



Great Lakes-St. Lawrence
Legislative Caucus

**2018 Annual Meeting of the
Great Lakes-St. Lawrence Legislative Caucus**

*Erie, Pennsylvania
September 21-22, 2018*

**Resolution Opposing the Construction of a Nuclear Waste Repository
in the Great Lakes and St. Lawrence basin**

- WHEREAS,** Ontario Power Generation (OPG) is proposing to construct at the Bruce Nuclear Generating Station a deep geologic repository (DGR), which is an underground permanent burial facility for all of Ontario's low and intermediate level radioactive nuclear waste, some of which is highly radioactive and will remain toxic for more than 100,000 years. This site is approximately one kilometer inland from the shore of Lake Huron and about 600 meters below the lake level; and
- WHEREAS,** water is the Great Lakes and St. Lawrence region's most important natural resource and should be protected and managed prudently; and
- WHEREAS,** the Great Lakes are an irreplaceable natural resource, containing 20 percent of the world's and 84 percent of North America's fresh water vital to human and environmental health; and
- WHEREAS,** the Great Lakes are vital to the economic and agricultural well-being of both Canada and the United States; and
- WHEREAS,** Lake Huron and the connecting waters are a source of drinking water for millions of people in the United States and Canada, including First Nations and Native Americans; and
- WHEREAS,** concern has been expressed over the proposed OPG DGR by individuals, citizen and environmental groups, and municipalities and counties in both Canada and the United States; and



MIDWEST

WHEREAS, the Great Lakes Water Quality Agreement (GLWQA) is a binational agreement to address critical environmental health issues in the Great Lakes and St. Lawrence region with the overall purpose of restoring and maintaining the chemical, physical, and biological integrity of the Great Lakes. Article 6 of the GLWQA acknowledges the importance of anticipating, preventing, and responding to threats to the Great Lakes and recognizes that a nuclear waste facility sited close to the Great Lakes shoreline could lead to a pollution incident or could have a significant cumulative impact on the waters of the Great Lakes; and

WHEREAS, the 1909 Boundary Waters Treaty recognizes the immense importance of the Great Lakes as a shared resource between the United States and Canada. The wisdom of the Treaty drafters is reflected in the creation of the International Joint Commission (IJC), composed of three members from the United States and three members from Canada, to act as impartial watchdogs over the boundary waters between the countries. Under Article IX of the Treaty, questions or matters of difference between the countries involving their rights, obligations, or interests along their common frontier may be referred to the IJC for examination and report, upon the request of either country. Under Article X, the IJC may be asked to make a binding decision on an issue of difference between the two countries, upon the consent and referral by both the United States and Canada; and

WHEREAS, the Governments of Canada and the United States share a responsibility and an obligation to protect the Great Lakes from contamination from various sources of pollution, including the potential leakage of radioactive material from an underground nuclear waste repository; and

WHEREAS, placing a permanent nuclear waste burial facility so close to the Great Lakes is ill-advised. The potential damage to the Great Lakes from any leak or breach of radioactivity far outweighs any suggested economic benefit that might be derived from burying nuclear waste at this site. The ecology of the Great Lakes, valuable beyond measure to the health and economic well-being of the entire region, should not be placed at risk by disposing of radioactive waste underground so close to the shoreline; and

WHEREAS, Michigan has significant experience with the concerns for siting a radioactive waste disposal facility as the state went through an exhaustive siting process over 20 years ago and concluded there was no viable location for constructing such a facility within the state; and

WHEREAS, the Michigan Legislature has recognized the inherent dangers of siting a radioactive waste storage facility near the shores of the Great Lakes. Under Public Act 204 of 1987, the final siting criteria for a radioactive waste facility containing the same types of waste as would be stored at the proposed Ontario repository includes a prohibition on siting it within 10 miles of one of the Great Lakes, the Saint Mary's River, Detroit River, St. Clair River, or Lake St. Clair; and

WHEREAS, the Michigan Senate has expressed serious concerns about the failure of the OPG DGR siting process to fully account for all potential impacts of the proposed facility by passing a legislative package urging intervention by the Great Lakes Commission, the International Joint Commission and a special legislatively created Advisory Board. SB 948, SCR 16, SCR 17, SR 150, and SR 151 all have been passed by the Michigan Legislature; and

WHEREAS, on December 28, 2016, OPG submitted a report outlining generic information about two alternative geologic regions, but failed to provide any information on specific sites or consider any areas located outside of the Great Lakes and St. Lawrence basin; and

WHEREAS, entities representing over 23 million citizens have passed 230 resolutions in the states of Michigan, Illinois, Indiana, Minnesota, Wisconsin, Pennsylvania, New York, and Ohio and in the province of Ontario opposing the proposed nuclear waste repository, with the vast majority of the resolutions opposing any permanent underground nuclear waste repository anywhere in the Great Lakes and St. Lawrence basin; now therefore be it

RESOLVED, that the Great Lakes-St. Lawrence Legislative Caucus, in order to protect the Great Lakes and its tributaries, urges that neither this proposed nuclear waste repository at the Bruce Nuclear Generating Station nor any other long term or permanent underground nuclear waste repository be constructed in Canada, the United States, or on any First Nation or Native American property within the Great Lakes and St. Lawrence basin; and be it further

RESOLVED, that the Great Lakes-St. Lawrence Legislative Caucus urges the Government of Canada and the Government of Ontario to reject and seek alternatives to Ontario Power Generation's proposal to bury radioactive waste in the Great Lakes and St. Lawrence basin; and be it further

RESOLVED, that the Great Lakes-St. Lawrence Legislative Caucus urges the President of the United States to request that the Secretary of State invoke the participation of the International Joint Commission under Article IX, Article X, or both of the Boundary Waters Treaty to evaluate the proposed underground nuclear waste repository in Ontario, Canada, and similar facilities, and we urge the United States Congress to support the request; and be it further

RESOLVED, that copies of this resolution be transmitted to the President of the United States, the United States Secretary of State, the President of the United States Senate, the Speaker of the United States House of Representatives, the President and Chief Executive Officer of Ontario Power Generation, the Members of Congress from the Great Lakes states, and the governors and premiers, the legislative majority and minority leaders, and government house leaders of the Great Lakes and St. Lawrence states and provinces.

Adopted on September 22, 2018.