



GREAT LAKES LEGISLATIVE CAUCUS

June 9, 2015

The Honorable Barack Obama
President of the United States
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Obama,

As members of the Great Lakes Legislative Caucus (GLLC), we are writing to express our concern about a proposed underground repository for nuclear waste near Lake Huron in Ontario, Canada, and to seek your help in preventing its construction and eventual operation. The GLLC is a binational, nonpartisan organization of state and provincial legislators representing the eight states and two Canadian provinces that share the Great Lakes.

A nuclear waste repository located in the basin would stand in stark contrast to the Caucus's goal of promoting the protection and restoration of the Great Lakes – a goal that you share, as evidenced by your Great Lakes Restoration Initiative. The proposed long-term storage of nuclear waste near the Great Lakes poses a significant and clearly-avoidable risk to the lakes and an unnecessary and risky burden to future generations. Permanent disposal will not ameliorate this risk but instead will exacerbate it.

Furthermore, we are very concerned that, if built, a repository for low- or intermediate level radioactive waste would set a precedent for future development of nuclear waste storage and disposal facilities in the basin, as well as increase the likelihood of nuclear waste being transported on the lakes. For these reasons, we oppose the construction of the proposed repository and ask you to work cooperatively with the Canadian government to take the necessary steps to prevent the construction of any permanent repository or long-term consolidated storage facility for nuclear waste in the Great Lakes basin.

Our concern stems from a proposal by Ontario Power Generation (OPG) to construct and operate a deep geologic repository (DGR) for low and intermediate level radioactive waste at its Bruce nuclear site in Kincardine, Ontario, on the shore of Lake Huron. The facility would receive waste generated at Canada's Bruce, Pickering, and Darlington nuclear plants – three of the 11 operating or shutdown nuclear power plants located near the Great Lakes in the U.S. and Canada. While we commend OPG for its efforts to seek a permanent disposal solution for radioactive waste that is currently being stored above ground, we cannot support a solution that fails to move the waste safely away from the Great Lakes. In our opinion, that should be the goal of any permanent solution – to reduce the risk of radioactive contamination of the lakes and surrounding lands by transferring the waste to more suitable, remote locations far from the shore.

Constructing a repository within the Great Lakes basin, near the shore, could also set an unwelcome precedent for the siting of future long-term nuclear waste facilities. Canada is five years into its effort to find a repository site for spent nuclear fuel from the nation's nuclear power plants, with 13 communities in the Great Lakes basin expressing interest. While we applaud the effort to follow a consent-based process and seek a willing community to host a permanent disposal facility, there are other stakeholders besides the host communities whose perspective must be considered. As Great Lakes legislators trying to promote the protection and restoration of the lakes, we cannot endorse the development of any nuclear waste disposal facilities near this vast freshwater system that is so critical to our region's citizens, economy, and environment. At your direction, the U.S. Department of Energy will soon begin a new site-selection process for a consolidated storage facility for spent nuclear fuel and may seek a new site for one or more permanent repositories. We feel strongly that sites in close proximity to the shores of the Great Lakes should be disqualified from consideration as potential locations for nuclear waste storage or disposal facilities.

Finally, we are concerned about the possibility of nuclear waste being transported on the Great Lakes – either to a DGR in Kincardine or to other facilities. We are not alone in our opposition to shipments of nuclear waste on the Great Lakes: in 2010, a proposal to ship 16 contaminated steam generators from the Bruce nuclear site over the Great Lakes and St. Lawrence River ignited widespread opposition in both Canada and the U.S. The level of concern expressed about the shipments was so great that they were eventually cancelled. As a result of this experience, when the U.S. and Canada amended the Great Lakes Water Quality Agreement (GLWQA) in 2012, the two Parties added a new annex requiring notification in anticipation of any “planned activities that could lead to a pollution incident or that could have a significant cumulative impact on the Waters of the Great Lakes, such as the storage and transfer of nuclear waste or radioactive materials” (GLWQA Annex 6, Section C(i)). The construction of a DGR in the Great Lakes basin and any shipments of radioactive waste to that facility would certainly contribute to the cumulative potential impact on the Waters of the Great Lakes.

We urge you to take the appropriate action under the Boundary Waters Treaty of 1909 and the GLWQA to prevent the construction of a permanent nuclear waste repository at Bruce or any other location in the Great Lakes basin. Specifically, we urge you and Secretary of State John Kerry to invoke the participation of the International Joint Commission, under Article IX, Article X, or both, of the Boundary Waters Treaty, to evaluate the proposed DGR and similar nuclear waste disposal facilities. Further, we hope your administration will work cooperatively with the Canadian government on long-term workable solutions to the problem of nuclear waste to ensure that the Great Lakes basin will never become the permanent resting place for such waste.

Thank you very much for considering our request and for your ongoing work to protect the Great Lakes. We would welcome the opportunity to discuss this matter and provide additional information to you or your staff. Please contact Ms. Lisa Janairo, Program Director with the Council of State Governments, at 920.458.5910 if you have any questions about this letter or would like to request a meeting.

Sincerely,



Representative Cory Mason, Wisconsin
Chair, Great Lakes Legislative Caucus



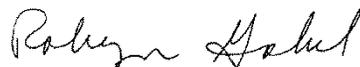
Senator Darwin Booher, Michigan
Vice-Chair, Great Lakes Legislative Caucus



Representative Kelly Burke, Illinois



Representative Laura Fine, Illinois



Representative Robyn Gabel, Illinois



Senator Donne E. Trotter, Illinois



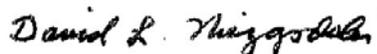
Senator Jim Arnold, Indiana



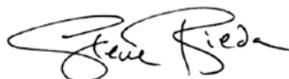
Senator John Broden, Indiana



Senator Ed Charbonneau, Indiana



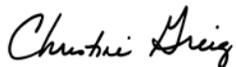
Representative David Niezgodski, Indiana



Senator Steve Bieda, Michigan



Representative Brandon Dillon, Michigan



Representative Christine Greig, Michigan



Representative Marcia Hovey-Wright, Michigan



Representative Derek Miller, Michigan



Representative Peter Pettalia, Michigan



Senator John Proos, Michigan



Representative Sarah Roberts, Michigan



Representative Sam Singh, Michigan



Senator Dale Zorn, Michigan



Representative Joe Mullery, Minnesota



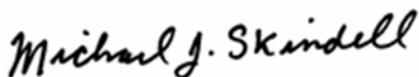
Senator Ann H. Rest, Minnesota



Senator Chuck Wiger, Minnesota



Senator Capri Cafaro, Ohio



Senator Hoon-Yung Hopgood, Michigan



Senator Michael Kowall, Michigan



Senator Phil Pavlov, Michigan



Representative Amanda Price, Michigan



Representative Al Pscholka, Michigan



Senator Tonya Schuitmaker, Michigan



Senator Rebekah Warren, Michigan



Senator Chris Eaton, Minnesota



Senator Sandra Pappas, Minnesota



Senator Katie Sieben, Minnesota



Senator Edna Brown, Ohio



Representative Stephanie Howse, Ohio



Senator Michael J. Skindell, Ohio



Senator Sandra Williams, Ohio



Representative Dave Considine, Wisconsin



Representative Tod Ohnstad, Wisconsin



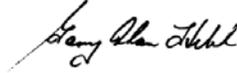
Senator Lena C. Taylor, Wisconsin

cc: The Honorable John Kerry, Secretary of State
U.S. Congressional Delegations from the Great Lakes States

Representative Kent Smith, Ohio



Representative Curt Sonney, Pennsylvania



Representative Gary Hebl, Wisconsin



Representative Christine Sinicki, Wisconsin