THE NORTHEAST-MIDWEST SENATE COALITION

GREAT LAKES TASK FORCE

May 12, 2011

The Honorable Lisa Jackson
Administrator
Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20460

Dear Administrator Jackson:

As Senators from the Great Lakes and co-chairs of the Great Lakes Task Force, we are concerned about Ontario Power Generation's proposal for the disposal of low- and intermediate-level nuclear waste near Kincardine, Ontario, near the shore of Lake Huron.

Under the proposed plan, low- and intermediate-level nuclear waste would be permanently buried in a repository approximately one mile from the shore of Lake Huron near Kincardine, Ontario. The physical composition of the waste expected to be deposited at this site consists, in part, of hazardous materials, including heavy metals such as lead and mercury, chlorinated benzenes and phenols, and polychlorinated biphenyls. We are deeply concerned about the immediate and long-term effects this repository may have on the health of the Great Lakes and the wellbeing of the surrounding population.

The Boundary Waters Treaty of 1909 states that "waters flowing across the boundary shall not be polluted on either side to the injury of health or property on the other" and the Great Lakes Water Quality Agreement stipulates that pollution from industrial sources shall be treated and controlled. We would like to understand how the Environmental Protection Agency (EPA) is assessing the potential impact on the Great Lakes of the proposed Kincardine facility for both the radioactive nuclear waste, as well as the hazardous materials. In addition, please explain how EPA has engaged with the relevant Canadian authorities regarding this potentially harmful repository, specifically with respect to impacts on the Great Lakes.

Thank you for your attention to this matter. If you have any questions please contact us or have your staff contact Sarah Walter at (202) 224-2854 or *Sarah_Walter@kirk.senate.gov* or Christine Muchanic at (202) 224-6221 or *Christine_Muchanic@levin.senate.gov*.

Sincerely,

MARK KIRK
United States Senator

CARL LEVIN
United States Senator