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Mark Mattson
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CC: Councillor Glenn De Baeremaeker and Councillor Gord Perks

Dear Ms. Forkes:

Re: Ex 16.46: Request for the Government of Ontario to Close Pickering Nuclear Station in 2018

The Pickering Nuclear Generating Station (PNGS) is over forty years old. It is fast approaching the end of its operational life, 2018. Ontario Power Generation wants to keep the station open longer, until 2024.

Lake Ontario Waterkeeper supports *EX 16.46: Request for the Government of Ontario to Close Pickering Nuclear Station in 2018* which is presently before the Toronto Executive Committee. This motion asks the city to support the 2018 closure date, noting that Pickering is one of the oldest nuclear plants in the world, is located in the most densely populated area of any nuclear plant in the world, and operates at a time when the province has a surplus of electricity.

Here's why we agree with this motion:

Toronto is a freshwater capital. As Canada's largest city, it has a great responsibility to ensure its waters remain swimmable drinkable and fishable for generations and generations to come. It is key to the future prosperity of Torontonians and Canadians.

An accident, malfunction, or failure at the PNGS poses a serious threat to the future prosperity of millions of people. Accordingly, the City of Toronto needs to be vigilant and become a full time participant in the legal and regulatory processes that oversee the final few years of operation and closure at the plant.

Toronto once took the lead on nuclear issues. As a young lawyer, I was a co-counsel on the *Nuclear Liability Act (NLA)* challenge. The City of Toronto was a plaintiff and key party behind the challenge.

The *NLA* shields 3rd parties from liability in the event of a nuclear accident. The federal government created this protection because businesses were not willing to count on promises that the risks of a nuclear accident were too small to worry about.

The court eventually agreed with the government. It ruled that nuclear power was in the nation's interests and liability protection was necessary to operating nuclear power plants.

Since that time, much has changed. The world has witnessed two major nuclear accidents – one in the Ukraine and the other in Japan. Further, the promise of cheap electricity from nuclear power was false. Major cost overruns, breakdowns, and unreliability plague nuclear power. As a result, the nuclear industry has isolated itself from open transparent public processes to shield itself from rate reviews, safety reviews, cost reviews, and environmental reviews.

The industry has also failed to find safe acceptable solutions to the long term care of nuclear waste, such as the waste stored at PNGS .

Finally, increasing concerns about security have undermined the idea that a nuclear generating station is safe, especially when located beside a major city and a major drinking water supply. The City of Toronto is one of the few parties in Canada that can take a leadership role in ensuring that PNGS closes in 2018, as planned. Toronto has the most at stake in ensuring the regulatory process functions in the public interest.

Our experience as regular intervenors at CNSC hearings concerning PNGS is that the City of Toronto no longer participates in these important public processes. If they had been more active, the city would see the weakness of the current regulatory process. It would see how limited is public involvement, with 10-minute presentation limits, no cross examination of witnesses, and no rebuttal evidence.

Flaws with the CNSC process are made worse by flaws with federal environmental regulation broadly. Our key environmental protection statutes and processes have been so badly gutted in the last five years that the current government has launched a massive review process. Without leadership from the City of Toronto, no one represents the millions of people who rely on this region of the Great Lakes to swim, drink, and fish.

As the motion notes, Pickering is one of the oldest nuclear plants in the world. More people live in the area around PNGS than any other nuclear plant. And the power it generates isn't needed here in Ontario. As the plant reaches the end of its life, we should be looking to the future. How do we manage the waste created by the PNGS? What should we do with this beautiful waterfront land once its days as a nuclear station are over? How do we improve quality of life and prosperity in the GTA? Those are the important questions, the ones that Toronto should be asking and addressing. That's how we get to a swimmable, drinkable, fishable future.

Yours truly,



Mark Mattson
Waterkeeper & President