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Updates related to this project are available on the CNSC website.

To enable CNL to adequately address comments on the draft EIS, in March 2018 CNL requested to renew their current licence for a one-year period with no changes to any authorizations from the previous licence.

On August 1st of this year, the Commission granted a one-year licence to CNL for the Whiteshell Laboratories site, which is valid from January 1st to December 31st, 2019.

CNL continues to address comments on the draft EIS and provide additional documentation to support their safety case for *in situ* decommissioning. EIS comments provided to CNL are publicly available on the CEA website.

Once the EIS is finalized, CNSC staff will then prepare an EA report for consideration by the Commission. Note that both the EA and the licence amendment application will be subject to decisions made by the Commission at a future date through a public hearing process.

This concludes the progress update on the

decommissioning projects. I will now pass the presentation to my colleague, Mr. Patrick Burton.

**MR. BURTON:** Good afternoon, President Velshi and Members of the Commission. My name is Patrick Burton, and I'm a Senior Project Officer in the Canadian Nuclear Laboratories Regulatory Program Division. I'm here today to speak to you about CNL's remediation projects carried out under the Port Hope Area Initiative.

The Port Hope Area Initiative, or PHAI, is a project to develop and implement a safe local long-term management solution for history low level radioactive waste in the municipalities of Port Hope and Clarington, both of which are in Ontario.

The PHAI is comprised of two main projects, the Port Hope project and the Port Granby project. Each includes the construction of a new Long-Term Waste Management facility, or LTWMF, and a waste water treatment plant. Both projects involve the remediation of low level radioactive waste from a legacy waste management facility, and the Port Hope project also involves the remediation of low level radioactive waste from numerous other sites in the Port Hope community.

The scope of the PHAI is defined by a legal agreement between the Government of Canada and the affected municipalities. The legal agreement was

originally signed in 2001, and has been amended several times since. The CNSC is not a party to the legal agreement and does not enforce its terms.

The low level radioactive waste being cleaned up came from historic radium and uranium refining activities in Port Hope dating back to the 1930s. These wastes are a federal liability because they were produced by Eldorado Nuclear Limited, a former Crown Corporation.

In 1988, Eldorado Nuclear became Cameco Corporation, and so wastes produced after that time are not eligible for disposal via the PHAI.

The Port Hope Area Initiative represents the Government of Canada's commitment to the remediation of historic low level radioactive waste in the municipalities of Port Hope and Clarington. The Government of Canada has committed \$1.28 billion towards this project.

CNSC staff's role in the implementation of the PHAI is to ensure that the Port Hope and Port Granby projects are carried out safely and in accordance with CNSC Regulations and their respective licences. In order to ensure an appropriate level of oversight, a CNSC project officer has been temporarily stationed in the Port Hope region.

Both the Port Hope and Port Granby LTWMFs are modern facilities. Each consists of multiple cells

into which waste will be placed, Port Granby having two cells and Port Hope three, as shown in the picture on this slide.

The waste in these cells is prevented from escaping into the environment by a multi-layered baseliner system. Contaminated water, which is created when rain falls on the exposed waste in the cells, is treated using reverse osmosis water treatment plants, one each at Port Hope and Port Granby, before being released to the environment.

Once full, the two LTWMFs will be capped with covers which are conceptually similar to the baseliner system. The LTWMFs in their end state will resemble large grassy hills, and they will remain CNSC licence sites.

I'll now speak to both the Port Hope and Port Granby projects in detail, beginning with the Port Granby project.

A high level schedule for the Port Granby project is shown on this screen, including some of the tasks under each of the three phases of the project. I'll note here that the term "phase" when used for the PHAI is not connected with the reactor decommissioning phases discussed earlier in this presentation.

The Port Granby project involves the remediation of wastes stored in the old Port Granby waste

management facility which is located to the south of the new LTWMF, and is immediately adjacent to Lake Ontario. On the schedule, you can see that the Port Granby project is currently nearing the end of Phase 2, the implementation phase.

Phase 2 sees CNL excavating legacy waste from the old Port Granby waste management facility, transporting that waste to the new Port Granby LTWMF, and remediating the excavated areas.

CNL is also treating contaminated water from both the old waste management facility and the new LTWMF and preparing for the capping of the LTWMF mound. CNL expects to transition to Phase 3 in 2019 or 2020.

Based on CNL's estimated timeline, Phase 3 of the Port Granby project will likely begin before the end of the current licence period. The current licence permits CNL to progress to Phase 3 without seeking additional approvals.

Since the last update to the Commission on the Port Granby project, CNL has made significant progress. CNL estimates that roughly 50 percent of wastes at the old Port Granby waste management facility have been excavated and transported to the new Port Granby LTWMF.

CNL has found that the volume of waste needing to be excavated has been greater than expected, in

some areas by as much as 25 percent. CNL nonetheless expects the final volume of the Port Granby LTWMF to be within its original design parameters, which included a certain contingency volume.

Excavations have progressed to the point that CNL has verified that portions of the old waste management facility site meet the clean-up criteria in the Port Granby project licence. As shown in the lower photo on this slide, CNL has back filled some of these areas and seeded them with grass.

CNSC staff have verified during inspections that CNL has processes in place to measure the mass and volume of waste being excavated and replaced to ensure that the approved design of the LTWMF is respected. CNSC staff have also carried out inspections and document reviews focused on CNL's verification of the remediation of the old Port Granby waste management facility.

Water management is an extremely important part of the Port Granby project. The project required a new waste water treatment plant, which became operational in 2016. It removes a wider range of contaminants, and with improved treatment efficiency as compared to the legacy system.

To verify the performance of the plant, CNL collects weekly samples of influent and effluent and

sends them to an accredited lab for analysis against a variety of contaminants. Toxicity testing is also carried out monthly.

CNL has recently established release limits and action levels for the Port Granby wastewater treatment plant which were calculated using a year of actual effluent data. Action levels are the lower of the two, and they're used by CNL to determine if there could be a loss of control in the waste water treatment plant process.

Release limits are the higher of the two, and exceeding a release limit would be in non-compliance with the licence. CNSC staff considers CNL's release limits and action levels to be acceptable.

CNSC staff have taken independent samples of effluent from the Port Granby waste water treatment plant and have verified that CNL is accurately reporting on its performance.

Since the last update to the Commission, there have been water management challenges at Port Granby. In June of 2017, an overflow occurred at the East Gorge Reservoir during a heavy rainfall, which released untreated water to the environment. This was reported to the Commission in an Event Initial Report in August of 2017 as CMD 17-M38.

An overflow occurred at the Port Hope LTWTF on the same day which will be discussed later.

In January of 2018, a blocked pipe led to an overflow at the West Gorge Reservoir, again releasing untreated water to the environment. Both of these reservoirs are shown on the figure in orange and, as you can see, they are adjacent to Lake Ontario.

Samples were taken from the overflow area and analyzed by CNL and CNSC staff. These results lead CNSC staff to conclude that there was no impact to the public or the environment from these overflows.

In both cases, the volume of water released was relatively low, and it flowed across areas which CNL will remediate if necessary.

CNSC staff nonetheless consider both to have been serious events, and have closely monitored CNL's corrective actions.

In addition to the two overflow events, earlier in 2018 CNL was faced with a critical shortage of water storage space with virtually all of their reservoirs close to capacity. Snow melt and early spring rains led to the generation of greater volumes of contaminated water than had been foreseen during the planning of the project. At one point, CNL contemplated an intentional release to the environment of untreated water as a measure of last

resort.

In response to the East and West Gorge Reservoir overflows, CNSC staff carried out inspections of CNL's water management practices. These have resulted in enforcement actions against CNL.

CNSC staff have been satisfied with CNL's implementation of corrective actions.

In response to the progressively worsening water storage situation, in May of 2018 CNSC staff made a request of CNL under section 12(2) of the *General Nuclear Safety and Control Regulations*. The request was for CNL to "Conduct an analysis of the mitigation and compensatory measures being considered by CNL to address water management at the Port Granby project site and provide a report that demonstrates that the proposed alternatives are within the safety case approved by the Commission".

In response to the difficult conditions at the site and CNSC staff's enforcement actions, CNL has taken numerous steps to improve the water management situation at the site. They have increased water storage capacity nearly fivefold by over 45,000 cubic metres. They have reduced the flow of clean water into the Port Granby waste management facility, preventing it from becoming contaminated and requiring treatment.

They have purchased a portable water

treatment system which will roughly double CNL's water treatment capacity at Port Granby.

Lastly, they have modified the waste water treatment plant intake so it draws cleaner water from the surface of a storage pond which can be treated at higher flow rates than more contaminated water from the bottom.

Similarly to CNL's presentation, this slide shows the evolution of water management features at the Port Granby LTWMF site. The photo on the left shows these as originally designed. The double pond visible just below the centre of the photo is the 11,500 cubic metre equalization pond.

The right-hand photo shows six large circular water tanks and roughly 130 smaller water tanks. This extra water storage capacity represents a significant and unforeseen cost to CNL, and water management concerns have had impacts on the Port Granby project schedule.

CNSC staff consider that CNL's execution of their excavation plan was a contributing factor to the shortage of water storage capacity at Port Granby. The plan was originally developed to limit areas of contaminated land under excavation and to divert surface water away from the excavation area.

Since encountering water storage capacity issues, CNL's response at Port Granby has been fully

satisfactory. They have added considerable extra storage and treatment capacity in a short period of time to safely draw down water levels and avoid further issues.

This concludes CNSC staff's discussion of water management at Port Granby.

Since the previous report to the Commission, there have been three instances at the Port Granby project where workers have been exposed to hazardous substances.

The first took place in December of 2016 when an old drum was ruptured during excavation. Two workers suffered temporary respiratory irritation as a result of exposure to an ammonia-bearing substance.

The second took place in January of 2017 when workers were exposed to hydrogen sulphide gas while removing solid waste from the bioreactor portion of the waste water treatment plant. Two workers exhibited short-term symptoms such as headaches.

The third took place in May of 2017 when workers were excavating a gas cylinder in an area known to likely contain cylinders of hydrogen fluoride gas. These excavations were performed using hydro vac trucks to minimize the risk of mechanical damage to cylinders.

During excavations, hydrogen fluoride was detected by on-site air monitoring equipment at low levels.

As per protocol, workers evacuated the area and returned in an elevated class of personal protective equipment to safely excavate the cylinder.

In response to the December 2016 ammonia exposure, CNL placed a multi-month halt on all excavations in Port Granby while strengthened protocols were put in place. Air tanks were retrofitted to key pieces of excavation equipment so that drivers no longer breathe outside air. These are the yellow tanks visible on the roof of the bulldozer in the photo on the slide.

Workers who are on foot near active excavations must wear personal protective equipment which offers high levels of respiratory protection. In the waste water treatment plant, CNL performed an audit which resulted in numerous recommendations regarding hydrogen sulphide monitoring as well as ventilation and radiation protection zoning.

CNSC staff have performed inspections to confirm that CNL has implemented corrective actions across these areas. One inspection indicated that CNL had yet to implement some corrective actions raised in their hydrogen sulphide audit and, in response, CNSC staff placed a prohibition on CNL's use of the bioreactor portion of the waste water treatment plant until relevant corrective actions are complete.

CNSC staff continue to evaluate CNL's implementation of remaining corrective actions, but conclude that the site is safe.

Looking forward for the Port Granby project, CNSC staff expect that CNL will continue the excavation and emplacement of waste into 2019. CNL has recently applied for a licence amendment for the Port Granby project with the goals of modernizing the licence and including release limits for the waste water treatment plant into the licensing basis.

This licence amendment will be considered by a designated officer as provided for by the Commission at the last Port Granby licensing hearing in 2011.

CNL will continue to operate the waste water treatment plant into Phase 3. CNL will also continue with remedial verification activities in more areas of the old Port Granby waste management facility, which will open the path to backfilling more areas with clean fill.

Lastly, CNL will continue to prepare for the capping of the Port Granby LTWMF. This is currently expected to begin in 2019 or 2010.

That concludes the Port Granby portion of the presentation. I'll now discuss the Port Hope project.

Again, a high level project for the Port Hope -- a high level schedule for the Port Hope project is

shown on the screen, including some of the tasks under each of the three phases of the project. The three phases are essentially the same as for Port Granby.

In Port Hope, the largest volume of waste to be remediated is found at the old Welcome Waste Management Facility, which is co-located with the new LTWMF. The most important difference between the Port Hope and Port Granby projects is that, in Port Hope, waste is also present throughout the town.

CNL is performing an extensive series of radiological surveys of residential and commercial properties in Port Hope to confirm the presence or absence of low level radioactive waste.

As with Port Granby, the Port Hope project is also in Phase 2, the implementation phase, but is less advanced in terms of the overall schedule. The term of the current licence is expected to expire before CNL is prepared to transition the Port Hope project to Phase 3.

The relicensing process for the Port Hope project will require a public hearing before the Commission.

Since the previous update to the Commission, CNL has made significant progress on the Port Hope project. This has included the construction of the baseliner system for cell 1, a process which was verified

several times by CNSC staff to ensure that the system was installed as designed.

A licence amendment was granted in late 2017 which permits CNL to employ an alternate strategy for areas of the site with concentrations of arsenic above the clean-up criteria in the licence. With the issuance of that licence amendment, CNL was able to begin excavating on-site waste from the old Welcome Waste Management Facility and in placing that waste in cell 1 of the new LTWMF.

Excavation of on-site waste is now nearly complete, and CNL has progressed to the verification of remediation of those areas, which is a prerequisite for the construction of cell 2.

CNL's construction of infrastructure such as internal roads, unloading docks and truck weigh scales further has allowed them to receive their first shipment of offsite waste in June of 2018.

Similar to Port Granby, CNL has constructed a new waste water treatment plant at the Port Hope LTWMF. It has been operational since January of 2016 and it treats ground and surface water from the LTWMF site. It removes a wider range of contaminants and with improved treatment efficiency compared to the old water treatment building used in the past. As at Port Granby, CNL collects

weekly samples of influent and effluent from the new waste water treatment plant and sends them to an accredited lab for analysis against a variety of contaminants. Toxicity testing is also carried out monthly.

CNL has recently established action levels for the Port Hope Waste Water Treatment Plant which were calculated using a year of actual effluent data. CNSC staff considers CNL's action levels to be acceptable. On July 31 of this year, CNL submitted release limits for CNSC staff review. Once finalized, these release limits will be included in the licensing basis for the Port Hope project.

CNSC staff have taken independent samples of effluent from the Port Hope Waste Water Treatment Plant and have verified that CNL is accurately reporting on its performance. In contrast to Port Granby, in Port Hope the old water treatment building remains in place and operable as part of CNL's water management and contingency plan. This will be discussed further in the coming slides.

CNL has also faced water management challenges at the Port Hope site. In June of 2017 heavy rainfall led to an overflow from the South Treatment Pond, which released untreated water to the environment. This was the same day as the East Gorge Reservoir overflow at Port Granby and both were reported to the Commission in an Event Initial Report in August of 2017 as CMD 17-M38.

The results of subsequent samples taken by both CNSC staff and CNL were consistent with the original environmental assessment of the area, leaving CNSC staff to conclude that there was no impact to the public or environment from this overflow. CNSC staff nonetheless consider this to have been a serious event and have closely monitored CNL's corrective actions.

Earlier in 2018 CNL was faced with a critical shortage of water storage space in Port Hope, with virtually all of their reservoirs at capacity. In contrast to Port Granby, there is no space at the Port Hope LTWMF for the addition of significant temporary water storage tanks.

In response to the June 2017 overflow, CNSC staff carried out an immediate reactive inspection which resulted in an inspector's order being issued to CNL. The order required CNL to immediately review its water management program to ensure that adequate storage capacity is available and to ensure that it had sufficient emergency supplies to mitigate releases of untreated water.

In response to the order, CNL updated their water management and contingency plans for both the Port Hope and Port Granby sites. At Port Hope this plan includes provision for the operation of the old water treatment building in emergency situations. In early 2018

CNL operated the old water treatment building for 39 days over May and April, in parallel with the new waste water treatment plant. This allowed them to treat and release the excess water stored on the site to the point of completely emptying the West Collection Pond. This was a necessary step in CNL's project to expand the collection ponds to prevent future water storage issues. CNL has recently informed CNSC staff that they have successfully expanded the collection pond nearly threefold, from 18,000 cubic metres to 47,500 cubic metres. CNSC staff consider that the conditions of the order have been met.

CNSC staff have incorporated water management aspects into subsequent inspections at the Port Hope LTWMF. CNL's operation of the old water treatment building is permitted by the current Port Hope project licence. Now that the expansion of the collection pond is complete, CNSC staff expect that the old water treatment building will no longer be required. CNSC staff continue to closely monitor CNL's water management practices at the Port Hope LTWMF site.

I will now move on to remediation at some of the various other sites in Port Hope.

In addition to the old Welcome Waste Management Facility, over the years low-level radioactive waste has been consolidated at several major known sites in

Port Hope. Under the legal agreement, CNL will clean up these sites and transport the waste to the Port Hope LTWMF. A table of these sites is presented on the next slide.

CNL is currently working with Cameco on the largest of these sites, the Centre Pier area between the Port Hope Harbour and the Ganaraska River. Shipments from the Centre Pier were among the first receipts of offsite waste at the Port Hope LTWMF in June of this year. Removal of waste stored on the Centre Pier will permit preparations for the remediation of the Port Hope Harbour later in 2018. CNL expects remediation at these sites to be complete by the end of Phase 2, currently projected for 2023. On the slide you will notice a large black tarp. CNL recently notified CNSC staff that excavations of that material should be completed by the end of this week.

This slide shows a list of major sites which will be subject to remediation under the PHAI, along with dates when remediation is expected to begin. This list includes the Highland Drive landfill, which contains both low-level radioactive waste and municipal household garbage which can generate gases as it decomposes. For this reason cell 3 at the Port Hope LTWMF has been specially designed to accept these materials.

Some of the major sites are covered by separate CNSC licences issued by a designated officer.

These are the Port Hope Radioactive Waste Management Facility, covering mounds of low-level radioactive waste at several locations, and the Pine Street extension temporary storage facility, covering two mounds and a small building. The transfer of waste from these sites will begin in 2018 and will continue for some years. CNL intends to continue using the Pine Street extension temporary storage facility to receive waste from the construction monitoring program until close to the end of Phase 2, at which point the waste will be transferred to the Port Hope LTWMF. CNL's construction monitoring program identifies and excavates low-level radioactive waste from construction projects in Port Hope such as the digging of backyard pools.

As mentioned earlier, the Port Hope project includes the remediation of low-level radioactive waste at residential and commercial properties throughout Port Hope. These are termed small-scale sites and they are best defined as sites which are found to have low-level radioactive waste but which are not specifically named in the legal agreement.

In order to determine which properties need remediation, CNL is currently undertaking an extensive sampling campaign. For each property where low-level radioactive waste is found, CNL will prepare a site-specific remediation plan which will be presented to

the property owner for discussion prior to remediation. The degree of remediation required will vary considerably from property to property. A CNSC project officer deployed to the region will allow CNSC staff to maintain effective oversight of CNL's small-scale remediation work.

Looking forward for the Port Hope project, CNSC staff expect CNL to continue and expand their excavation and emplacement wastes. CNL will also begin verifying the effectiveness of their remediation work beginning at several trial small-scale sites. Water management at the LTWMF site will remain an area of focus, as will water management at other sites during their remediation. The remediation of the Port Hope Harbour will be an area of particular interest to CNSC staff.

CNSC staff will also be reviewing CNL's recently submitted release limits for the waste water treatment plant and incorporating those into the Port Hope project licensing basis once they are final. The CNSC project officer deployed to the Port Hope area will provide regulatory oversight for all of these activities. The Port Hope project licence will expire in 2022, requiring a public licence renewal hearing before the Commission.

With that, I will pass the presentation back to Ms Haidy Tadros to offer CNSC staff's conclusions.

**MS TADROS:** Thank you.

This slide presents key areas of regulatory focus going forward pertaining to CNL's decommissioning and remediation projects discussed today.

So to recap, for the shut down power reactors, CNSC staff will focus on compliance verification activities and oversight of CNL's storage or surveillance activities. And CNSC staff will also review CNL's request for licence amendments to separate the current licence into three separate licences.

For the Whiteshell Laboratories, CNSC staff will focus on compliance verification activities and oversight of CNL's decommissioning activities and review of licensing basis documentation related to CNL's licence amendment request.

For CNL's proposed decommissioning of WR-1 and NPD, CNSC staff continue to review and evaluate for sufficiency the EIS information for CNL's proposed revised decommissioning plans.

As for the remediation project, CNSC staff continue compliance verification and oversight of the excavation and placement of waste at Port Hope and Port Granby, as well as CNL's operation of the wastewater treatment plants at both of those sites.

CNSC staff conclude that all of the sites covered by this CMD, namely Douglas Point, Gentilly-1,

Nuclear Power Demonstration, Whiteshell Laboratories and the Port Hope Area Initiative, CNL is carrying out licensed activities in compliance with regulatory requirements of the *Nuclear Safety and Control Act*, CNSC Regulations and the relevant licences.

As mentioned in the previous slide, CNSC staff will continue to maintain an effective level of regulatory oversight over these licensed activities to ensure that the public and the environment remain protected. CNSC staff will continue to ensure that the public and indigenous groups continue to have multiple opportunities for meaningful engagement in CNSC processes.

Thank you for your attention. We are available to take any questions you may have.

**THE PRESIDENT:** Thank you.

We will take a 15-minute break, we will be back at 3:45 p.m. and we will start with the written submissions filed by the six intervenors and have the Commission ask questions on that.

**MS. TADROS:** Thank you.

**THE PRESIDENT:** Thank you.

--- Upon recessing at 3:35 p.m. /

Suspension à 15 h 35

--- Upon resuming at 3:50 p.m. /

Reprise à 15 h 50

**MS MCGEE:** Good afternoon. I would ask that everyone please take their seats, we are going to resume.

--- Pause

**MS MCGEE:** Prior to opening the floor for questions from the Commission Members on the progress update, we will now proceed with the written submissions filed by the six intervenors.

**CMD 18-M30.2**

**Written submission from the  
Concerned Citizens of Renfrew County and Area**

**MS MCGEE:** The first submission is from the Concerned Citizens of Renfrew County and Area, as outlined in CMD 18-M30.2.

Are there any questions from the Commission Members on this submission?

**THE PRESIDENT:** So before we get into questions, I just wanted to -- given what we have heard from CNL and what we have heard from staff, there will be opportunities at the next public hearing around any

licensing decisions, around the environmental assessment, around CNL's intent to revise their decommissioning plan, so as we go through the questions may I suggest to the Commission Members that today's meeting is not the one to ask questions around CNL's plans for changing their decommissioning plan, because there will be opportunities to do that later once staff has also had a chance to review what has been presented and then there will be other public interventions around that, but we restrict our questions to the updates we have got and any concerns around that. Thank you.

**MS MCGEE:** Thank you.

So again, the first, a written submission from the Concerned Citizens of Renfrew County and Area as outlined in CMD 18-M30.2. Are there any questions from the Members on this submission?

**MEMBER PENNEY:** So I guess this is a question for staff.

On page 1 of that submission the intervenors say that a decision was made to grant them a 20-year licence, using a Commission of one, with no opportunity for written public input. If you could explain to me the process for that. Is that correct and what was the process, please?

**MS MURTHY:** Kavita Murthy, for the record.

**MEMBER PENNEY:** It's page 1 under "Public Participation". The end of the first paragraph is the first time they mention it. They mention it again later on, that this licence, their licence was granted to CNL, closed session, one-person panel, no opportunity for written public comment.

**MS MURTHY:** Thank you. Kavita Murthy, for the record.

That information is factual. The transfer of licence from AECL to CNL was and had been considered by this Commission as an administrative decision and it was made in a closed session.

**MEMBER PENNEY:** Right. And so to clarify, so that was the transfer of the licence. Was that the granting of the licence for the decommissioning of the site?

**MS MURTHY:** Kavita Murthy, for the record. No, that was not the granting of the licence for the decommissioning of the site.

**MEMBER PENNEY:** Okay. So can you just, for the record, tell me what the process would have been for the review and approval of the decommissioning plan for that site?

**MS GLENN:** Karine Glenn, for the record. I am the Director of the Waste and Decommissioning

Division.

So with respect to the first licence that's mentioned, the July 16, 2014 licence, what was done at that point in time was actually a consolidation of licences, so where they took three individual licences and consolidated them into a single one. It's really important to note that these facilities had been shut down and decommissioned in the '80s, or shut down and put into a storage with surveillance site -- sorry, I should have said -- in the '80s. So when the Act came into play a licence was granted and they continued in the same state they already were in. So the preliminary decommissioning plan continued to be in place from what was there previously and in 2014 it was simply consolidation. That was the first decision that was made in that panel, that first 2014 licence issuance, and the second one was the transfer from AECL to CNL.

**MS TADROS:** Haidy Tadros, for the record.

I may just add one further clarification with regards to the record of decision that the Commission had made at the time for the granting of the 20-year licence. The individual licences, as Ms Karine Glenn had rightly identified, were for an indefinite period of time issued to AECL. So the issuance of the 20-year licence not only brought all three licences together but gave them a

definite term of 20 years.

**MEMBER PENNEY:** Can I ask one more question?

So has there been an opportunity for the public to comment on this decommissioning plan?

**MS TADROS:** Haidy Tadros, for the record.

So the licence that we are speaking about is the prototype licence that, as Ms Karine Glenn said, had already AECL oversight added at the time, the public did not have an opportunity to comment at that time and, as was mentioned, going forward, with all of the different plans that are being reviewed by CNL and by CNSC staff, the opportunities for public consultation through our public hearing process will be implemented.

**THE PRESIDENT:** A question to CNL.

On page 2 the intervenor has some questions around effluent monitoring and discharge of toxic waste to the Ottawa River. Is this happening and where is this information available?

**MR. KEHLER:** Kurt Kehler, for the record. I will ask Meggan Vickerd, who is the Manager of NPD, to comment on that. Thank you.

**MS VICKERD:** Hello. Meggan Vickerd, for the record.

So NPD does have an improved effluent

monitoring plan that was prepared in accordance to CSA 288.5 and submitted to the CNSC staff. Our discharges are controlled in that we do sample and compare it to our regulatory limits prior to discharge and they are quite transient, they are once or twice a year and very small volumes.

**THE PRESIDENT:** And where is that information available to the public?

**MS VICKERD:** Meggan Vickerd, for the record.

So we do report on our environmental performance, including the concentrations of our discharges and the resulting concentrations in the Ottawa River in our annual compliance report. We do publish a summary of the environmental performance reporting on our website, on [www.cnl.ca](http://www.cnl.ca) under the Performance Reporting. So that information is available to the public.

**THE PRESIDENT:** Staff, anything to add to that?

**MS TADROS:** Haidy Tadros, for the record.

So we have our environmental protection specialists, environmental risk assessment specialists who do review these submissions, so I will ask them to detail what President Velshi, you are referring to in terms of the public consultation part on these reports.

**DR. KWAMENA:** For the record, my name is Dr. Nana Kwamena and I am the Acting Director of the Health Science and Environmental Compliance Division.

So with respect to the question from the Commission, what was indicated by CNL is correct, the effluent from the facility is released in small batches. Radioactive constituents are below the derived release limits and the concentrations of hazardous substances in the receiving environment are below federal and provincial guidelines.

With respect to the information being found on the website, that is true, the information can be found, a summary of the environmental performance information is on that website, and CNSC staff do review the annual compliance reports to ensure that they are meeting their regulatory requirements.

**THE PRESIDENT:** Thank you. So this update that we have today is not like the regular Regulatory Oversight Report which would have provided that kind of summary information. So is there an ROR on the CNL facilities that would be presented to the Commission or is this in lieu of that?

**MS TADROS:** Haidy Tadros, for the record. You are correct, this is a progress update report bringing together the decommissioning and

remediation activities that CNL is currently undergoing. It is not a Regulatory Oversight Report. As the Commission is familiar, our Regulatory Oversight Reports would include a lot more in terms of radiation protection data, environmental protection data, conventional health and safety performance indicators.

In 2016 the CNSC had put together an ROR on waste management activities and waste management files and it was the first ROR around waste management that CNSC staff had been able to compile. It was, one would say, a good opportunity to have that report into the public and in front of the Commission, because it afforded us the opportunity to take stock on some of the feedback that was shared with regards to the waste management files. As the Commission is aware, waste management touches all of these facilities, whether it be CNL or any other licensee, so it is a topic of great interest and a topic that we are committed to continually update the public and the Commission on.

How best to find that vehicle and how best to find an appropriate summary of it, one of the steps that CNSC has taken, CNSC staff has taken, is in the formation of the CNL Regulatory Program Division. As Ms Kavita Murthy indicated, this Division came together as of August 1 and we believe that by doing this it has allowed a much

more coherent, structured Division to respond to CNL licences, but also afforded us with the opportunity to put together a Regulatory Oversight Report that focuses in on not only the facilities and activities that the Commission is hearing about today, but potentially Chalk River as we know had gone through a licence renewal, so all of those together under the umbrella of a CNL regulatory program group and a Regulatory Oversight Report that can then be put together and focused on.

I will allow Ms Kavita Murthy to expand on that with some of her thoughts on the upcoming RORs for the CNL.

**MS MURTHY:** Kavita Murthy, for the record.

For the 2018 calendar year we are not planning to do a regulatory oversight separate from this. However, next -- as was committed to by CNSC staff during the Chalk River Laboratories relicensing, we are committed to coming to the Commission with a performance report for all of CNL's activities in the upcoming calendar year, which will cover the performance in 2018.

**THE PRESIDENT:** Thank you.

**CMD 18-M30.3**

**Written submission from Dan Rudka**

**MS MCGEE:** The next submission is from Mr. Dan Rudka, as outlined in CMD 18-M30.3.

Are there any questions from the Members on this submission?

--- Pause

**MEMBER PENNEY:** So I don't have a page number, but somewhere in Mr. Rudka's submission he talks about the Highland Drive cleanup and that there is inadequate protection for a nearby school during that process. I guess I will ask CNL first and then staff about any protections in place during that Highland Drive cleanup and whether or not it is adequate.

**MR. KEHLER:** Kurt Kehler, for the record. I will ask Scott Parnell to make a comment on that, but they do have an ongoing monitoring program and dust management plan and Scott can follow up with more detail.

**MR. PARNELL:** Scott Parnell, for the record.

Yes, we do have adequate controls for any work that we do. Whether it be a high school or whether we are doing work in the public, for us it makes no

difference, we have to have a program in place to make sure we are protecting everybody, including the workers. So we have a radiation protection program in place that measures local dose rates, contamination. We have dust monitoring that has multiple phases to it where our subcontractor is doing day-to-day monitoring, we have an independent contractor who does dust monitoring, and we also have some standard monitors set around the community that get monitored and that monitoring data is actually published on a weekly basis on our PHAI website.

**MEMBER PENNEY:** And would there be special controls and management around a school?

**MR. PARNELL:** No, there will not be special controls around a school because our job is to protect everybody, whether it be a school, the public or the environment.

**MS TADROS:** Haidy Tadros, for the record. I believe part of your question, Commissioner Penney, was to get CNSC staff's perspective. I would ask Mr. Rob Buhr, our Senior Project Officer for the Port Hope Area Initiative, to take that.

**MR. BUHR:** Good afternoon. Rob Buhr, for the record.

I agree with Mr. Parnell's statements on all the protection and mitigation strategies that he had

mentioned. CNSC staff have reviewed the environmental monitoring program and accepted that it would be protective of the public and the environment. Furthermore, as the project starts -- as those activities on Highland Drive haven't begun yet -- we will have oversight, like compliance oversight at the sites, ensuring that those mitigation measures and monitoring equipment are effective at protecting the public. And I would reiterate as well that no matter who the affected member of the public it is, everyone is treated equally and that the highest standard is always met.

**MEMBER LACROIX:** According to Dan Rudka, there are communication problems with the public. CNL, do you care to comment on this?

**MR. KEHLER:** Kurt Kehler, for the record. Again, I will pitch to Scott and he may call on also his communication team to comment.

**MR. PARNELL:** Scott Parnell, for the record.

As mentioned earlier in the presentation, we do a lot of communication. We have a lot of outreach and provide a lot of opportunities for the public to interact with us and for us to explain our processes and our controls. So I can't guarantee we get to everybody or if everybody is satisfied with our responses, but we do a

public survey for the effectiveness of our communications. We perform that every two years and we are getting ready to go out and perform that survey in the next month.

**MR. KEHLER:** I will ask Alex Mahabir to add to that. She is the Communication Specialist -- or Communication Manager at Port Hope.

**MS MAHABIR:** For the record, I'm Alex Mahabir.

Yes, we have a project information exchange that is open daily, Monday to Friday from 8:30 to 4:30, for drop-in or scheduled appointments. We are also available, communications staff and our subject matter experts, through our website, by telephone, by email, and our comprehensive public information program includes regular public information sessions as well as targeted sessions that aim to reach the people who are most affected by the project work undertaken at the moment.

**CMD 18-M30.4**

**Written submission from Northwatch**

**MS MCGEE:** The next submission is from Northwatch, as outlined in CMD 18-M30.4.

Are there any questions from the Commission Members on this submission?

**MEMBER BERUBE:** I guess I'm looking at page 4 of the PDF here, where the intervenor states that the:

"... 'planned phase of a deferred decommissioning strategy for nuclear reactors' but there is no evidence of this 'planning' having taken place with any public input."

Could you comment on that? I'm a little confused as to what they are talking about, but it seems to be like there is an issue with the communication strategy, they are not finding information or they are looking to have some input to this process and they don't seem to be happy with it.

**MR. KEHLER:** Kurt Kehler, for the record.

Deferred decommissioning strategy again is part of the preliminary decommissioning strategy, as was discussed earlier, that has been out in the public for some time previous. It has not changed for Gentilly-1 or Douglas Point. Obviously there is discussion with NPD of changing the strategy and that is part of the EA. So those sites are in storage with surveillance and it is just simply hazard reduction activities at those sites to reduce the storage and surveillance risks and costs associated with the sites. So the end state, the final end state of

the site, I think which is kind of the discussion, you know, what are the final plans for the reactors themselves and the final end state of the sites have not been laid out in detail in that strategy at this point because they are right now decades into the future and they will not probably be decided until there is adequate waste management, permanent waste management disposal facility decisions made for intermediate-level waste.

**THE PRESIDENT:** So there are a couple of comments in Northwatch's submission that I wanted to pursue. One is why there is no comment in either staff or CNL's submissions on why the Near Surface Disposal Facility is not included and in your presentation you explain because it is not a licensed facility, but I think it left a gap and a question in people's minds. So I just wanted to confirm that I think that is a very valid concern.

The other one is around the changing timelines and how do intervenors get prepared for what may be coming down and what they need to do. So we have heard that, you know, CNL, you have lots of comments that you are addressing, and this is for Whiteshell and NPD, in particular the EIS and the EAs. So any sense of timeline as to when the revised versions will be available for the public and when the hearing may be likely, or when do you expect to have a better sense of that timeline?

**MR. KEHLER:** Kurt Kehler, for the record.

The response to the comments on all of the EIS is taking us to develop additional lines of defence, you know, to supply to the Commission and respond to the comments. We are working to develop those lines and working through the comments and responses, but we really think it will be at the end of this calendar year before we come through that -- hopefully come through answering all the questions to satisfaction, to then have deemed a complete case which would then start re-establishing the timelines and that will be reflected in the revisions to the protocols, the appendix to the protocols which lay out the timelines that will be posted on the CNSC site.

**THE PRESIDENT:** Thank you.

Staff...?

**MS TADROS:** Haidy Tadros, for the record. So just to maybe start and pass to colleagues who can give a more detailed response.

So, as Mr. Kehler had identified, what has been on the public, on the CNSC website for the public to review from the beginning is our approach to it. There has been an administrative protocol established with clear dates. Given the sufficiency of the information provided and the extent of the comments received to CNL by both the federal family and the public, those timelines as noted had

been delayed. Ongoing thematic areas are being looked at between CNSC staff and CNL to ensure clarity of expectations is discussed and communicated to CNL in terms of what is required for a sufficient and complete application.

Perhaps I will ask Mr. John Thelen and Ms Candida Cianci, who have been working closely on the EA and the licensing portion for these projects, to provide some detail as to their thoughts on where the timelines are and what is doable now.

**MR. THELEN:** John Thelen, Program Supervisor, CNL Regulatory Program Division. I will start and speak to the CNL's licensing requests.

With respect to the licence request for the WR-1 *in situ* decommissioning, that is correct, that's currently under review. Ultimately, staff's assessment of that submission once in a complete form will be evaluated and serve to support our conclusions and recommendations regarding the safety of the proposed project at future public hearings. It is inextricably linked with the environmental process which is going on and would be presented at the same public hearing.

I will ask Ms Candida Cianci, Director of Environmental Assessment Division, to speak to that.

**MS CIANCI:** Candida Cianci, the Director

of the Environmental Assessment Division, for the record.

I just wanted to take the opportunity to acknowledge the challenge, and I appreciate the comment from the intervenor in terms of the challenge of participating and we acknowledge that. In line with the open and transparent process that we have in terms of our environmental assessment and licensing process, we have continued from the very get-go of these projects to keep the public informed of the status of the projects and where we are in the process and we do that through different avenues.

So one will be the public registry that we have, also known as the Canadian Environmental Assessment Registry, where we post all sorts of information related to the environmental assessment. That includes most recent updates about the delays and the timelines for both the Whiteshell and NPD project. So that is available.

We also have a project-specific mailing list. So any members of the public or indigenous communities that have provided comments on the environmental impact statement have automatically been added to that mailing list. Anybody that has participated in our public outreach sessions have been added if they have signed up to register. So it's not only up to them to go onto the public registry, but we also send out updates

through that mailing list on a regular basis.

We don't have any updates at this time, given that there is no firm time commitments on when we will receive a revised EIS, but I would point the members of the public to continue to monitor the Registry website and to look forward to the emails that we send to them.

And lastly, I would just say we also have a generic environmental assessment inbox where we monitor that, our division monitors that on a daily basis. So if we receive any requests from the public, we respond to those in a timely manner and we will continue to do so. So we are very committed to engaging with the public and indigenous communities and we will continue to do so in letting them know where we stand in terms of the process.

**THE PRESIDENT:** Thank you. That's very helpful.

**MEMBER PENNEY:** I have a follow-up question on that. There would be -- well, it's a question. Do you have any public participation funding grants already or is that coming in the next review of the EIS?

**MS TADROS:** Haidy Tadros, for the record. So yes, as part of our Commission proceedings process there is public participation funding that is awarded and I will ask Ms Clare Cattrysse, who manages that part of the process, to perhaps take that

question.

**MS CATTRYSSSE:** Hello. Clare Cattrysse, I am the Director of the Policy, Aboriginal and International Relations Division.

Just to understand your question, if you are talking about the environmental impact assessments --

**MEMBER PENNEY:** Yes. Both of them, yes.

**MS CATTRYSSSE:** Yes. Yes, definitely participant funding was awarded early on in the process and funding has been accepted by the public and Indigenous groups. We are also currently working with Indigenous groups closely on some requests that have come in for funding towards traditional knowledge studies and funding has recently been awarded for the Whiteshell project to groups and there may be some funding being awarded currently for the Métis Nation and another group in Ontario. So there is some funding going out also to support some baseline data that will help influence and provide data to the Commission.

There may be other opportunities, but we will have to explore that because there is a lot of -- a lot of it is going to be hinging on the timelines, recognizing that they have been extended and we will have some discussions about that.

**MEMBER PENNEY:** Right. So that was my

next question. Is there going to be another round?

**MS CATTRYSSSE:** There hadn't planned to be because when we had initially opened the Participant Funding Program the timelines were quite clear and quite tight, but there has been a lot of change, so within the CNSC we are going to have to have some discussions about how we handle that. But we understand that the timelines have extended considerably, so it will have to be considered.

**MEMBER PENNEY:** One other question and you may be the right person.

Does the CNSC have an Indigenous consultation planned to support both those EA processes?

**MS CATTRYSSSE:** Yes, the CNSC has definitely got a consultation planned and we are working very closely with CNL because they have requirements under the Regulatory Document 3.2.2 for aboriginal engagement. And so we are working closely also with CNL to ensure they give us updates on where they are coming along with some of their issues that have been discussed with the groups. And we are also very much engaged on a regular basis with the communities for this. There is a little bit of lead -- a little bit of time right now taking place because the comments have gone out, so we are able to get out into the communities a bit more and work on our relationships as we

wait for the next round of information to come out.

Candida, do you have anything to add? I will just pass this on to Ms Cianci.

**MS CIANCI:** Candida Cianci, for the record.

So just to complement Ms Cattrysse's response. We have proactively engaged several Indigenous communities, the ones that have expressed interest and that are in proximity to the project, collectively for both projects. Collectively for the two projects we have already had over a dozen face-to-face meetings with those Indigenous communities and our focus right now with this lead time, as Ms Cattrysse indicated, is to meet with them face-to-face to begin discussions on the comments that they had on the environmental impact statement and begin to address those comments, as Ms Cattrysse indicated, jointly with CNL. So that is currently our focus going into the fall.

**CMD 18-M30.5**

**Written submission from the**

**Port Hope Community Health Concerns Committee**

**MS MCGEE:** The next submission is from the Port Hope Community Health Concerns Committee, as outlined

in CMD 18-M30.5.

Are there any questions from the Commission Members on this submission?

**MEMBER DEMETER:** Thank you.

This may be a question for Cameco. In the interventions -- CNL? This is a picture of "Cylinders stored at Dorset Street East Cameco site in a residential neighbourhood" -- so I think it's Cameco -- "on a public street..." If they are available to -- I don't know, are they here?

I just wanted to --

**MS MURTHY:** Dr. Demeter, if you give us the question we will answer.

**MEMBER DEMETER:** Yes, I can do that. So it's Slide 25 of the intervenors presentation and it shows a residential street with a number of UF-6 cylinders stored right adjacent to the fence. I don't want to assume, but I'm presuming that these cylinders are actually empty and that there is no radiological risk to individuals on that sidewalk or in the neighbourhood, but I just need that to be confirmed. Because it gives the impression that this is a radioactive set of cylinders and even if they were full there is, you know, some protection with the distance.

**MS MURTHY:** Thank you, Dr. Demeter.

This matter was discussed in the 2016

relicensing of Port Hope conversion facility. I do believe that we can -- we don't need to go to Cameco, we can answer that.

**MEMBER DEMETER:** Okay. That's fine, thank you.

**MS MURTHY:** So I will ask Robert Buhr to respond to the question.

**MR. BUHR:** Robert Buhr, for the record.

So there are no infractions being shown in that picture. Whether the cylinder is full or empty, the package is designed for transport and whether or not it is located on a public street or in a yard, it's still safe, it still remains safe and there are no regulations against where you can park such a vehicle.

**MEMBER DEMETER:** This was specifically with the big storage yard in their fence where there are hundreds of these cylinders sort of in plain view. I just want to determine there was no radiological risk at the fence line.

**MR. BUHR:** All right. I didn't have the exact picture but I -- there are several pictures in there.

So yes, those are old cylinders that are no longer in use. They still may have what they call a heel in them, so that they may not be completely empty, but they'll either be waiting to be refilled or they're































































































































































































