



CANADIAN ENVIRONMENTAL LAW ASSOCIATION
L'ASSOCIATION CANADIENNE DU DROIT DE L'ENVIRONNEMENT

Mr. John Read
Transport Dangerous Goods Directorate
Transport Canada
Place de Ville
9th Floor
330 Sparks St.
Ottawa, ON
K1A 0N5

VIA FAX: (613) 993-5925

September 12, 2000

Dear Mr. Read,

I am writing on behalf of Campaign for Nuclear Phaseout and other clients with regard to the proposed air transport of MOX fuel from Russia to Chalk River, Ontario.

We write to request a further extension to the public comment period. The reasons for this request follow:

1. The Revision posted on September 1, 2000 is essentially a new ERAP and therefore should have a minimum 28 day comment period as previously accorded, at the least. Furthermore, the new ERAP contains much new content which is of significant public interest. However, for additional reasons that follow, we submit that 28 days will still be insufficient.
2. We also seek additional information, set out in the next part of this letter, and it will presumably take a moderate amount of time for this information to be provided to us.

In addition to, and in partial reason for the request for the extension, my clients also have the following information requests of Transport Canada:

1. Can you advise if Transport Canada has any independent sources of information and expertise to assess and critique AECL's proposed clean-up plan?
2. Could you please provide to us copies of all correspondence and documentation exchanged between AECL and Transport Canada with respect to the plan to fly MOX fuel, including any accident scenarios and any discussions as to clean up plans? We note that it is expected that AECL itself would determine the extent of any subsequent clean up and only AFTER an accident occurred. These are unacceptable conflicts of interest and in addition, it is impossible to assess the adequacy of the emergency response without advance determination of the ultimate clean up requirements. Early response could be critical to the success of the ultimate clean up and avoidance of unnecessary health and environmental hazard and harm.
3. In furtherance to the above mentioned point we request that an independent body be required to set the ultimate clean up standard in advance of approval of the ERAP. Also, AECL should be required to advise in the ERAP of how their emergency response actions will be affected by that ultimate clean up standard. Furthermore, we seek public input into the standard thus to be established.
4. With respect to the requirement of AECL to advise as to their plans to deal with a 100 metre plutonium dispersal area in the event of an accident, we note that the previous ERAP described the four categories considered in the U.S. transportation plan and considered the possibility that there could be downwind contamination for a distance of 80 kilometres. Therefore, on that basis, a 100 metre distance is difficult to justify, and we would ask for consideration of how AECL would embark on an initial response and cleanup in case of an 80 kilometre dispersal.
5. We would also ask you to seek additional information from AECL as to how they would deal with contaminated casualties, especially for transport and hospital treatment? What assurances are there that such facilities would be available and how would contamination of those facilities be avoided? Furthermore, we note that only AECL personnel are mentioned in terms of protective gear. What provisions have been made with respect to other non-AECL emergency responders, such as local fire fighters, police and medical personnel?

We look forward to your response. Thank you.

Yours truly,

CANADIAN ENVIRONMENTAL LAW ASSOCIATION

Theresa McClenaghan
Counsel