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March 7, 2006

Hon. Laurel Broten
Minister of the Environment
135 St. Clair Ave W, 12th Flr
Toronto ON M4V 1P5
E-mail: lbroten.mpp@liberal.ola.org
By Fax : 416-314-6748 – 2 pages

Dear Minister Broten,

Re: Environmental Assessment on Deep Geologic Repository for Low and Intermediate Level Radioactive Wastes, Tiverton (ON); CEAR reference number 06-03-17520

As you may be aware, the federal government has initiated a Comprehensive Study environmental assessment known as the *Deep Geologic Repository for Low and Intermediate Level Radioactive Wastes, Tiverton (ON)*; CEAR reference number 06-03-17520. This proposal by Ontario Power Generation (OPG) would see the construction of Canada's first deep geological radioactive waste dump at its Bruce nuclear facility on the shore of Lake Huron.

The radioactive waste at this site is extremely long-lived, and will ultimately be neither monitored nor retrievable. For this reason, Greenpeace Canada is opposed to deep geological disposal of radioactive waste.

I am writing to urge you to request that this review become a joint provincial/federal panel review, a process which we understand is already allowed under a harmonization agreement.

A joint review panel review of this project is justified on a number of grounds:

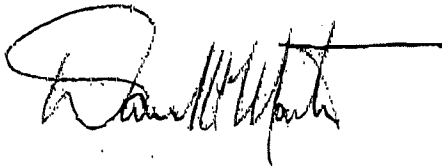
- This proposal for deep geological disposal of radioactive waste is unprecedented in Canada, and should be treated with special consideration because of its precedent-setting nature for subsequent low- and intermediate-level waste sites, as well as a high level radioactive waste site in Ontario.
- OPG is a company under the Ontario Business Corporations Act, whose sole shareholder is Her Majesty the Queen in Right of the Province of Ontario. OPG is responsible for the production of at about 90% of the radioactive waste in Canada.

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- A deep geological disposal site for radioactive waste on the edge of Lake Huron is likely to have significant environmental impacts with transboundary implications. Radiological contamination of the Great Lakes by Canadian nuclear facilities has already been recognized as a cause for concern by the International Joint Commission on Great Lakes Water Quality.
- The so-called "low- and intermediate-level" radioactive wastes at the site will include many radioisotopes which are extremely long-lived, and remain hazardous for hundreds of thousands of years. For example, Plutonium-239, present in both low- and intermediate-levels wastes has a half-life of 24,300 years, meaning that it will remain toxic for close to a quarter-million years.
- There is particular public concern about radioactive waste disposal amongst the public. Polling conducted by Greenpeace on the topic of high-level radioactive waste indicates that 87% of respondents opposed the siting of a radioactive waste facility in their community, and 71% oppose even the transportation of waste through their communities.

Thank you for your consideration of our request.

Sincerely,



David H. Martin
Energy Coordinator, Greenpeace Canada

C.C. Linda Keen, President and CEO Canadian Nuclear Safety Commission
Dalton McGuinty, Premier of Ontario
Howard Hampton, Leader, New Democratic Party of Ontario
John Tory, Leader, Progressive Conservative Party of Ontario
Frank de Jong, Leader, Green Party of Ontario
Gord Miller, Environmental Commissioner of Ontario
Toby Vigod, Chair, Environmental Review Tribunal

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ENV1283MC-2006-1021

March 28, 2006

Mr. David Martin
Energy Coordinator
Green Peace
250 Dundas Street West, Suite 605
Toronto ON M5T 2Z5

Dear Mr. Martin:

Thank you for your e-mail of March 6, 2006, to the Minister of the Environment requesting that Ontario Power Generation's (OPG's) proposed Deep Geologic Repository at OPG's Western Waste Management Facility (project) be subject to a joint panel/tribunal in accordance with the Canada-Ontario Agreement on Environmental Assessment Cooperation. I am pleased to respond on behalf of the Minister.

In Canada, the regulation of nuclear facilities and associated waste facilities is a federal responsibility that is carried out by the Canadian Nuclear Safety Commission (CNSC) under the authority of the *Nuclear Safety Control Act*. Nuclear facilities and associated waste facilities are considered "a matter of national interest" and are currently understood to be the jurisdiction of the federal government. Therefore, a provincial environmental assessment is not required at this time.

The CNSC has informed the Ministry of the Environment that the project is subject to the *Canadian Environmental Assessment Act* (CEAA) and will undergo a Comprehensive Study (study). The CNSC is currently preparing Environmental Assessment Guidelines (scope of project and scope of assessment) in draft form and will issue those to the public for review and comments. The CNSC will then prepare and submit a report to the federal Minister of the Environment pursuant to subsection 21(2) of the CEAA for a decision by the Minister pursuant to section 21.1 as to whether the proposal will continue as a Comprehensive Study or be referred to a Panel or mediator.

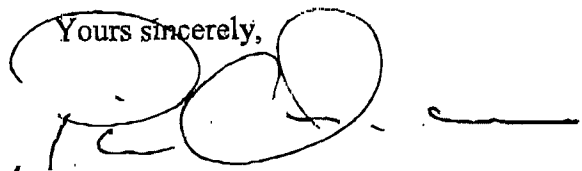
Mr. David Martin

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I have taken the liberty of forwarding a copy of your letter to Ms. Patsy Thompson, Director of the CNSC's Environmental Assessment and Protection Division, who is responsible for the study. If you have further questions or comments on the project or study please direct these to the CNSC who will be able to accommodate your comments within the context of the study. Ms. Thompson may be reached at (613) 947-3352.

Should you have any other questions regarding provincial environmental assessment matters, please contact Mr. Dave Bell, Project Officer, of the Environmental Assessment Project Coordination Section of this Branch at (416) 314-3352.

Yours sincerely,



for James O'Mara

Director

Environmental Assessment & Approvals Branch

c: Ms. Patsy Thompson, Canadian Nuclear Safety Commission
Ms. Louise Knox, Canadian Environmental Assessment Agency
Mr. Angelo Castellan, Ontario Power Generation