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

October 25, 2010

To Whom It May Concern:

RE: Seeking a Moratorium on Uranium Mining

The Canadian Environmental Law Association (CELA) is a non-profit public interest organization and specialty legal clinic within Legal Aid Ontario. We have worked on issues of energy policy since our inception in 1970 either via direct representation of clients or on matters of energy law and policy reform in Ontario and at the federal level in Canada.

As a founding member of the Campaign for Nuclear Phaseout, a collaboration of over 300 organizations from across Canada, we are opposed to nuclear power on environmental, economic and ethical grounds. We support an orderly phase-out of all aspects of a dangerous technology that, from the time uranium is taken out of the ground, creates radioactive substances and waste, the worst of which are highly toxic for millions of years.

Environmental and health impacts occur across the nuclear fuel chain including via emissions during uranium mining and refining, thermal effluent from cooling water outflow, airborne radioactive emissions, waterborne radioactive emissions, low and intermediate level radioactive waste, and high level radioactive waste or 'spent fuel'.

In all aspects of responsible waste management, the first priority is reduction at source. For the nuclear fuel chain, no less for high level radioactive waste than the massive amount of low level radioactive waste tailings created by uranium mining, reduction at source must involve a full nuclear phase-out.

According to a federal environmental assessment (the Seaborn Panel) neither the safety nor the acceptability of deep geological disposal of high level radioactive waste in perpetuity has been established. The Seaborn Panel called for the creation of a nuclear fuel waste management agency "at arm's length" from the nuclear industry. In response, the federal government created the Nuclear Waste Management Organization (NWMO) with a board comprised of nuclear industry representatives, an industry that advocates for exactly the waste disposal technology the Seaborn Panel found lacking. The objectiveness of the NWMO is thus highly questionable and the ability to safely dispose of nuclear waste remains as intractable as ever.

In seeking an orderly nuclear phase-out we have also conducted extensive research to ensure that future electricity needs can be met. We have articulated a clear vision and strategy for a more reliable and environmentally, economically and socially sustainable energy future that does not rely upon nuclear and coal-fired power. Our extensive research findings, consistent with those of other researchers, show that a combination of energy efficiency, new low-impact renewable

energy sources, alongside the lowest impact and cost of conventional supply options can meet electrical energy demands.

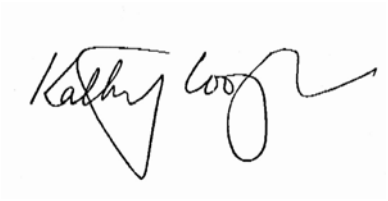
We have also examined in detail the history and performance of the existing nuclear reactors in Ontario. The construction, operation and repair of these facilities accounted for a large portion of the $38 billion debt accumulated by Ontario Hydro and guaranteed by the taxpayers of Ontario. We note that despite the province of Ontario's extraordinary expenditures attempting to resuscitate Ontario's nuclear generating plants, the overall reliability of these facilities has continued to fall. Even the province's own electricity conservation and supply task force highlighted the 'high and uncertain' capital costs associated with new nuclear facilities. This is to say nothing of still unresolved questions regarding radioactive waste disposal and decommissioning costs. The unique security concerns associated with the operation of reactors and generation and handling of nuclear materials in an age where there is an increasing focus on the importance of their non-proliferation must also be considered, as must the risks of serious accidents.

A future electricity system that excludes nuclear and coal-fired supply is not only technologically and economically viable, but also offers the lowest risk option for the future. High efficiency natural gas remains the best option as a bridging fuel towards full reliance on conservation and renewables. Although supply and price instability risks remain for this option, they are less severe and more manageable than the risks associated with further attempts at the reconstruction of existing nuclear facilities or the construction of new nuclear generating plants.

We therefore strongly support efforts by our colleagues in medicine, public health and environmental protection in seeking a moratorium on uranium mining in Ontario and across Canada.

Yours truly,

CANADIAN ENVIRONMENTAL LAW ASSOCIATION



Theresa McClenaghan
Executive Director and Counsel

Kathleen Cooper
Senior Researcher

CELA PUBLICATION No.748