emitting

¹ Oregon Department of Energy, Energy Facilities & Safety, Facilities, About the Council, <https://www.oregon.gov/energy/facilities-safety/facilities/pages/about-the-council.aspx>.

² Oregon Blue Book, Almanac & Fact Book, Initiative, Referendum and Recall results, 1902 – 2022, <https://sos.oregon.gov/blue-book/Documents/elections/initiative.pdf>.

³ Voters' Pamphlet, State of Oregon General Election November 4, 1980, available at <https://digitalcollections.library.oregon.gov/nodes/view/24554>. The provisions of Ballot Measure 7 are now codified at ORS 469.590, 469.593, 469.594, 469.595, 469.597, 469.599 and 469.601.

⁴ Pacific Northwest Utilities Conference Committee, Northwest Regional Forecast of Power Loads and Resources: August 2024 through July 2034, May 2024, at 4, <https://www.pnucc.org/wp-content/uploads/2024-PNUCC-Northwest-Regional-Forecast-final.pdf>

baseload power resources like coal and natural gas,⁵ transmission and land use challenges are slowing the build out of new renewable generation, and rural communities, in particular, are facing real daily questions about how to supply resilient and reliable energy to their communities, particularly in the face of increasing disruption events like extreme weather and wildfire.

For those of us concerned about climate change, system level modelling shows that incorporating at least 700-900 GW of additional clean firm capacity into the grid nationwide will be needed to achieve net zero by 2050.⁶ Nuclear, including new advanced nuclear like small modular reactors, is one of the few options that could deliver at this scale, even when accounting for other important emerging technologies like hydrogen, offshore wind, batteries and next-generation geothermal power.

Where new nuclear capacity is built (and it will be built) will play a critical economic development role for the surrounding communities. Nuclear facility construction and operation is labor and resource intensive, and states that participate in this opportunity will benefit from building or expanding a highly trained, and highly paid, workforce that is the most unionized workforce in the energy sector.⁷

Oregon is already primed to take hold of the opportunity, with a leading nuclear science and engineering program at Oregon State University,⁸ and skilled tradesmen throughout Northeast Oregon, in particular, who have honed their craft on building, operating and decommissioning other nuclear facilities in the region.

House Bill 2410 is a narrowly-crafted concept, and we hope it will serve as the start of a meaningful conversation about siting nuclear in Oregon.

The bill does three things:

- First, it creates a narrow exemption from the provisions of Measure 7, to allow for a small modular reactor demonstration project to be sited in Umatilla County. For EFSC to site that facility, it would be required to find that the facility is equipped with microgrid enabling technology and capable of providing community energy resilience. The bill retains Oregon's statutory strong desire for spent nuclear fuel to be moved to an out of state, offsite, federally-licensed interim or permanent storage facility, but also makes clear that spent nuclear fuel stored onsite will be the responsibility of the project owner.⁹

⁵ See House Bill 2021 (2021),

<https://olis.oregonlegislature.gov/liz/2021R1/Downloads/MeasureDocument/HB2021>.

⁶ U.S. Department of Energy, Pathways to Commercial Liftoff: Advanced Nuclear, September 2024, at 1, https://liftoff.energy.gov/wp-content/uploads/2024/10/LIFTOFF_DOE_Advanced-Nuclear_Updated-2.5.25.pdf.

⁷ Pathways to Commercial Liftoff at 17.

⁸ Oregon State University College of Engineering, Nuclear Science and Engineering, <https://engineering.oregonstate.edu/NSE>.

⁹ Section 2, House Bill 2410 (2025).

- Second, it honors community consent by referring the measure to the people of Umatilla County for their approval, or rejection;¹⁰ and
- Third, If the bill is approved by the people of the county, it sets in motion a process for the appropriate state regulatory agencies to prepare a regulatory report to the legislature, describing what laws in Oregon would need to be updated to provide for a nuclear siting process that appropriately supplements federal law, and that reflects the values of today's Oregonians.¹¹

Today you will hear testimony in support of HB 2410, from local governments including cities and counties that see this bill as opportunity to advance regional solutions for the siting of generating technologies that can support local energy resilience, reliability and affordability.

You will also hear from Oregon residents, here to express their personal reasons for favoring nuclear power, and for supporting this legislation.

We also expect that you also hear from residents who are opposed to this bill. They are likely to have similar questions and concerns to those that were raised in the voter's pamphlet for Measure 7, 45 years ago.

Today, my client believes circumstances since 1980 have changed. Three-mile island is slated to reopen.¹² Out of the sixteen states that passed nuclear moratoria at the height of American anti-nuclear sentiment, only nine continue to completely prohibit new facilities in their borders¹³ and three of *those* states, California, Minnesota, and now Oregon, are considering bipartisan legislation for repeals or exemptions. On Tuesday, the Democratically-controlled Colorado House voted 43-18 in favor of a House Bill that specifies nuclear as a source of clean energy for meeting that state's 2050 clean energy targets, and that bill now moves to the Colorado Senate.¹⁴ Here in Oregon, HB 2021 already incorporates nuclear as a source of nonemitting energy for purposes of eliminating greenhouse gas emissions from electricity for Oregon's IOU customers by 2040.¹⁵

We know that the committee, the legislature, and the people of Oregon have questions about nuclear. Questions are important. We are here to have an honest conversation, and we view today's hearing as a start to that conversation. We also already know that our bill will require amendments. We have received feedback on technical modifications to section 2, and requests

¹⁰ Section 6, House Bill 2410 (2025).

¹¹ Section 3, house Bill 2410 (2025).

¹² World Nuclear News, "Three Mile Island restart project 'ahead of schedule,' Friday, February 28, 2025, <https://www.world-nuclear-news.org/articles/us-reactor-restart-project-ahead-of-schedule>.

¹³ U.S. DOE, What is a Nuclear Moratorium?, <https://www.energy.gov/ne/articles/what-nuclear-moratorium>.

¹⁴ Colorado Politics, "Is Colorado open to embracing nuclear energy? A former anti-nuclear Democrat is asking colleagues to reconsider the energy source," Friday, February 28, 2025, https://www.coloradopolitics.com/news/colorado-approves-nuclear-energy/article_d7aa6962-f3a9-11ef-b53d-cf379c3a5ca9.html.

¹⁵ ORS 469A.400, ORS 469A.405.

to provide more direction and clarity to ensure that the regulatory report in section 3 results in the most valuable work product for our state. Finally, we acknowledge and believe that tribal consultation will be an important aspect of this work, and we are committed to engaging in that process. We encourage anyone who has feedback, to please reach out and share that feedback with us.

My client's hope, is that having a meaningful, open conversation about nuclear will lead this committee to determine that you support HB 2410, because you, like us, believe the Oregon should have an opportunity to consider nuclear as part of our Clean Energy Future.

I am happy to address the committee's questions, and I thank you for the opportunity to testify.

Maureen McGee
Government Affairs Attorney
Contract Lobbyist, Umatilla County
maureen.mcgee@tonkon.com