

United States Senate

WASHINGTON, DC 20510

October 1, 2010

The Honorable Louise Levert
Secretariat
Canadian Nuclear Safety Commission
280 Slater St., P.O. Box 1046
Ottawa, Ontario K1P 5S9

The Honourable Jim Prentice
Minister of the Environment
Les Terrasses de la Chaudière
10 Wellington Street, 28th Floor
Gatineau, Quebec K1A 0H3

Dear Secretary Levert and Minister Prentice:

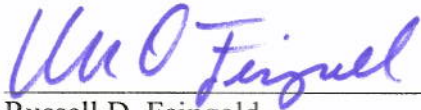
We are concerned about Bruce Power's proposal to ship radioactively-contaminated nuclear steam generators through the Great Lakes and United States territory. While we understand that the Canadian Nuclear Safety Commission's approval is likely imminent, we believe significant questions remain regarding the shipment.

We seek assurances that the Canadian Nuclear Safety Commission (CNSC) and Minister of the Environment are conducting thorough and complete reviews of the proposed shipment and data, strictly adhering to international standards, and considering safer alternatives to radioactive shipments through the Great Lakes and contributing radioactive material to the international metal market. Please provide us with any information in this regard, as well as answers to the following questions:

- (1) Does Canadian law require that shipments of radioactive material comply with the International Atomic Energy Agency's (IAEA) regulations for the shipment of radioactive waste? Does Bruce Power's shipment meet these standards, specifically for total radioactivity limit per shipment and the need for shipping containers for the waste, and, if not, will your agencies deny the application? Are exemptions to the IAEA standards and regulations in the best interests of Canada and the United States?
- (2) What steps is the CNSC taking to ensure a complete and reliable list of radioisotopes contained within a steam generator, and to determine the associated radioactive hazards, and other hazards such as toxic heavy metals? Has this information been independently peer-reviewed? It is our understanding that this information is critical to making a sound determination of the waste's classification, and therefore the safety requirements. Can you explain Canada's classification system, the corresponding radioactivity levels, and the differences in minimum safety requirements?
- (3) Since a 2005 Environmental Assessment called for long-term storage of the steam generators at the Western Waste Management Facility, what is the justification for changing the original approved plan and will a supplemental assessment be conducted? Will you be considering safer alternatives to radioactive shipments through the Great Lakes, including on-site storage, as well as to contributing radioactively contaminated material to the international metal market? And what plans are in place in case of an accident during loading or transport that results in the steam generators sinking or breaking open?

This decision appears to set a significant new precedent for the use of the Great Lakes for the shipment of radioactive waste, including potentially high-level radioactive wastes. Since the United States must revalidate the proposed shipment, we have urged the Pipeline and Hazardous Material Safety Administration to reject the application if the proposal does not protect the Great Lakes and fails to comply with U.S. and international standards. We urge Canada to do the same. Thank you for your attention to this matter.

Sincerely,



Russell D. Feingold
United States Senator



Robert P. Casey, Jr.
United States Senator



Kirsten E. Gillibrand
United States Senator



Carl Levin
United States Senator



Debbie Stabenow
United States Senator



Richard J. Durbin
United States Senator



Charles E. Schumer
United States Senator

Cc: Hillary Rodham Clinton, Secretary of State, U.S. Department of State
Lawrence Cannon, Minister of Foreign Affairs, Foreign Affairs and International Trade Canada
Lana Pollack, Chair of the U.S. Section, International Joint Commission
Joseph Comuzzi, Chair of the Canadian Section, International Joint Commission
Cynthia L. Quarterman, Administrator, U.S. Department of Transportation, Pipeline and Hazardous Material Safety Administration