

Deep Geologic Repository Joint Review Panel

August 29, 2014

Senator Phil Pavlov
P.O. Box 30036
Lansing, MI 48909-7536

Dear Senator Pavlov:

The Deep Geologic Repository Joint Review Panel acknowledges receipt of your letter received on August 27, 2014 (attached), and your desire to participate in the upcoming public hearing to be held in Kincardine, Ontario, beginning on September 9, 2014. As you may know, on August 26, 2014, the Panel issued a [Public Notice](#) and released the [schedule of presenters](#) for the additional public hearing days. The schedule details the subjects that are the focus of each hearing day and lists the scheduled presenters.

Thank you for identifying and explaining how the information you would like to provide to the Panel relates to one of the six hearing subjects: Risk Analysis of Alternative Means of Carrying Out the Project. The Panel will be holding hearing sessions focused on this subject on Thursday, September 11 and Friday, September 12 and may address this subject in other sessions over the course of the hearing.

As stated in the Public Notice referred to above, the Panel has made provision for members of the public who are not scheduled to make a presentation at the hearing to be given the opportunity to make a brief oral statement on one or more of the six hearing subjects. Please be advised that this participation opportunity will only be available if time permits and is at the discretion of the Panel. If you plan to attend the hearing and if this opportunity to make a brief oral statement is of interest you, please speak with a member of the Panel Secretariat upon entering the hearing venue. Your request will be considered by the Panel at that time. Please note that the Panel is no longer accepting requests for scheduled presentations, as the deadline has passed.

In reference to the *International Boundary Waters Treaty Act* (IBWTA), there is already clear information on the record on this subject and the relevance of the Act to the proposed project. For this reason, the Panel did not pose any further information requests on the IBWTA following the hearing sessions in 2013 and did not include it as a subject to be addressed in the upcoming hearing.

Please direct any questions that you may have to either of the Panel Co-Managers, Kelly McGee at 613-947-3710 or Debra Myles at 613-957-0626.

Sincerely,

—

Original signed by

Debra Myles
Co-Manager
Deep Geologic Repository Joint Review Panel

c.c.: Laura Haynes, Director of Constituent Relations



THE SENATE
STATE OF MICHIGAN

PHIL PAVLOV

25TH DISTRICT
P.O. BOX 30036

LANSING, MI 48909-7536

PHONE: (517) 373-7708

FAX: (517) 373-1450

senppavlov@senate.michigan.gov

ASSISTANT MAJORITY FLOOR LEADER

COMMITTEES

EDUCATION, CHAIR
NATURAL RESOURCES, ENVIRONMENT
AND GREAT LAKES, VICE CHAIR
REGULATORY REFORM
TRANSPORTATION

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 25th Senate District