

October 23, 2006

Transcript and related information from oral testimony to the Canadian Nuclear Safety Commission (CNSC) regarding the proposed radioactive waste dump at Bruce

Chairwoman Keene and CNSC Commissioners,

I am thankful for this opportunity to intervene in the proceedings regarding Ontario Power Generation's proposal to permanently bury all of Ontario's so-called "low" and "intermediate" level radioactive wastes just 1 kilometer, or 0.6 miles, from the waters of Lake Huron.

My name is Kevin Kamps. I am Nuclear Waste Specialist at Nuclear Information and Resource Service in Washington, D.C. NIRS is the information and networking center for citizens and environmental organizations concerned about nuclear power, radioactive waste, radiation, and sustainable energy issues. We have members in Ontario and Quebec, as well as in each U.S. state that borders the Great Lakes.

I am also on the board of Directors of Don't Waste Michigan, a statewide coalition concerned about nuclear power and radioactive waste issues. I represent the Kalamazoo, Michigan chapter – my hometown, located not far from Lake Michigan.

I am testifying on behalf of 22 additional groups in Michigan, as well as 10 groups in the remainder of the Great Lakes states – Indiana, Illinois, Wisconsin, Minnesota, Ohio, Pennsylvania, and New York.* One of those groups, Michigan Environmental Council, is itself a coalition of 72 grassroots groups in Michigan, representing over 200,000 Michigan residents. Thus, our coalition of nearly three dozen U.S. environmental organizations represents citizens across Michigan, as well as throughout each Great Lakes state in the Basin.

I would like to mention that two United States Congressmen have also expressed concerns about the proposed radioactive waste dump at Bruce. U.S. Congressman Bart Stupak, who represents Michigan's 1st Congressional District, has written to you and the Canadian Environment Minister with his concerns. The 1st Congressional District is Michigan's largest, with half the state's landmass and 1,613 miles (nearly 2,600 kilometers) of Great Lakes shoreline. Stupak is recognized as a national leader in protecting the Great Lakes. Stupak was the author of legislation that banned underwater oil and gas drilling in the Great Lakes. He also took a lead role in opposing a Canadian company's plans to sell water from the Great Lakes to China.

U.S. Representative John Conyers also spoke out today expressing his concerns about this proposed dump upstream of his district in Detroit -- Michigan's largest city. He said "My constituents depend upon the Great Lakes as a source for drinking water. I am very concerned about this dump leaking radioactive contamination into Lake Huron and the potential downstream impacts this leak could have on our supply of clean drinking water." John Conyers of Michigan's 14th District represents parts of Detroit and the

Downriver area. Conyers is the ranking member of the House Judiciary Committee. He is among the longest serving Members of the U.S. House of Representatives, with over 40 years of service. Among his countless accomplishments was the establishment of the federal Martin Luther King, Jr. holiday every January. He is regarded as a national civil rights champion. Radioactive contamination of Detroit's drinking water supply is an environmental justice issue, for Detroit has a large African American population, as well as other People of Color and low income communities.

Congressman Stupak has requested that the U.S. Environmental Protection Agency (EPA) and the U.S.-Canadian International Joint Commission (IJC) investigate the trans-boundary impacts of the proposed dump at Bruce.

The U.S. Great Lakes Task Force has also begun investigating this proposal. It is a bipartisan and bicameral organization that works to enhance the economic and environmental health of the Great Lakes. Founded in the mid-1980s, the Great Lakes Task Forces in the U.S. House of Representatives and the U.S. Senate work together to advocate for policies and programs that enhance this unique natural resource, the Great Lakes. The Great Lakes comprise 20% of the surface fresh water on the planet, and are a source of drinking water, fisheries, tourism, recreation, and water for industry and agriculture for 35 million people in the U.S. and Canada. The House and Senate Great Lakes Task Forces are concerned with preserving the environmental quality of the Great Lakes Basin.

As expressed in our previous written submissions at each stage of this proceeding, we wish to say "no" to a low-level environmental assessment on OPG's proposed radioactive waste dump, less than a kilometer from the shore of Lake Huron.

It is unprecedented to permanently dump radioactive wastes on the Great Lakes shoreline. This dump risks turning the Bruce region and points downstream into a permanent nuclear sacrifice area that would affect future generations in Canada and the United States for hundreds of thousands of years. For that reason, we call on an independent panel review to consider impacts for a million years into the future. Certain radioactive poisons in the waste will be hazardous for longer than that. The US EPA has proposed a million year regulatory enforcement period for radioactive waste burial in the U.S. under the proposed Yucca Mountain, Nevada high-level radioactive waste dump proposal. So-called "low" and intermediate level nuclear waste contains many, even most, of the same deadly ingredients as high-level waste, just in lesser concentrations. But the U.S. National Academy of Sciences reaffirmed last year that any dose of radiation, no matter how small, carries with it a cumulative risk to human health.

Because of the bad precedent that would be set by dumping radioactive wastes on the Great Lakes shoreline, environmental groups from each U.S. state on the Great Lakes, even those upstream, are expressing concern and opposition to this proposal.

Any proposal for these radioactive wastes demands the highest level of scrutiny and independence – not the low-level environmental assessment proposed by the CNSC.

Of special concern is the risk of radioactive waste contamination of Lake Huron and points downstream. This risks the drinking water supply for many Michigan towns and cities, such as Bay City, Port Huron, Detroit, and Monroe, which draw their drinking water from Lake Huron and points downstream – the St. Clair River, Lake St. Clair, the Detroit River, and Lake Erie. Drinking water impacts could even impact downstream communities in Ohio, Pennsylvania, and New York. For this reason, the scope of the area of concern must be greatly expanded, to include all these communities downstream in the U.S.

For these many reasons, our coalition calls on the CNSC for the proposed low-level environmental assessment to be upgraded to an independent Panel Review, the highest level environmental review under Canadian federal law.

We are calling on the CNSC to delay this assessment process, since it would, in effect, allow the Canadian nuclear industry to preemptively decide Canada's policy for the long-term management of all radioactive wastes other than irradiated nuclear fuel. This contravenes the Canadian federal government's 1996 Radioactive Waste Policy Framework, which stipulates that this responsibility lies with the Canadian federal government. We support Greenpeace Canada's complaint filed with Canada's Environment Commissioner regarding OPG's radioactive waste dump proposal in June 2006.

We are also concerned that a so-called "low" and intermediate level radioactive waste dump at Bruce would pave the way for high-level radioactive wastes from all of Ontario, and even all of Canada, to be transported to, stored at, and even dumped at Bruce. This would represent a Yucca Mountain dump in the heart of the Great Lakes.

We also join with the Canadian environmental coalition in calling on the CNSC to include decommissioning wastes in planning for the Bruce facility; to expand the study area to include downstream communities on the Great Lakes in Canada and the USA; to extend the assessment timeframe to one million years because of the long lifetime of radioactive elements in the waste; to include a worst-case accident scenario involving leakage of radioisotopes from this underground dump, and even the surface operations associated with it; to examine the safety of radioactive waste transport from the Pickering and Darlington sites to the Bruce site; and to consider alternatives to radioactive waste incineration at Bruce, which very likely is having downwind impacts on public health in Michigan and other U.S. states.

Here are some questions and issues we would like addressed in the independent panel review:

What will be the legally acceptable leak rate for this dump? What will be the legally acceptable dose rate to persons downwind and downstream, both in the U.S. and Canada? How will that be verified and by whom? What human health impacts will that have downwind and downstream, including in the U.S.?

Would it meet the US Nuclear Regulatory Commission's burial regulations for radioactive waste, found in Chapter 10 of the US Code of Federal Regulations, Part 61?

What are the Canadian regulations and how do they compare? I ask this because the Bruce dump could very well impact communities in the U.S., especially over time.

Not one new low level radioactive waste dump has been licensed in the U.S. since the Low Level Radioactive Waste Policy Act of 1980 was passed, because every targeted site has not been protective enough to isolate the waste for as long as it is hazardous. Will the Bruce dump be able to isolate the radioactivity from the biosphere for as long as the waste remains hazardous?

The State of Michigan originally searched, but then stopped looking, for a nuclear dumpsite in its state because of the threat to the water from the radioactivity.

In the 1980s and 1990s, Don't Waste Michigan – one of the signatories to our statement – played an instrumental role in stopping this scheme by 8 U.S. states to dump their radioactive wastes in Michigan. Our coalition of groups will not sit idly by as the Canadian nuclear establishment attempts to create a nuclear sacrifice zone in the heart of the Great Lakes, upstream from Michigan communities.

Does Canada think they can make a safe enough dump for wastes hazardous longer than any reasonable institutional control period?

The International Joint Commission has a goal of virtual elimination of toxic pollutants, including radioactivity, into the Great Lakes. How does this proposed dump comport with that IJC goal?

Every low level radioactive waste dump in the U.S. has leaked into groundwater. Other low level radioactive waste dumps at Bruce have already leaked into groundwater. Groundwater near Bruce, of course, flows into Lake Huron. Can OPG, CNSC, and the City of Kincardine guarantee that this Bruce underground dump will not leak into Lake Huron over time?

In summary, it is neither moral nor legal for a single company, along with local governments in a single area, to endanger the entire Great Lakes Basin. That is why we are intervening in this proceeding.

Thank you for considering our intervention and including all of the concerns raised in our submissions and testimony in your independent panel review of this dump proposal.

A revised written submission, with a complete updated listing of the 30 groups in the U.S. concerned about and opposed to this dump, will be sent to CNSC. The full contact information for each of these groups will be included. In the interests of openness, transparency, and public participation, we request that all documentation associated with these proceedings be sent to each of our 30 organizations on an on-going basis.

We will also submit a written transcript of this oral testimony to be included in the official record of the proceedings.

Thank you.

Sincerely,

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*This testimony is given on behalf of the following organizations:

In Michigan: Lone Tree Council, West Michigan Environmental Action Council, Michigan Coalition on the Environment and Jewish Life (MI-COEJL), Coalition for a Nuclear-Free Great Lakes, Don't Waste Michigan, Citizens Resistance at Fermi Two (CRAFT), Nuclear-Free Great Lakes Campaign, Green Party of Michigan, Van Buren County Greens, Citizens for Alternatives to Chemical Contamination, Environment Michigan, Voices for Earth Justice, Northwoods Wilderness Recovery, Pontiac Agriculture Network, Huron Environmental Activist League, Swords into Plowshares Peace Center & Gallery, Michigan Environmental Council, Fair Food Matters, Holland Peacemakers, Save The Wild U.P., Clean Water Action, Sierra Club Michigan Chapter;

in Illinois: Nuclear Energy Information Service;

in Indiana: Citizen Action Coalition of Indiana;

in Minnesota: Prairie Island Coalition, North American Water Office;

in New York: Central New York Citizens Awareness Network;

in Ohio: Toledo Coalition on Safe Energy;

in Pennsylvania: Environmental Coalition on Nuclear Power, Pennsylvania Environmental Network;

in Wisconsin: Physicians for Social Responsibility – Wisconsin, Nukewatch.

The full contact information for all these organizations follows below. Again, we request to each be sent all documents pertaining to these proceedings on an ongoing basis.

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