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# *Notice of Public Hearing and Procedural Guidance for Final Submissions*

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January 31, 2023

Ref. 2022-H-07

## **Procedural guidance on final submissions regarding Canadian Nuclear Laboratories' application to authorize the construction of a Near Surface Disposal Facility**

The [Canadian Nuclear Safety Commission](#) (CNSC) held a 2-part public hearing – with Part 1 on February 22, 2022, and Part 2 from May 30 to June 3, 2022 – to consider an application from Canadian Nuclear Laboratories Ltd. (CNL) to amend its nuclear research and test establishment operating licence for the Chalk River Laboratories (CRL) site. The requested amendment would authorize the construction of the proposed Near Surface Disposal Facility for low-level radioactive waste. The CRL site is located in Deep River, Ontario, and on the traditional unceded territory of the Algonquin Anishnaabeg people. **This revised procedural guidance provides new information on final submissions.**

On June 30, 2022, the Commission [directed](#) that the hearing record be kept open to allow more time to receive additional evidence and information regarding engagement and consultation efforts in respect of Kebaowek First Nation and the Kitigan Zibi Anishinabeg. Accordingly, the Commission invited additional information from Kebaowek First Nation, the Kitigan Zibi Anishinabeg, Atomic Energy of Canada Limited (AECL), CNL, and CNSC staff to be filed by January 31, 2023.

On December 22, 2022, after receiving procedural requests from [Kebaowek First Nation](#) and the [Kitigan Zibi Anishinabeg](#), supported by [CNL and AECL](#), the President of the Commission, as a Panel of the Commission on procedural matters, [decided to extend the deadline](#) for the filing of additional information to **May 1, 2023**. Per the President's decision, Kebaowek First Nation, the Kitigan Zibi Anishinabeg, AECL, CNL, and CNSC staff must file any additional information with the Commission Registry by May 1, 2023, using the [online form](#), [by email](#), or via the contact information below. Information that is within the scope of additional evidence and information in respect of engagement and consultation will be accepted into the hearing record. All submissions will be available on the [CNSC website](#) or on request to the Commission Registry.

Upon receipt of the additional information, the Commission will determine if it is satisfied with the information on the record for this matter or if further information is required.



### **Written final submissions**

As previously detailed in the [revised notice of public hearing including procedural guidance for questions and written final submissions](#), intervenors who made oral submissions during Part 2 of the public hearing have the option to make written final submissions to the Commission. Written final submissions may briefly summarize the position and/or the opinion of the writer with respect to this matter. New information may not be presented in final submissions. Written final submissions shall be limited to a maximum of 5,000 words for registered intervenors and 30,000 words for CNL. Final submissions that do not follow these instructions will not be accepted.

Subject to any direction to the contrary by the Commission, written final submissions must be filed with the Commission Registry by **May 31, 2023**, using the [online form](#), [by email](#), or via the contact information below. All submissions will be available on the [CNSC website](#) or on request to the Commission Registry. CNL, as the proponent, must file its written final submission with the Commission Registry by **June 15, 2023**.

### **Oral hearing for final submissions**

In their December 2022 procedural requests, Kebaowek First Nation and the Kitigan Zibi Anishinabeg also requested the opportunity to present their final submissions by way of an oral hearing. The Commission has reviewed the requests and agrees that, in the spirit of reconciliation and in recognition of the Indigenous oral tradition for sharing knowledge, the Commission will allow oral final submissions by Indigenous Nations and communities that made oral interventions during Part 2 of the public hearing. Indigenous Nations and communities that choose to present their final submission by way of oral presentation should inform the Commission Registry of their intent to participate in the oral hearing no later than **May 31, 2023**. Subject to any direction to the contrary by the Commission, the hearing details are as follows:

Date: June 27, 2023  
Place: Ottawa-Gatineau Region (location to be confirmed) and virtually via Zoom  
Time: As set by the agenda published prior to the hearing date

Each Indigenous Nation or community who chooses to present their final submissions by way of oral presentation will be provided a maximum of 30 minutes to present to the Commission. As the proponent, CNL will also have the opportunity to present final submissions to the Commission, should it choose to do so.

### **Contact information**

For further information on the public Commission hearing process, or on the licensee or the facility being considered in this matter, or to request documents, contact:

Senior Tribunal Officer, Commission Registry  
Canadian Nuclear Safety Commission  
280 Slater St  
PO Box 1046 Stn B  
Ottawa ON K1P 5S9



Canadian Nuclear Safety Commission    Commission canadienne  
de sûreté nucléaire

Tel.: 613-858-7651 or 1-800-668-5284

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Email: [interventions@cnsccsn.gc.ca](mailto:interventions@cnsccsn.gc.ca)

Web: [Participate in a public Commission hearing](#)