

October 24, 2012

via fax: (416) 325-3745

The Honourable Dalton McGuinty
Premier of Ontario
Legislative Building
Queen's Park
Toronto, Ontario M7A 1A1
Dear Premiere McGuinty,

Request for meeting regarding Ontario Drinking Water Safety and the Implementation of the 2009 *Report and Advice on the Ontario Drinking Water Standard for Tritium*

The Canadian Environmental Law Association (CELA), International Institute of Concern for Public Health, Northwatch, the Occupational and Environmental Working Group Toronto Cancer Prevention Coalition, and the Registered Nurses Association of Ontario are requesting a meeting with you to discuss addressing a drinking water threat to Ontarians. Advice from the Ontario Drinking Water Advisory Council (ODWAC) in their *Report and Advice on the Ontario Drinking Water Standard for Tritium* made in 2009 remains unimplemented despite the Report's conclusion "that an Ontario Drinking Water Standard for Tritium of 20 bq/l applied as a running average, would meet the requirements for an appropriate level of risk and public safety, while remaining practicable and achievable by the nuclear power industry."

The request for this advice, made by then Minister of the Environment, Laurel Broten on February 21, 2007, was prompted by a request from Dr. David McKeown, the Toronto Medical Officer of Health. In March of 2008, ODWAC held public hearings where CELA and other health protection and environmental agencies and concerned citizens advocated for considerable lowering of the current Ontario Standard for Tritium of 7,000 bq/l to protect human health.

The same question was also considered almost twenty years ago when Ontario's Advisory Committee on Environmental Standards also held hearings and recommended to the then Ontario Minister of Environment and Energy a significant lowering of the tritium standard in drinking water to a similar (but not identical) 20 bq/l for drinking water in May 1994. That recommendation was not acted on at the time. Ontario has now received two independent sets of recommendations from its own advisory bodies to lower this standard to a level more commensurate with other chemical risks to human health, in addition to the even more recent finding in the 2011 federal Joint Review Panel report on the New Build at Darlington that the plant should operate according to the stricter standard recommended by the ODWAC (see below).

The Canadian Nuclear Association made submissions to the ODWAC that 20 bq/l is achievable in drinking water without significant cost to the nuclear industry. Similarly, Ontario Power Generation told the Joint Review Panel during the federal environmental assessment hearings into New Build at Darlington that it could meet this standard, although tritium has been detected in the groundwater surrounding the plant. After hearing extensive concern from the public during that hearing, that federal Panel made a recommendation in its August 2011 final report that:

Canadian Environmental Law Association

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“Recommendation # 54 (Section 7.1):

The Panel recommends that during operation, the Canadian Nuclear Safety Commission require OPG to implement measures to manage releases from the Project to avoid tritium in drinking water levels exceeding a running annual average of 20 Becquerels per litre at drinking water supply plants in the regional study area.”

OPG is capable of meeting the standard because it operates tritium removal facilities at its nuclear power plants, thus reducing the emissions of tritium to water. However, despite the assurances by nuclear operators that they can meet the standard, reducing the standard remains further relevant because when there are spills such as unexpected by-passes of tritium to water, The public messaging on more than one occasion has been that there is no risk to public health because “the emission was far below the drinking water standard of 7,000 bq/l.” Given that such statements have been made in the face of the repeated independent advice to lower the standard, this is very poor public messaging and inaccurate in terms of risk to public health. Furthermore, the relevance of this standard has been highlighted in two of CELA’s recent cases involving assisting residents near tritium processing facilities in Peterborough and Pembroke, in which severe levels of groundwater contamination have occurred from poor handling of tritium and emissions to air and then groundwater and vegetation. Such cases highlight the discrepancy between a level that would provide appropriate protection of public health and the current standard.

Since the release of the 2009 ODWAC Report, we have requested implementation of those recommendations to lower the standard to each successive Ontario Environment Minister. We understand that you are receiving pressure from nuclear proponents not to implement these recommendations. Since the current industry in Ontario routinely meets these standards we are alarmed that plans for future nuclear expansion in the Province may be at the expense of human health of Ontarians. Given the repeated public assurances by the industry that it can meet the standard, we fail to appreciate any reasonable justification for failure to act on this matter. We would be happy to meet with you at your earliest convenience

Yours truly,



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