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To whom it may concern:

I am writing in response to the Deep Geologic Repository (DGR) Joint Review Panel's (JRP's) recent decision to deny my right to speak at the public hearings being held beginning September 9.

When the panel decided to reopen hearings, they required testimony to fit into six very specific categories. One of these was "Relative risk analysis of alternative means of carrying out the project."

Within this area, the panel asked Ontario Power Generation (OPG) for information on community acceptance outside of the study area. The state of Michigan, and specifically the Thumb region (namely the counties of St. Clair, Sanilac and Huron), is located directly across Lake Huron from the proposed facility, outside of the study area, and is certainly at risk to be impacted by it. Therefore, it is critical that before any decision is made on the construction of the facility, the joint review panel understand how residents of this nearby community feel about the OPG proposal.

My testimony—in addition to addressing the legislation I introduced in the spring to stop these types of facilities from opening in Michigan and asking the president to invoke the Boundary Waters Treaty to address this situation—represents the will of more than a quarter-million people in the Thumb. The testimony is appropriate given the nature of the current agreements between our two nations: the Boundary Waters Treaty and subsequent agreements that encourage full public dialogue.

Clearly, my testimony fits within the criteria of "Relative risk analysis of alternative means of carrying out the project," as outlined in the DGR JRP documents.

I ask you to reconsider what denying my comments will do to this process: It sends a message of lack of cooperation with other nations, states and citizens of this basin and indicates that the process of considering public opinion is not a viable part of your procedures.

In light of my testimony being relevant to the topics that will be addressed at the September hearings and being within the parameters you set for the hearing, I now formally ask you to reverse your decision denying my right to speak at the hearing.

Thank you for your consideration.

Sincerely,

original signed by

Phil Pavlov  
State Senator  
Michigan's 25<sup>th</sup> Senate District