UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 10 2017

Mr. Gerrard Jackson
Transportation Security Specialist
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

OFFICE OF
THE ADMINISTRATOR

Dear Mr. Jackson:

Thank you for your time recently discussing the prospect of shipments with various levels of associated radioactive materials across the Great Lakes, including Lake Michigan.

Per our discussion, such shipments, if or when they occur, would be subject to the notification requirement under Great Lakes Water Quality Agreement Article 6(c), which requires that the U.S. and Canada:

> shall notify each other, through the Great Lakes Executive Committee, of planned activities that could lead to a pollution incident or that could have a significant cumulative impact on the Waters of the Great Lakes, such as:
>
> (i) the storage and transfer of nuclear waste or radioactive materials.

This provision applies to the "Waters of the Great Lakes," which under Article 1(j) "means the waters of Lakes Superior, Huron, Michigan, Erie and Ontario…" As such, though Lake Michigan is wholly within U.S. boundaries, transfers of radioactive materials are clearly covered.

The notification requirement seeks to take advantage of existing notice channels and obligations where they exist. Additionally, Article 6(c) does not require disclosure of information where such disclosure may compromise national security or otherwise result in release of information that is confidential or exempt from disclosure by law.

Thank you again for your efforts to coordinate on this matter. Should you have any questions about this, please do not hesitate to contact Tinka Hyde at hyde.tinka@epa.gov.

Sincerely,

Cameron Davis

Thank you again –

Cameron Davis
U.S. Co-Chair, Great Lakes Executive Committee

C: Erica Bickford, Office of Nuclear Energy, U.S. Department of Energy
Rick Boyle, U.S. Department of Transportation