

Diary of a public hearing with its unheard public testimony

February, 27, 2025

Democracy has become a public hearing where proponents and opponents of legislation are told that offering testimony is a free for all with no consistent rules. Unevenly heard testimony in person becomes shorter and shorter soundbites combined with a sudden hearing closure on the bill being heard. The order of signed up speakers is ignored. No continuance of the hearing is offered anymore giving all citizens signed up to speak the opportunity to be heard. Instead unheard testimony is left to be solely submitted in writing online, as if all citizens have that kind of access, becoming just a convenient way of filing it away and never hearing it all. There is no way of knowing that what is submitted online has any real connection to the elected representatives paid to be there and to listen. The excuse given is that the total number of bills in the legislature need to be heard (regardless of their degree of importance) allowing the hearing Chair to summarily dismiss our right to be adequately heard at all and in person.

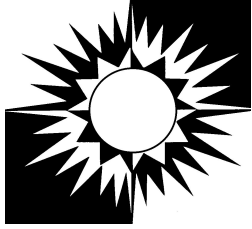
All of it amounting to being brushed aside!

Has our input grown so great that we are crumbled under the weight of this manipulation? No longer thoroughly debating issues that cry for clarity, transparency and the right to be heard in person and publicly deliberated?

“Have we all traveled a great distance” to come to this?

Lloyd K. Marbet, 2/28/25

painting on right by Norman Rockwell, 1943 - on left, Jonathon Ferrara Gallery “Ode to Rockwell's Freedom of Speech, 2017”



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

Testimony of Lloyd K. Marbet,
Oregon Conservancy Foundation and Oregon Progressive Party
February 27, 2025



Chair Lively, members of the Committee, and members of the public, my name is Lloyd K, Marbet and I am the Executive Director of the Oregon Conservancy Foundation (OCF). I appear before you today in opposition to HB 2038.

HB 2038 directs the Oregon Department of Energy (ODOE) to study the “advantages” of nuclear energy, **but not its disadvantages!** This establishes an upfront bias that is already embraced in studies done by the U.S. Department of Energy (USDOE), by nuclear proponents USDOE funds, and by the Nuclear Industrial Complex, such as its lobbying group, the Nuclear Energy Institute, which you already heard from in your interim committee information session held on December 10th.

There are studies both in favor and opposed to nuclear energy and its use of Small Modular Nuclear Reactors (SMNRs). It might be of benefit, and much less costly, if the legislature held an informational hearing reviewing both sides of this issue, before asking the ODOE to perform yet another study. You could even ask the ODOE to review those studies and provide input at that legislative hearing.

There is yet another bill in this legislative session, SB 635, directing Oregon State University (OSU) to conduct a feasibility study on nuclear energy generation in Oregon. It also requires OSU to submit a report to the Legislature, and OSU has an equity share in NuScale and is promoting OSU’s reactor design. One wonders how many times the legislature needs SMNR promotional studies?

This raises another question, what is the real need for this legislation? ORS 469.595 requires that before EFSC can issue a site certificate for a proposed nuclear fueled power plant there must be “an adequate repository” for the “the terminal disposition,” “with or without provision for retrieval for reprocessing,” for its high-level radioactive waste. **We all know this repository doesn’t exist, nor do we know if this repository will ever exist!**

We do know that four other bills in this legislature session seek to repeal this nuclear waste disposal requirement, as well as five other bills seeking exemptions for SMNRs. None of these bills have been passed into law yet.

Finally we do not know the projected cost to Oregon taxpayers for enacting HB 2038? We assume answers to this question may be provided by the ODOE.

If you intend to enact this legislation we suggest the following changes to SECTION 1 in this bill in order to provide a more thorough and fair analysis:

SECTION 1. (1) The State Department of Energy shall study the following subjects as related to nuclear energy, including nuclear waste disposal from nuclear energy:

(a) Advantages and disadvantages of nuclear energy and its impact on mitigating catastrophic climate change;

(b) Feasibility of constructing nuclear power plants in Oregon;

© How the use of nuclear energy may support and negatively impact current energy systems, **taking into consideration nuclear accidents and the affect of catastrophic climate change on reactor operations**;

(d) Economic growth and workforce development potential for Oregon communities;

(e) Safety of nuclear energy and nuclear waste disposal;

(f) Reliability of nuclear energy versus other energy alternatives.;

(g) How the use of locally produced nuclear energy can eliminate dependence on foreign-sourced energy **or exacerbate dependency on this energy source**; and

(h) Use of thorium as an option for producing nuclear energy.

Thank you for the opportunity to testify. We ask that you table HB 2038. There are too many unanswered questions and better, less costly and more equitable alternatives. If you do pass HB 2038 out of committee, we ask that you adopt the above proposed changes.