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Court won't hear Ontario group's appeal for assessment of nuclear waste dump

TORONTO (CP) – A recent court decision sends "a horrible message to all Canadians," says a spokesman for an Ontario citizen's group that sought an independent assessment of a new nuclear waste storage facility.

The Supreme Court of Canada said last week it wouldn't hear an appeal from the Inverhuron and District Ratepayers Association and ordered the group to pay at least \$75,000 in legal costs.

The 300-member group had been seeking an independent review of Ontario Power Generation's plan to store radioactive waste near Kincardine, 230 kilometres northwest of Toronto.

The decision tells Canadians "don't ever challenge the decision of a government department," Normand de la Chevrotiere said Monday.

"We just want to make sure it's safe for our kids," said de la Chevrotiere, who noted that the nearest home is two kilometres from the storage building.

The plan to build the storage facility was announced in 1996 and public comments were solicited in 1998.

However in December 1998 the Atomic Energy Control Board introduced what they called "three major design changes."

These changes meant "a further public consultation period was warranted," the board recommended in a letter to Environment Canada.

"There was no public consultation on the changes," de la Chevrotiere said.

"The details of the changes weren't made public until two months after the minister approved the project."

The changes involved the type of container to be used, how it could be stored and where it would be processed.

"The radioactive waste will be stored in cement containers in buildings," said Ted Gruetzer of Ontario Power Generation.

"We hope to get an operating licence and have the facility in operation by the fall," Gruetzer said.

"It's the same process used at the Pickering generating station" near Toronto, he said.

But de la Chevrotiere said his group's research has determined childhood leukemia is 40 per cent above the provincial average within 25 kilometres of the Bruce and Pickering nuclear power plants.

"The federal government is standing by while people living in the shadow of the Bruce plant and its radioactive pollution deal with the fallout," said Burkhard Mausberg, spokesman for Environmental Defence Canada.

"How are the citizens supposed to protect themselves if both the environmental review process and the justice system fail them?" Mausberg asked.

The courts have also ruled that the group must pay \$75,000 in legal costs to Ontario Power Generation and the federal government.

"That's a lot of money for a volunteer group ... we'll have to break into our kids' piggy banks to pay," de la Chevrotiere said.

"If the world's largest nuclear waste storage facility does not merit an independent review, what does," he said.