

Sept. 13, 2002

Ms. Linda Keen, President  
Canadian Nuclear Safety Commission  
200 Slater Street, P.O. Box 1046  
Ottawa ON K1P 5S9  
Canada

Dear Ms. Keen and Commissioners,

Thank you for this opportunity to submit comments.

My name is Kevin Kamps. I serve as Nuclear Waste Specialist at Nuclear Information and Resource Service (NIRS) in Washington, D.C., USA. NIRS is an international information and networking center for citizens and environmental organizations concerned about nuclear power, radioactive waste, radiation, and sustainable energy issues. NIRS has members in the Canadian provinces and U.S. states throughout the Great Lakes Basin. In addition, I am a Board Member of Don't Waste Michigan, the state-wide coalition of citizens and community groups concerned with atomic power and radioactive waste.

On behalf of NIRS members in Michigan and other states downwind and downstream from the proposed high-level radioactive waste dry cask storage installation at the Western Waste Management Facility, NIRS opposes the application from Ontario Power Generation to the Canadian Nuclear Safety Commission to designate the WWMF as a nuclear installation under the Canadian Nuclear Liability Act. We oppose this application for a number of reasons.

#### TERROIST THREAT

In the wake of the Sept. 11<sup>th</sup>, 2001 terrorist attacks upon the United States, it is highly irresponsible to build an open air dry cask storage facility for high-level radioactive waste on the shoreline of Lake Huron.

Not long after 9/11, it was reported that both planes that crashed into the World Trade Center towers had passed directly over the Indian Point nuclear power plant in New York, just 25 miles up the Hudson River from Manhattan. A British newspaper later reported that the UK intelligence agency had obtained evidence that the Three Mile Island nuclear plant may have been the target for the fourth hijacked airliner that crashed in Pennsylvania. Last June, the U.S. Justice Department announced the arrest of an American, allegedly linked to al Qaida, for allegedly planning a radiological "dirty bomb" attack in the US. Just a few days ago, the Guardian newspaper of Britain reported that, according to a recent interview with two al Qaida leaders, nuclear facilities were the original targets for the Sept. 11<sup>th</sup> attacks. The terrorists had changed targets for fear that such an attack "might get out of hand," but have not ruled out such an attack in the future, the article reported.

The proposal to store thousands of tons of highly radioactive nuclear fuel rods in many thousands of clearly visible outdoor silos would present a tempting, potentially catastrophic target for terrorists. Such a large-scale storage facility would represent a high profile accumulation of high-level radioactive waste generated within multiple reactors over the course of decades, one of the single biggest potential "dirty bombs" on the planet.

Have the proposed dry cask storage silos been certified to withstand the impact of one or more 767 jetliners full of fuel, and the high-temperature, long-duration fire that would result? How close to the waters of Lake Huron would the many thousands of tons of high-level atomic waste be stored? How many millions of US citizens, not to mention Canadians, downstream rely upon the waters of Lake Huron for their drinking water supply and economic livelihood?

Of course, high-level radioactive wastes stored in indoor pools of water at Bruce are also vulnerable to terrorist attack, as are the operating reactors themselves. The money that would be used to build an open air dry cask storage facility should instead be used to bunker and fortify the already existing indoor storage facilities. An orderly phase out of nuclear power and cessation of atomic waste generation is called for due to the terrorist threat alone. Replacing nuclear power with energy conservation and efficiency measures is a promising possibility, as the former Ontario Hydro's own "Espanola Energy Savers Project" and similar studies in the U.S. have shown. Cleaner, safer, and cheaper, ready to go renewable sources of

electricity generation, such as the brand new wind turbine farm at the Straits of Macinac, can be installed and brought on-line in short order. Cleaning up the radiological contamination at Bruce, and installing an efficient and renewable electricity infrastructure, means preserving and creating new jobs for Bruce's workforce, protecting the environment, and saving money for Canadian ratepayers and taxpayers.

## COSTS OF A CATASTROPHE

How much would it cost to recover from a catastrophic terrorist attack or accident at the WWMF? How much would it cost to replace the lands and waters of the Great Lakes downstream and downwind from Bruce? The \$75 million (Canadian) liability cap in the Nuclear Liability Act would quickly be exhausted in the event of a major radiation release. The Chernobyl nuclear catastrophe, which has shown clearly that radioactivity does not respect national borders, has cost the governments of Ukraine, Belarus, and Russia over \$350 billion (1986 U.S. dollars). That huge amount has proven woefully inadequate to address the human suffering and ecological ruination still on-going in the aftermath of Chernobyl.

The Canadian Nuclear Liability Act, like the Price-Anderson Act in the U.S., is a tacit acknowledgement that Chernobyl-like catastrophes are possible right here in the heart of the Great Lakes. Ontario Power Generation's application for NLA coverage at its WWMF clearly shows that they believe a radiological catastrophe on the shoreline of Lake Huron is indeed something to worry about. In fact, OPG wants CCNS to protect it against the huge potential liability that the WWMF represents. But, insurance companies will not provide coverage in the event of nuclear accidents to private citizens and businesses. Thus, Canadians and Americans would not be fully compensated for damages stemming from a catastrophic radiation release at Bruce's WWMF unless the Canadian Parliament decides to foot the rest of the bill above the \$75 million (Canadian) cap. This could add up to as much as hundreds of billions of dollars of Canadian taxpayer money. What is the likelihood of the Canadian Parliament, or public, agreeing to that? Why should the public on both sides of the border shoulder the real risks for nuclear waste, not just now, but forever into the future?

## BRITISH ENERGY'S FINANCIAL MELTDOWN

CNSC should not approve NLA coverage for a project that has a very questionable future. British Energy, the major owner of Bruce Power, is in desperate financial straits. Within the past week, British Energy has appealed to the British government for hundreds of millions of dollars to save it from imminent insolvency. Even such a huge bail out would probably not keep British Energy financially afloat for very long. British Energy is desperate for cash, which raises the concern that the re-start of two more reactors at Bruce is being sought for all the wrong reasons. Under such desperate financial pressure, unacceptable short cuts on safety might be taken in order to save money. OPG's application to CNSC for NLA coverage is an attempt to prop up British Energy's shaky house of cards. If the two additional reactors are not re-started, this would free up storage space within the indoor pools, and would throw into doubt the supposed need for a dry cask storage facility for Bruce's high-level radioactive waste. The liability for waste generated by Bruce Power should remain with Bruce Power, to serve as a disincentive against unacceptable short cuts on safety involving the waste during British Energy's financial difficulties.

## U.S. CITIZENS AND OFFICIALS KEPT IN THE DARK

Citizens and organizations in the U.S. concerned about radioactive waste have been especially busy this year with the decision-making process about whether to proceed with the proposed national repository for high-level radioactive waste at Yucca Mountain, Nevada. Environmentalists across the U.S. have stood united in opposition to the fatally-flawed, industry-driven proposal, and many U.S. Senators and Representatives made strong stands by voting against the project in recent months, including Congress Members from Michigan. Whether opposed to or in favor of the controversial Yucca Mountain proposal, however, citizens and government officials in Michigan and other Great Lakes states share a grave concern about the presence of radioactive waste on their shorelines.

Looking specifically at Michigan, Don't Waste Michigan and other organizations have fought hard for the past two decades to try to prevent the highly controversial dry cask storage of high-level radioactive waste on the shorelines of the Great Lakes, and to prevent the dumping of so-called "low level" radioactive wastes in the Great Lakes Basin.

How ironic, then, that while the Yucca fight has been raging in the US, the CNSC has been methodically, step by step, approving a waste storage facility on the shoreline of Lake Huron, just 50 miles from Michigan, that would dwarf any such dry cask storage facility on the US side of the border.

Michigan's citizens, environmental organizations, and government officials may have been kept in the dark up till now, but will remain so no longer. As we learn about what is currently going on and what is proposed for the future at Bruce, a demand is growing, for information, for consultation, and for meaningful involvement in decision-making. After all, despite the border between us, we do share the air and waters of the Great Lakes.

#### WHAT IS TO BE DONE?

On behalf of our members on both sides of the border, Nuclear Information and Resource Service urges the Canadian Nuclear Safety Commission to deny Ontario Power Generation's request that its Western Waste Management Facility be designated a nuclear installation for purposes of coverage under the Canadian Nuclear Liability Act. This would be the most responsible first step in addressing the mounting nuclear waste dilemma at Bruce.

The best solution to the high-level radioactive waste overflow problem at Bruce is to not make anymore of it in the first place. In terms of what to do with the high-level radioactive waste already stored at Bruce, NIRS does not advocate an "out of sight, out of mind" approach to disposal, as in shipping it to a scientifically-indefensible rural region for burial against the wishes of the people there, as is being proposed in the US at Yucca Mountain. Particularly egregious is the targeting of Native American lands for such dumps, a blatant manifestation of environmental racism.

Any decisions about radioactive waste storage on the shoreline of Lake Huron must involve meaningful participation of the public in Michigan and other downstream, downwind US states.

Thank you.

Submitted by:

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