

# United States Senate

WASHINGTON, DC 20510

October 1, 2010

The Honorable Cynthia L. Quarterman  
Administrator  
U.S. Department of Transportation  
Pipeline and Hazardous Material Safety Administration  
East Building, 2nd Floor  
1200 New Jersey Ave., SE  
Washington, DC 20590

Dear Administrator Quarterman:

We are concerned about a proposed shipment of radioactive material through the Great Lakes and St. Lawrence Seaway by a Canadian Company, Bruce Power Inc. The proposed shipment would enter U.S. waters, and we therefore urge the Pipeline and Hazardous Material Safety Administration (PHMSA) to comply fully and transparently with the Hazardous Materials Transportation Safety and Security Act's requirement that the agency "protect against the risk to life, property, and the environment that are inherent in the transportation of hazardous material in intrastate, interstate, and foreign commerce."

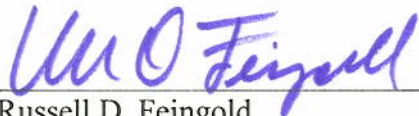
It is our understanding that the proposed shipment of sixteen radioactively-contaminated nuclear steam generators would require several exemptions from international radioactive shipping standards because the shipment would exceed the amount of radioactivity allowed for a single shipment and would not comply with current shipping container requirements. In light of that, we would like PHMSA to address the following questions:

- Does PHMSA have the authority to make exemptions that are not in accordance with the International Atomic Energy Administration's regulations or its own safety standards?
- What are PHMSA's requirements for meeting the two aforementioned standards prior to its approval of a shipment?
- Will PHMSA be complying with the National Environmental Policy Act, and how will the agency ensure public participation and transparency?
- Has PHMSA ever authorized a shipment of comparable size and radioactive content (sixteen nuclear steam generators, or its equivalent)?

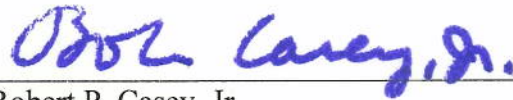
Additionally, please provide us any evaluation, review, public comments, and approval documents related to other shipments of radioactive material in U.S. waters. We would also appreciate receiving an explanation of PHMSA's radioactive shipment review and approval process, along with describing the roles of and coordination with other federal agencies, including but not limited to the U.S. Coast Guard and the Nuclear Regulatory Commission. Finally, please notify us immediately upon receiving a request for revalidation pertaining to Bruce Power's proposed shipment.

The Great Lakes are an invaluable resource to our states, providing drinking water to millions and supporting robust economies. We urge you to comply with both the letter and spirit of the law and reject any proposal that does not protect the Great Lakes or comply with U.S. and international standards. Thank you for your attention to this matter.

Sincerely,



Russell D. Feingold  
United States Senator



Robert P. Casey, Jr.  
United States Senator



Kirsten E. Gillibrand  
United States Senator



Carl Levin  
United States Senator



Debbie Stabenow  
United States Senator



Richard J. Durbin  
United States Senator



Charles E. Schumer  
United States Senator

Cc: Hillary Rodham Clinton, Secretary of State, U.S. Department of State  
Lawrence Cannon, Minister of Foreign Affairs, Foreign Affairs and International  
Trade Canada  
Lana Pollack, Chair of the U.S. Section, International Joint Commission  
Joseph Comuzzi, Chair of the Canadian Section, International Joint Commission