Public Comments submitted to CEAA by Kevin Kamps, Beyond Nuclear

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Comments on Potential Conditions for OPG’s Proposed Deep Geological Repository (Reference 17520)

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On behalf of our members and supporters throughout the Great Lakes Basin, in both the U.S. and Canada, we urge you to not approve Ontario Power Generation’s proposed Deep Geologic Repository (DGR) for Nuclear Wastes (Ref # 17520).

Our opposition to the DGR is unconditional. There are no “potential conditions” which can mitigate the risk of burying these radioactive wastes beside Lake Huron.

As David Martin of Greenpeace Canada so aptly renamed the DGR, it is a DUD. This is not only short for Deep Underground Dump – it nicely sums up this insane, unacceptably risky proposal. For this reason, I refer to the so-called DGR as the DUD throughout the remainder of my comments below.

The just over 11,000 residents of Kincardine, Ontario cannot hold the 40 million residents of the Great Lakes Basin in 8 U.S. states, 2 Canadian provinces, and a large number of Native American First Nations hostage to the DUD. In fact, in the form of 170 resolutions as of August 26, 2015 – as reported on the website of Stop the Great Lakes Nuclear Dump (STGLND) <http://www.stopthegreatlakesnucleardump.com/>, the town of Kincardine has been outvoted. The population of those 170 municipalities adds up to over 22.6 million people, well more than half of the 40 million people who get their drinking water from the Great Lakes.

If a vote of 22.6 million to 11,000 wasn’t convincing enough, how about a vote of 255 million people to 11,000? For that is the combined population of the 3,069 counties represented by the National Association of Counties, which also recently passed a resolution against the DUD – as also reported by STGLND.

But the 11,000 residents of Kincardine are not united in support of the DUD, either. Growing numbers of local residents have spoken out against the proposal.

And this includes local residents of neighboring towns, such as Saugeen Shores. Save Our Saugeen Shores (http://saveoursaugeenshores.org/) has grown ever more active, including sending speakers to an August 16, 2015 rally against the DUD held in Port Huron, Michigan, and also filing a lawsuit against the proposal.
STGLND is also based near Kincardine.

I would like to point out that any assumptions of institutional control being maintained for 300 years at the DUD are mistaken. CEAA and CNSC actually lost institutional control of this JRP public comment proceeding by mid-August, 2015. Although the Environment Minister had announced a public comment period on June 3, 2015, to end on September 1, 2015, on the very eve and day of the major rally in Port Huron, Michigan in opposition to the DUD, CEAA’s relevant website was not functioning. Essential information was not available to concerned members of the public for a number of days, complicating or even precluding their participation in this public comment period – unless they were willing to keep checking back at the website until it was functional again, some days later.

The growing resistance against the DUD now takes its place with a long and proud tradition of Great Lakes protection movements.

In his book The Late, Great Lakes: An Environmental History (New York: Alfred A. Knopf, 1986), William Ashworth described the grassroots response to the near-death of Lake Erie a half-century ago:

‘By the mid-1960’s, public indignation at Lake Erie’s condition had reached the ignition point. A Cleveland auto dealer named David Blaushild instituted a petition campaign to “Save Lake Erie” and was overwhelmed by the result: More than 1,000,000 signatures poured into his office in a few short months, many accompanied by letters calling the Lake things like “cesspool” and “industrial wastebasket.” In April 1965 Blaushild turned the whole pile over to Ohio Governor James A. Rhodes, who accepted them with glee, shipping them off en masse to Lyndon Johnson’s Secretary of Health, Education, and Welfare—former five-term mayor of Cleveland Anthony J. Celebrezze. “We are past the talking stage,” Rhodes wrote in a cover letter, “and past the deploring, the study, and the study-the-study stages...we want action, and we want it now!”’ (p.136)

This led to effective action, at the national, and even international, level. Such grassroots public pressure even led to the U.S. State Department activating the International Joint Commission (IJC) under the Boundary Waters Treaty of 1909, to take action to protect the imperiled Great Lakes.

Later, the Cuyahoga River catching fire in Cleveland was instrumental – again under public pressure – to the creation of the U.S. Environmental Protection Agency.

Great Lakes residents from all walks of life became “highly annoyed,” to borrow a phrase from the JRP’s May 6, 2015 report, and demanded more than a “listening panel” – they demanded action from their state and federal governments to save the Great Lakes.

This rings a bell now, vis a vis the DUD.
The Stop the Great Lakes Nuclear Dump petition now stands at 84,028 signatories. The Sum of Us petition opposing the DUD stands at 56,859 signatories currently. Those 140,887 petition signatures – a number that grows by the day – combined with the 22.6 million Great Lakes residents represented by resolutions against the DUD mentioned above, combined with the 255 million Americans represented by the National Association of Counties resolution, represents a critical mass of concern that can no longer be ignored.

The groundswell of resistance to the DUD is adding another inspiring chapter to the story of Great Lakes protection. And elected officials have again taken notice, just as they did a half-century ago. When the people lead, the leaders follow.

Bipartisan resolutions opposing the DUD have been introduced in both the U.S. House and Senate. In addition to that, the “Stop Nuclear Waste by Our Lakes Act” is poised to be introduced in both houses of Congress, once the congressional session resumes next week. We thank U.S. Senators Stabenow and Peters of Michigan, Kirk and Durbin of Illinois, Baldwin of Wisconsin, and Brown of Ohio, for their leadership in this regard. And we thank 22 U.S. House Members – 11 Democrats and 11 Republicans – including such leaders as U.S. Representatives Kildee and Miller of Michigan – likewise, for their leadership in protecting the Great Lakes.

Such leadership extends to the State of Michigan legislature, where Michigan State Senator Hopgood led unanimous passage of a bipartisan resolution opposing the DUD in the Michigan State Senate. State Representative Sarah Roberts has led similar efforts in the State House of Representatives. State Senator Phil Pavlov has spoken out strongly, and led a petition drive. All three State Legislators travelled to Kincardine and spoke out against the DUD during the JRP proceedings.

But in addition to The Late, Great Lakes, the DUD brings another sobering book to mind: Dee Brown’s Bury My Heart at Wounded Knee (New York: Holt, Rinehart & Winston, 1970). An Atomic Age addendum must be added to the chronicle of centuries of dishonor.

What is the strange, magnetic attraction that radioactive waste seems to have for Native American or First Nation lands? Environmental injustice, or radioactive racism, seems to be the not so mysterious ingredient.

When OPG’s CEO had acknowledged that the DUD cannot proceed without the Saugeen Ojibway Nation’s consent, why is this proceeding still going forward? The Owen Sound Sun Times reported the day after publication of the JRP report on May 6, 2015: "Of course we are opposed to it," Saugeen First Nation chief Vernon Roote said on Thursday. "In our community that I represent, called Saugeen First Nation, there are no members that are agreeable to the burial at the site at this time."

A week later, as reported at the Anishnabek News, the Anishnabek Nation joined the Saugeen Ojibway Nation in opposition to the DUD.
Over a year earlier, in Feb. 2014, Frank Ettawageshik, Executive Director for United Tribes of Michigan, had added his voice to this First Nations resistance to the DUD.

Such Native American and First Nations resistance to bad nuclear and radioactive waste ideas have made all the difference, time and time again, in the past.

This was true in the successful effort to stop Bruce Nuclear’s proposed radioactive waste shipments on the Great Lakes several years ago. The Mohawk Nation communities of Akwesasne, Kahnawake, and Tyendinaga clearly indicated the radioactive waste shipments would not pass through their territories, and this was so.

The Western Shoshone Indian Nation in Nevada has waged a successful decades-long campaign in Nevada to stop full-scale nuclear weapons testing at the Nevada Test Site, as well as to prevent the opening of the proposed Yucca Mountain high-level radioactive waste dump on their sacred treaty lands.

Traditions like Margene Bullcreek and Sammy Blackbear led efforts in their Skull Valley Goshutes Reservation community in Utah to block a high-level radioactive waste parking lot dump targeted at their land.

Grace Thorpe, daughter of “Athlete of the Century” Jim Thorpe, got the tribal council members who invited the Department of Energy’s Nuclear Waste Negotiator to set up shop on their Sauk and Fox Reservation in Oklahoma fired, by popular demand, days later. She then took her organizing on the road, and helped some 60 other Native American Reservation communities to stave off parking lot dumps being pushed by DOE’s Nuclear Waste Negotiator.

In a March 2009 Women’s History Month Proclamation, President Obama recognized Thorpe alongside such women environmental giants as Rachel Carson, stating:

“...Grace Thorpe, another leading environmental advocate, also connected environmental protection with human well-being by emphasizing the vulnerability of certain populations to environmental hazards. In 1992, she launched a successful campaign to organize Native Americans to oppose the storage of nuclear waste on their reservations, which she said contradicted Native American principles of stewardship of the earth. She also proposed that America invest in alternative energy sources such as hydroelectricity, solar power, and wind power.”

Thorpe went on to successfully eliminate the position of, and funding for, DOE’s Nuclear Waste Negotiator Office altogether. She proudly served on the board of directors of Nuclear Information and Resource Service, another organization that has long opposed the DUD.
What prompted Thorpe to work so hard, despite her status as an elder? In a word: Nagasaki. She had been stationed there, shortly after the atomic bombing, while serving in the Women’s Auxiliary Corps of the U.S. Army. She knew what “nuclear” was capable of, and wanted none of it in her community.

Growing numbers of residents of the Great Lakes, and beyond, are devoting their lives to stopping the DUD, inspired by the leadership of those who have gone before, like Grace Thorpe.

Past victories against radioactive waste dumps in the Great Lakes inspire us, as well. Don’t Waste Michigan, led by such giants of Great Lakes protection as Mary Sinclair, prevented the dumping of so-called “low” level radioactive wastes in the Great Lakes State by a compact of 8 states. Don’t Waste Michigan, carrying on its proud tradition of Great Lakes protection, has very actively opposed the DUD from the start.

And we take more than a “little Hope” from the resistance in tiny Port Hope. Despite daunting odds in its fight against Canadian provincial and federal government attempts to allow Eldorado/Cameco’s dumping of uranium processing wastes on the Lake Ontario shoreline, Tom Lawson of Port Hope, Ontario has documented that such insanity can be stopped dead in its tracks, in his book Crazy Caverns: How one small community challenged a technocrat juggernaut...and won! (Posted online for free at: https://crazycaverns.wordpress.com/)

We take this opportunity to thank Dr. Frank Greening, a former OPG scientist, for the light he has shined on the DUD, during the JRP proceeding. He showed very clearly that OPG and CNSC had significantly underestimated the radioactive inventory targeted to be buried in the DUD. Dr. Greening also highlighted what a fire and explosion hazard the zirconium to be buried at the DUD would be.

I must say that I was deeply disappointed in the JRP’s disinterest in my presentation about the ease with which zirconium can be ignited. Given the risks, I would have hoped the JRP would have taken a more keen interest in the subject matter I raised in my presentation before them.

Dr. Greening’s elucidation, during the JRP proceeding, of the very serious alpha radiation exposure accident at Bruce Nuclear Generating Station in 2009 leads me to this line of inquiry:

Many of the so-called “conditions” imposed by the DUD JRP on a construction and operating license for the proposed DUD contain the “condition” that certain actions must be undertaken by OPG “to the satisfaction of the CNSC.”

Thus, the final arbiter of whether or not the planned DUD is “safe” is to be the CNSC.

But, to our peril, the CNSC is captured by the very industry it is supposed to regulate. Rather than protecting public health and safety, and the environment, as is
its mandate, CNSC behaved largely to entirely as an advocate for OPG’s DUD, throughout the JRP proceedings.

The CNSC has proven many times that its “satisfaction” means nothing. For example, in May 2006 the CNSC stated at a Public Hearing on the Safety and Environmental Impact of the Bruce A Refurbishment Project:

The Commission sought information on the protection of workers to radiation exposure during the refurbishment. In response, Bruce Power assured the Commission that the entire project will be managed according to the ALARA (As Low As Reasonably Achievable) principle. Thus appropriate planning and training, remote execution of activities and providing adequate shielding would ensure that time, distance and shielding principles would be respected. **CNSC staff stated its satisfaction** with the proposed controls to keep worker exposure to radiation to a minimum, in addition to existing mitigation measures already in place at the Bruce NGS A.

This statement shows that in 2006 **the CNSC was completely satisfied with the safety measures proposed by Bruce Power for its refurbishment project.** However, in December 2009 the alpha particle radioactivity contamination of over 500 refurbishment workers took place. How did the CNSC respond to this tragic event? CNSC’s Review of Bruce Power’s S-99 Additional Information Report on the alpha event issued in April 2010 later concluded:

**The Bruce A Restart Radiation Protection Program was inadequate to anticipate, monitor, evaluate and react to an alpha airborne particulate hazard.**

This brings us back to the DUD. OPG proposes to bury hundreds of thousands of cubic meters of radioactive waste at the DUD, and the CNSC says it’s **satisfied** that all the DUD JRP conditions have been met or will be met - just like it said it was **satisfied** with the safety of the Bruce Nuclear Refurbishment Project. If there is a disaster at the DUD -- an underground fire, or a flood, or a roof collapse -- will the CNSC conduct an investigation and again say:

**The OPG DGR Radiation Protection Program was inadequate to anticipate, monitor, evaluate and react to an airborne particulate hazard.**

By then it will be too late. The damage will have been done, yet again.
Dr. Greening’s revelation of the actual quantity of radioactivity contained in the wastes to be dumped at the DUD was not unlike Dr. Gordon Edwards’ revelation, several years ago, that Bruce Nuclear and CNSC had significantly underestimated the content of radioactive steam generator shipments, proposed to travel by boat on the Great Lakes. Isotopes of plutonium had been left out. Their inclusion instantly doubled the figures for radioactive content.

Dr. Edwards has spoken of the Age of Nuclear Waste. We are in it. And he has spoken of Rolling Stewardship as a responsible alternative to Abandonment of radioactive waste on the Great Lakes shoreline.

The DUD is yet another manifestation of the “Faustian fission” that has been entered into in the Bruce Nuclear Generating Station area. And the bill is coming due.

Bruce Nuclear may be making a killing, while getting away with murder, but large numbers of people across the Great Lakes Basin, in both the U.S. and Canada, have been awakened to the nefarious nuclear activities taking place in this so-called “nuclear oasis.” And the radioactive stigma impacts pile up.

As Upton Sinclair observed:

“It is difficult to get a man to understand something, when his salary depends on his not understanding it.”

But as I said above, the greed of OPG, and Kincardine, and the collusion of CNSC in that greed, cannot trump the will, and the well being, the health, safety, and environment of 40 million people, nor that of future generations of Great Lakes residents.

Arnie Gundersen, Chief Engineer at Fairewinds Associates, has asked if nuclear power can be allowed to put entire countries at risk, as Fukushima has shown is all too possible. Remember that Prime Minister Naoto Kan has admitted that he was making contingency plans to evacuate 35 to 50 million people from northeast Japan and metro Tokyo, if a “demonic chain reaction” of reactor melt downs and pool fires had unfolded at Fukushima Daiichi, Fukushima Daini, and Tokai nuclear power plants.

Gundersen just examined what could happen to the Great Lakes, as from a radioactive waste catastrophe at the DUD, in an essay entitled “Downstream”:

http://www.fairewinds.org/nuclear-energy-education/downstream

Are the Bruce NGS and the OPG DUD somehow exempt from radioactive catastrophe? Fukushima and Chernobyl serve as cautionary tales to such technological, greed-driven hubris.
Although the U.S. nuclear power industry is crazy enough to generate and store radioactive waste on the Great Lakes shores, it is NOT crazy enough to bury it there. But OPG is, with CNSC’s collusion and complicity. The Japanese Parliament concluded that collusion between regulator, nuclear industry, and government officials was the root cause of the Fukushima nuclear catastrophe. That exists in spades at the DUD and Bruce NGS.

This is why Chicagoland, the home of the largest U.S. nuclear utility, Exelon, has passed resolutions against the DUD. This is why Port Clinton, Ohio, the company town of the Davis-Besse atomic reactor, has passed a resolution against the DUD. The U.S. nuclear power industry is not crazy enough to bury radioactive waste on the Great Lakes shores.

OPG and CNSC must cease and desist.

Sincerely,

Kevin Kamps, Beyond Nuclear