



Oregon

Tina Kotek, Governor



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March 4, 2026

Submitted via online portal
US Department of Energy
Docket DOE-HQ-2025-0405

RE: Oregon Department of Energy Comment on US Department of Energy proposed NEPA categorical exclusion for advanced nuclear reactors

To whom it may concern:

The Oregon Department of Energy fundamentally disagrees with the US Department of Energy's proposal to include advanced nuclear reactors on its National Environmental Policy Act 'categorical exclusion' list. The intent of a 'categorical exclusion' list is for such governmental actions that are so routine and benign that very little environmental impact would be expected – government purchases of office supplies or rooftop solar, for example. In contrast, a categorical exclusion for advanced nuclear reactors, technology which is cutting edge and, in some cases, has never moved beyond a research laboratory, is contrary to NEPA requirements or intent. The proposed exclusion presupposes environmental and safety risks before understanding the potential impacts. Advanced reactors include a variety of technologies, and should be evaluated based on their specific circumstances – exactly the intent of a project-based NEPA environmental review, and the type of review conducted by the Nuclear Regulatory Commission.

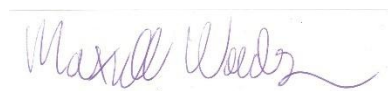
Additionally, we disagree with DOE's broad assertions regarding the risks to humans and the environment from advanced reactor technologies – in fact, the technologies are not yet mature, and the potential risks are not yet understood. The people of Oregon and the rest of the nation deserve full information, analysis, and disclosure, as well as the ability to provide public comment, before their federal government approves the construction of advanced nuclear reactors. It is also critical that formal government to government consultation with Tribal Nations occurs prior to federal approval of a specific advanced

nuclear reactor project, and we are concerned that a categorical exclusion may be used as a reason to also eliminate consultation with Tribal Nations.

In Oregon, the Energy Facility Siting Council has authority over environmental and land use permitting for large-scale energy facilities proposed in Oregon. While there are no currently- operating nuclear energy plants in Oregon, our state still hosts the spent nuclear fuel from the long-decommissioned and demolished Trojan Nuclear Plant, a result of the lack of a permanent national nuclear waste disposal location. This is the type of information that should be included in a proposed nuclear power plant environmental review – information concerning the risk and long-term plan for spent nuclear fuel, for example. Additionally, while Oregon functionally bans nuclear power plants at this time, the state legislature has recently begun conversations around nuclear power and its potential value in meeting Oregon's future power needs. DOE's categorical exclusion proposal threatens to undermine public trust in federal nuclear safety responsibilities and will significantly challenge the state's ability to navigate a conversation around nuclear power in Oregon.

Oregon state government takes seriously our responsibilities to function in an open and transparent process, including regarding environmental impact assessments for new power technologies. Building public trust in the safety of nuclear power plants is a critical component of permitting and licensing, and DOE's proposed categorical exclusion erodes public trust. Instead of demonstrating via a NEPA review the environmental impacts of a proposed facility, this DOE action would short-cut the process under the guise of expediency, and reduce the transparency, clarity, and risk-informed decision-making that Americans expect from their government. We strongly recommend DOE rescind its proposed categorical exclusion for advanced nuclear reactors.

Regards,

A handwritten signature in purple ink, reading "Maxwell Woods".

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