

**Canadian Nuclear
Safety Commission**

**Commission canadienne de
sûreté nucléaire**

Panel Hearings

Audiences des Formations

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Le 24 Janvier 2007

Public Hearing Room
14th Floor
280 Slater Street
Ottawa, Ontario

Salle d'audiences publiques
14e étage
280, rue Slater
Ottawa (Ontario)

Commission Members present

Commissaires présents

Ms. Linda J. Keen
Dr. Moyra McDill
Mr. André Harvey

Mme Linda J. Keen
Dr. Moyra McDill
M. André Harvey

Secretary: Ms. Kelly McGee

Secrétaire: Ms. Kelly Mcgee

General Counsel : Ms. Lisa Thiele

Conseiller général : Ms. Lisa Thiele

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Ottawa, Ontario

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2
3 --- Upon resuming at 4:05 p.m.

4 **THE CHAIRPERSON:** Ladies and gentleman, if
5 I could ask you to take your seats please. We're ready to
6 start.

7 Well, good afternoon and welcome to this
8 hearing of the Canadian Nuclear Safety Commission.

9 We refer to this as a closed hearing
10 because participation is limited to CNSC staff and to the
11 licensees. The public is invited to observe and has
12 access to the Commission member documents or CMD's. The
13 record of proceeding and the transcript will also be
14 available to the public.

15 I'd like to begin by introducing the
16 members of the Commission that are participating in this
17 hearing.

18 What is going on outside, that's maybe what
19 I need to know.

20 And on my right is Dr. Moyra McDill and on
21 my left is Mr. André Harvey.

22 In addition to Ms. Kelly McGee, who is the
23 Commission Assistant Secretary, we also welcome Ms. Lisa
24 Thiele, Counsel to the Commission, on the podium with us

1 this afternoon.

2 I'd like to emphasize that the Commission
3 is a quasi-judicial administrative tribunal. It is
4 independent of all influence, be that political,
5 governmental, special interest groups or the private
6 sector. In fact, each Commission member is independent of
7 other members, as well as from the CNSC staff.

8 The Commission members are appointed by the
9 Governor in Council on good behaviour on the basis of
10 their exceptional achievements and their excellent
11 reputation.

12 Their responsibility is to ensure that the
13 use of nuclear materials and the operation of nuclear
14 facilities are done in a manner that protects the
15 environment, health, safety and security of Canadians.

16 The Commission does not have an economic
17 mandate and its decisions are not based on the economic
18 impact of a facility, nor the impact of its decision on
19 the facility. It is safety and security of the people and
20 protection of the environment that are paramount.

21 I would also like to note that the
22 Commission is still on enhanced security status as are
23 many of the facilities that we regulate. As such, I will,
24 as appropriate, take measures to ensure that security
25 matters of a sensitive nature are not discussed in public,

1 and we will, if necessary, move in-camera at any time for
2 a discussion on security matters.

3 On the agenda this afternoon is a hearing
4 on the environmental assessment screening report
5 concerning the Port Hope Long Term Low Level Radioactive
6 Waste Management Project.

7 I would like to start the hearing today by
8 calling on a presentation by CNSC staff. This is outlined
9 in CMD document 07-H103.

10 I will turn to Dr. Patsy Thompson, the
11 Director General responsible for this assessment for her
12 comments. Dr. Thompson, you have the floor.

13

14 **07-H103**

15 **Oral presentation by**

16 **CNSC staff**

17 **DR. THOMPSON:** Thank you, Madam President,
18 members of the Commission.

19 For the record I'm Patsy Thompson, the
20 Director General of the Directorate of Environmental
21 Assessment and Protection.

22 With me are Mr. Robert Barker, the Project
23 Officer in the Waste and Decommissioning Division, Ms.
24 Heather Jarrett, the Environmental Assessment specialist
25 from the Environmental Assessment Division, as well as a

1 team of CNSC specialists who provide technical assessment
2 support for this environmental assessment.

3 The Low Level Radioactive Waste Management
4 Office applied to remediate sites contaminated with low-
5 level radioactive waste, marginally contaminated soils and
6 specified industrial wastes located in the former town of
7 Port Hope, including the Port Hope harbour and in the
8 former township of Hope. It also would include the
9 management of the wastes in the Long-Term Low Level
10 Radioactive Waste Management Facility.

11 In compliance with the requirements of the
12 *Canadian Environmental Assessment Act* an environmental
13 assessment of the screening type has been conducted
14 resulting in the proposed screening report which is the
15 subject of today's hearing.

16 CNSC staff's CMD 07-H103 summarizes the
17 findings of the EA, of the environmental assessment and
18 recommends that the Commission approve the conclusions and
19 recommendations of the Environmental Assessment Screening
20 Report and proceed with a course of action consistent with
21 paragraph 20(1)(a) of the *Canadian Environmental*
22 *Assessment Act*.

23 I will now ask Ms. Heather Jarrett, the
24 Environmental Assessment specialist responsible for this
25 file, to continue with the presentation.

1 **MS. JARRETT:** Good afternoon, Madam
2 President and members of the Commission.

3 My name is Heather Jarrett. I'm an
4 Environmental Assessment specialist with the Environmental
5 Assessment Division.

6 Today I would like to present to you the
7 screening report for the environmental assessment of the
8 Port Hope part of the Port Hope Area Initiative.

9 In presenting the screening report you will
10 hear later a full project description from the proponent
11 but I will briefly outline the proposal from the Low Level
12 Office. I will review the environmental assessment
13 process as applied to the Port Hope project describing in
14 particular the coordination with the other federal
15 responsible authorities. I will discuss the impacts
16 identified in the environmental assessment and whether or
17 not the impacts were determined to be adverse and
18 significant. I will describe the mitigation measures that
19 the Low Level Office has included as part of its proposal
20 and I will discuss follow-up considerations. Finally, I
21 will make recommendations to you with regards to the
22 screening report.

23 The Port Hope proposal covers the
24 remediation of sites containing low-level radioactive
25 wastes, marginally contaminated soils and specified

1 industrial wastes. The sites to be remediated include
2 four sites already under CNSC licence with the Low Level
3 Office. As well, it includes the Port Hope harbour,
4 historic wastes from CAMECO and miscellaneous public and
5 private sites for a total waste to be managed of
6 approximately 1.39 million cubic meters.

7 The proposed project also covers the
8 preparation and construction of a long-term low-level
9 radioactive waste management facility to be located at the
10 site of the existing Welcome waste management facility,
11 and it also includes the management of the waste within
12 that facility.

13 Three federal departments or agencies
14 determined that they had a requirement for an
15 environmental assessment, the CNSC, Natural Resources
16 Canada and the Department of Fisheries and Oceans Canada.
17 They jointly determined that the assessment would follow
18 the screening track and that NRCAN, Natural Resources
19 Canada would be the lead responsible authority.

20 Following public consultation, the
21 responsible authorities jointly approved guidelines for
22 the assessment on July 11th, 2002 and issued them to the
23 proponent, the Low Level Office. The proponent compiled
24 the requested information partly through the completion of
25 technical studies and partly through the mechanism of

1 public consultation. The Low Level Office submitted
2 documentation in January of 2006. Following technical
3 review of the environmental assessment study report by
4 federal department reviewers and their subsequent request
5 for additional information, the proponent submitted final
6 addenda in March and July 2006.

7 Based on the environmental assessment
8 technical studies and the analysis of those studies by
9 federal reviewers the screening report was drafted by
10 staff from the three responsible authorities. They, and
11 the federal authorities for this review, which were
12 Environment Canada, Health Canada, Transport Canada and
13 the Canadian Environmental Assessment Agency, reviewed the
14 document. It was also made available for public review
15 and comment.

16 Comments were received from 23 intervenors
17 including the Municipality of Port Hope, and in many cases
18 changes were made to the draft screening report to reflect
19 the comments received. No changes were made to the major
20 conclusions or recommendations.

21 For the record, I wish to note that the
22 comments dispositioned as part of the screening report
23 were included with this CMD as Appendix B. Inadvertently
24 one public intervention was not included, although it is
25 included in the disposition table which is Appendix 3 of

1 the screening report.

2 The structure of the screening report is
3 intended to serve as a framework for explaining how the
4 assessment factors were systematically considered. The
5 introductory chapters describe the screening process, the
6 application of the *Canadian Environmental Assessment Act*
7 and the determination of scope of project and scope of
8 assessment.

9 The description of the project, including
10 operational, physical, chemical and radiological
11 characteristics of the planned facility is necessary to
12 identify the specific components and activities that have
13 the potential to interact with the surrounding environment
14 during construction, during normal operations and during
15 malfunctions and accidents. The project description
16 includes proposed mitigation measures.

17 Information about the existing environment
18 is necessary to establish a baseline against which the
19 environmental effects of the project components and
20 activities can be assessed.

21 The assessment of effects includes the
22 identification of potential interactions between the
23 project and the existing environment, the description of
24 the resulting changes likely to occur as a result of the
25 interactions, the technically and economically feasible

1 mitigation measures that might be applied to each likely
2 effect, and a determination of significance of any effects
3 remaining after the application of mitigation measures.

4 The report also considered the effects of
5 the project together with those of other projects and
6 activities that have been or will be carried out and for
7 which the effects are expected to overlap in the same
8 geographic area and time. These are referred to as the
9 cumulative effects of the project.

10 The screening report describes the
11 consultation activities undertaken by the responsible
12 authorities and the proponent and identifies the issues
13 most frequently raised by stakeholders. The report
14 includes a preliminary follow-up program as required in
15 the Environmental Assessment Guidelines.

16 Finally, the screening report presents the
17 conclusion reached by staff at the CNSC and the other two
18 responsible authorities and their resulting
19 recommendation.

20 The proposed long-term waste management
21 facility would be located at the site of the existing
22 welcome waste management facility, west of the residential
23 area of Port Hope, just south of Highway 401 and
24 approximately two kilometres from Lake Ontario.

25 The screening report describes the existing

1 environment according to seven environmental components,
2 atmospheric, geology and groundwater, aquatic,
3 terrestrial, socio-economic, aboriginal interest and human
4 health and safety. Within each component the radiological
5 and non-radiological aspects of the component were
6 described.

7 The baseline conditions described the
8 environment as it exists today, both at the proposed site
9 for the waste management facility and at the contaminated
10 sites which would be remediated. The conditions reflect
11 the fact that the welcome site is an existing waste
12 management site and that the other waste sites are
13 contaminated with various hazardous waste substances.

14 All project activities were examined to
15 identify those that could possibly interact with any of
16 the seven environmental components. For each
17 environmental component the assessment considered the
18 possible effects related to the excavation and remediation
19 of contaminated sites, the transportation of waste to the
20 facility site, site preparation and construction of the
21 waste management facility, normal operations of the
22 facility and malfunctions and accidents.

23 The environmental assessment identified
24 mitigation measures which could eliminate, reduce or
25 control any predicted adverse effects.

1 And finally, the residual effects were
2 tested for significance by evaluating the magnitude,
3 extent, duration, frequency and permanence of each effect
4 predicted.

5 Air quality guidelines would occasionally
6 be exceeded for total suspended particulates during the
7 operating phases as a result of transportation and
8 excavation activities and waste emplacement at the new
9 facility.

10 Mitigation measures would include the use
11 of low-emission vehicles, the erecting of physical
12 barriers at the site, and the reduction of the travel
13 distance within the waste management facility for
14 equipment distributing the offloaded, contaminated
15 materials. No residual effects are predicted.

16 If odours from excavated waste become
17 significant, mitigation measures could include the
18 addition of lime, the addition of foaming agents or other
19 appropriate material to minimize surface odours, and the
20 application of odour suppressant sprays. No residual
21 odour effects are predicted.

22 Temporary noise effects from excavating,
23 transport and construction equipment on some nearby
24 receptors are the only element of the atmospheric
25 environmental component where residual adverse effects are

1 predicted.

2 Mitigation measures would include limiting
3 the hours of excavation and construction activities and
4 waste hauling, equipping trucks and heavy equipment with
5 properly functioning mufflers, and erecting construction
6 hoarding where practicable.

7 Lasting beneficial effects on soil quality
8 are predicted at the sites from which the waste would be
9 excavated; however, at the waste management facility,
10 mitigation measures would be required to reduce
11 incremental soil concentrations for arsenic, cobalt and
12 thorium-230 adjacent to the proposed site, which occur
13 because of airborne deposition of contaminants.

14 The mitigation would include dust control
15 and specific waste placement techniques at the perimeter
16 of the waste management facility.

17 Predicted effects include a reduced flow of
18 contaminated drainage and groundwater at the Welcome Waste
19 Management Facility site, an increase in uncontaminated
20 surface water flow at the waste management facility, and a
21 reduction over time of the quantity of uranium-
22 contaminated groundwater at the Mill Street and Alexander
23 Street sites requiring treatment.

24 At the waste management facility, it is
25 predicted that the water table under the existing mound

1 would lower by approximately 10 metres. No residual
2 adverse effects are predicted for the geology and
3 groundwater environmental component.

4 Temporary losses of vegetation communities
5 are predicted where excavations would be occurring.
6 Mitigation measures include the subsequent renewal of
7 communities through site-specific landscape plans and the
8 development of a protection and site-specific
9 rehabilitation plan for the beach and fen vegetation at
10 the waterworks site.

11 Temporary loss of wildlife habitat is also
12 predicted. Mitigation measures would include trying to
13 avoid vegetation clearing during the breeding season for
14 migratory birds. If this proves impossible, a mitigation
15 plan would be developed in compliance with the *Migratory
16 Birds Convention Act* and would be subject to review by
17 Environment Canada. No significant adverse effects are
18 predicted for the terrestrial environment.

19 The project would result in the permanent
20 relocation of tenants at two rental properties and two
21 business operations. It would result in the short-term
22 relocation of property residents during small-scale site
23 remediation, with the number of relocations to be
24 dependent on the number of sites remediated. It would
25 likely result in the voluntary out-migration of residents

1 living near major remediation sites and transportation
2 routes and near the long-term waste management facility.

3 The project would cause disruptions to
4 certain outdoor activities, to tourism, to recreation and
5 to some businesses. It would cause disruption to some
6 road users in the form of heavier traffic and consequent
7 delays. It would cause changes to the community character
8 and a reduction in property values.

9 Mitigation measures would include the
10 implementation of project communications program, the
11 continuation of the property value protection plan,
12 arrangements for alternative accommodations, and a
13 continuation of the Low Level Radioactive Waste Management
14 Office complaints resolution process.

15 There are no known archaeological or
16 heritage resources that would be affected by the proposed
17 project; however, contingency procedures have been
18 developed to deal with any resources, which might be
19 encountered. Consultations with First Nations included
20 presentations to band councils, and community land and
21 resource use surveys.

22 The annual radiation doses to member of the
23 public would increase by a measurable amount during the
24 construction and development phase; however, using
25 conservative assumptions, all predicted doses would be

1 less than 25 per cent of the CNSC public dose limit of one
2 Millisievert per year. Therefore, this effect was not
3 considered to be significant.

4 Residual adverse environmental effects are
5 predicted with regard to non-radiological health for
6 members of the public. These effects would include
7 increased stress and negative changes to people's feelings
8 of health and sense of well-being, and feelings of
9 satisfaction with living in the community, and temporary,
10 short-lived noise effects.

11 Mitigation measures would include a
12 communications program focused on addressing concerns
13 about health, safety and security. For the noise impacts,
14 measures would include operational management features
15 relating to hours of work and work scheduling.

16 The residual adverse environmental effects
17 on the health and safety of members of the public were not
18 deemed significant.

19 Workers excavating on-site wastes and
20 placing on- and off-site wastes would receive annual
21 radiation doses between 1.6 and 2.7 Millisieverts a year.
22 Workers de-watering sediment during the harbour clean-up
23 would receive doses up to 7.6 Millisieverts per year.
24 These annual doses are within the allowable limit for
25 nuclear energy workers; the allowable limits being 100

1 Millisieverts over a 5-year period with no single year to
2 exceed 50 Millisieverts. The implementation schedule for
3 the project is five years.

4 A radiation protection program would be
5 developed. It would include the monitoring of workers'
6 radiation doses. Workers would be exposed to conventional
7 construction hazards, including exposure to non-
8 radiological contaminants and to noise.

9 Mitigation measures would include the
10 provision of personal protective equipment and the
11 implementation of workplace occupational illness and
12 injury prevention policies, health and safety procedures,
13 and other operational protocols.

14 The assessment of cumulative effects was
15 done by first determining if the proposed project would
16 have any residual adverse effects. These were added to
17 effects of other existing or planned projects that would
18 overlap in time and space to determine possible cumulative
19 effects, which were then assessed for significance.

20 The one environmental component where
21 cumulative effects were identified was the area of human
22 health and safety, where it was predicted that there would
23 be a cumulative change in people's feelings of health,
24 sense of well-being, satisfaction with living in the
25 community, and personal security. This effect is expected

1 to diminish over time if good communications materials and
2 public involvement opportunities are provided and a
3 positive environmental and safety record is maintained for
4 the Port Hope project. Therefore, the assessment
5 concluded that there would be no significant cumulative
6 adverse effects.

7 Increased precipitation could cause an
8 increase in surface infiltration into the long-term waste
9 management facility. Because of the low permeability
10 design of the cap for the facility, the magnitude of the
11 increase and the associated increase in volume of leachate
12 to be handled would be small and would not result in
13 adverse effects.

14 If the integrity of the dyke system used
15 during the harbour clean-up is threatened by heavy rains
16 and flooding, dredging operations would be halted to
17 prevent the migration of contaminated sediment. This
18 scenario was evaluated as a possible accident or
19 malfunction with the conclusion that no significant
20 adverse effects would result.

21 As done in standard environmental
22 assessment practice, the proponent considered credible
23 accident and malfunction scenarios and demonstrated with
24 its analysis that there would not be any significant
25 adverse environmental effects.

1 At the request of the responsible
2 authorities, the proponent also considered two bounding,
3 but not credible, scenarios. The first was loss of
4 institutional control, followed by progressive natural
5 degradation of the engineered barrier features, which
6 would result in the complete loss of long-term waste
7 management facility containment. The second was loss of
8 institutional control, as in the first, but followed by
9 human intrusion into the facility.

10 These two scenarios were chosen to be
11 analogous to having a mound of waste without a cover or a
12 base liner of the size, volume and footprint area of the
13 long-term waste management facility with no institutional
14 oversight. Although these would result in significant
15 effects, staff emphasizes that these situations are of
16 extreme low probability and not considered credible during
17 the intended service life of 500 years for the long-term
18 waste management facility.

19 The extreme nature of the scenarios and the
20 relatively modest increased risks adds confidence that the
21 risks associated with the realistic conditions and events
22 are considered manageable, with a low likelihood of
23 significant adverse effects to humans and the environment.

24 The proponent was asked to consider various
25 options for decommissioning of the long-term waste

1 management facility and discussed four possibilities;
2 retrieval and processing of the waste; excavation and
3 transfer of the waste to a permanent disposal facility; *in*
4 *situ* decommissioning; and abandonment. The proponent's
5 analysis indicated that each option could be completed
6 without significant adverse environmental effects. The
7 preferred option would be *in situ* decommissioning, and it
8 would likely be the least expensive of the options.

9 The implementation of public consultation
10 activities, an important element in any Environmental
11 Assessment, was shared by the proponent and the
12 responsible authorities, with Natural Resources Canada
13 acting as the lead for the responsible authorities. In
14 addition to public comment periods on the Environmental
15 Assessment Guidelines and on the draft screening report,
16 Natural Resources Canada organized open houses during the
17 conduct of the Environmental Assessment and during the
18 comment period on the screening report. Fisheries and
19 Oceans Canada and CNSC staff joined Natural Resources
20 Canada in participating at these events and the CNSC staff
21 also used the CNSC official Website to provide updates on
22 the Environmental Assessment.

23 The Low Level Office consulted extensively
24 with the public and interested stakeholders. In their
25 implementation, the quantity, variety and quality of the

1 proponent's consultation were of a high standard in the
2 view of CNSC staff.

3 During the Environmental Assessment, the key issues
4 identified by members of the public were technology for
5 the selected concept, sustainability of the selected site,
6 clean-up criteria, the possible disruption caused by
7 nuisance effects of noise, dust and odours, the stigma
8 associated with and the property values, the decrease in
9 property values; health effects; the future access to the
10 waste management facility for waste from other locations,
11 and the possible end uses of the facility.

12 As the final stage in public consultation
13 the draft screening report was sent to 145 people on the
14 mailing list with an additional 788 people receiving
15 notices of its availability.

16 A notice advertised the availability of
17 copies at the Low Level Office and between 75 and 100
18 copies were picked up by interested members of the public.

19 In the CMD Section 9, page 10, the figures
20 should be 75 to 100.

21 Comments were received from 23 sources. As
22 a result the draft screening report was modified to
23 clarify or emphasise certain aspects of the environmental
24 assessment and to introduce new suggestions for
25 mitigation.

1 The changes made did not effect the overall
2 conclusion for the proposal, that the proposal would not
3 cause significant adverse environmental effects.

4 As a responsible authority for the project
5 if the CNSC decides to issue a licence it has an
6 obligation to ensure that the appropriate feasible
7 mitigation measures are implemented and that the follow up
8 program is designed and implemented by the proponent.

9 The objectives of a follow up program are
10 to verify if the environmental and cumulative effects of
11 the project are as predicted by the environmental
12 assessment; to confirm that mitigation measures have been
13 implemented; to confirm that the mitigation measures are
14 effective in reducing, controlling or eliminating
15 environmental effects; and to identify if there are any
16 unexpected environmental effects.

17 One of the mechanisms for ensuring the
18 development and implementation of the follow up and
19 monitoring program is the CNSC licensing and compliance
20 program. The program will be based on the principles of
21 compliance, verification, adaptive management, reporting
22 and analysis.

23 The other responsible authorities will also
24 play a role in ensuring the implementation of the follow
25 up program with Natural Resources Canada assuming the lead

1 regarding activities related to the socioeconomic
2 components of the environment, Fisheries and Oceans
3 ensuring implementation of follow up activities related to
4 fish and fish habitat as required by the *Fisheries Act*.

5 Staff at the Canadian Nuclear Safety
6 Commission and at the other responsible authorities and at
7 other federal departments have reviewed the environmental
8 assessment documentation, including the proposed
9 mitigation measures.

10 On the basis of this review staff of the
11 responsible authorities conclude that with implementation
12 of the identified mitigation measures the project is not
13 likely to cause significant adverse environmental effects.

14 CNSC staff recommends that the Commission
15 accept this conclusion and proceed with a course of action
16 consistent with Paragraph 20(1)(a) of the *Canadian*
17 *Environmental Assessment Act*. That course of action would
18 be consideration by the Commission under the *Nuclear*
19 *Safety and Control Act* of the application by the Low Level
20 Office for a licence authorizing the possession,
21 management, and storage of nuclear substances in relation
22 to the proposed project.

23 CNSC staff recommends that the Commission
24 accept the environmental assessment screening report for
25 the Port Hope Long-Term Low-Level Radioactive Waste

1 Management Project and the recommendation and conclusion
2 in that report, as presented in CMD 07-H103.

3 **DR. THOMPSON:** Madam President, this ends
4 the staff's presentation. We're available to answer
5 questions.

6 **THE CHAIRPERSON:** Thank you very much.

7 We'll now move to the presentation by the
8 Low Level Radioactive Waste Management Office as indicated
9 in CMD 07-H103.1 and I will turn to the Director of the
10 office, Mr. Bob Zelmer, for the presentation.

11 Welcome sir and the floor is yours.

12

13 **07-H103.1**

14 **Oral presentation by the**
15 **Low Level Radioactive Waste**
16 **Management Office**

17

18 **MR. ZELMER:** Thank you, Madam President and
19 Members of the Commission.

20 As stated, my name is Robert Zelmer, for
21 the record, and I am the Director of the Low Level
22 Radioactive Waste Management Office.

23 Before Mr. Glenn Case presents to you our
24 description of the Port Hope project I would like to
25 identify the individuals here today, as resource persons

1 from our office and indicate the roles they have performed
2 in this work.

3 Glenn Case is our Lead in Project Planning
4 and Engineering; Bernard Gerestein is our Lead in
5 Communication Strategy and Implementation; Heather Kleb is
6 our Lead in Environmental Assessment; Mark Gardiner is our
7 Lead in Clean-up Criteria and Site Characterization and I
8 personally am the Lead in Partnering with Signatories to
9 the Port Hope Area Initiative Legal Agreement.

10 We would be pleased to provide
11 clarification where we can to any matters arising in your
12 deliberations today.

13 Thank you and now Mr. Case will deliver our
14 presentation.

15 **MR. CASE:** Good afternoon, Madam President
16 and members of the Commission.

17 My name is Glenn Case, for the record, and
18 I am Manager of the Projects and Facilities Development
19 Branch within the Low Level Radioactive Waste Management
20 Office and the Project Director for the Port Hope Area
21 Initiative.

22 At the request of the Commission I have
23 been requested to provide you with a 15 to 20-minute
24 technical background and description of the Port Hope
25 project.

1 The Port Hope Area Initiative was
2 established in 2001 by means of a legal agreement between
3 the federal government and the communities of Port Hope,
4 Hope Township and Clarington to address the historic low-
5 level radioactive waste in the area of Port Hope, Ontario.

6 The origins of this waste can be traced
7 back to the early 1930s when a radium refinery was
8 established in Port Hope by Eldorado Gold Mines for the
9 processing of pitch-blend ores from its Port Radium mine
10 in the Northwest Territories.

11 This refinery underwent many changes during
12 its first 20 or so years of operation, including the
13 starting of uranium refining, the cessation of radium
14 production and the production of various uranium products.

15 During the early years of operation process
16 residues and wastes produced by the refinery were
17 deposited in various sites within the community, including
18 the municipal landfill site and the Harbour Turning Basin.

19 In 1948 Eldorado, now a Crown Corporation,
20 established a more formalized operation at the Welcome
21 waste management facility as a repository for these
22 residues and wastes.

23 They operated this facility for a
24 relatively short period of time, approximately seven
25 years, and in 1955 moved the residue and waste management

1 operations to a new site near the Hamlet of Port Granby,
2 some 12 kilometres west of Port Hope.

3 The photo here depicts the southern portion
4 of the municipality of Port Hope and the current CNSC
5 licensed waste management facilities operated by the Low
6 Level Radioactive Waste Management Office and Cameco
7 Corporation, the successor to Eldorado.

8 As part of the Port Hope project these
9 licensed sites, along with several other unlicensed ones
10 will be consolidated into one engineered facility.

11 This slide depicts the relative locations
12 of the former Port Hope refinery site in Port Hope and the
13 two waste management facilities highlighted in yellow that
14 I just described; the Welcome waste management facility
15 and the Port Granby facility.

16 It should be noted that the Port Granby
17 site was operated for a 33-year period and was closed to
18 the receipt of waste in 1988. Its future disposition is
19 not part of the Port Hope project.

20 For your reference, Port Hope is located
21 approximately 100 kilometres east of Toronto, on the
22 northern shore of Lake Ontario.

23 As mentioned previously, in 2001 the Port
24 Hope Area Initiative was launched to address the historic
25 wastes produced by the Eldorado operation. The initiative

1 comprises two individual projects; the Port Hope project
2 and the Port Granby project.

3 The purpose of the Port Hope project, the
4 subject of the meeting today, is to clean up and provide
5 appropriate, safe, local, long-term management for
6 historic low-level radioactive waste, contaminated soils,
7 and specified legacy industrial wastes in the Municipality
8 of Port Hope.

9 This figure depicts the 13 major sites
10 within the urban area of Port Hope where the historic low-
11 level radioactive wastes are presently located. Sites of
12 note include the Harbour's Turning Basin, immediately east
13 of the former radium refinery, the former landfill site on
14 Highland Drive and several ravines and open areas where
15 wastes were inadvertently dumped.

16 The volumes at these sites range from a few
17 thousand cubic metres to over 100,000 cubic metres for the
18 Harbour Turning Basin.

19 Also depicted on this figure by the light
20 blue labels are the five former industrial waste
21 contaminated sites specified in the legal agreement. The
22 total volume of this material is just over 50,000 cubic
23 metres.

24 As I mentioned at the beginning of my
25 presentation, Eldorado developed a more formalized waste

1 management facility in the late 1940s at the Welcome site.
2 This photo depicts the existing Welcome waste management
3 facility and the location of the designated burial area
4 identified in the dash line.

5 Here the wastes from the Port Hope Uranium
6 and Radium Refinery were deposited during the period of
7 1948 to 1954 when the site was closed to the receipt of
8 process residues and wastes due to environmental issues.

9 During operations at the site the residues
10 and wastes, for the most part, were stockpiled on the
11 surface of the ground in designated areas, based upon the
12 type of waste or residue.

13 Some of these wastes and residues were
14 subsequently shipped offsite for reprocessing by other
15 industries while the remaining wastes were simply covered
16 over and left in place.

17 Under the Port Hope project the site will
18 be re-engineered to manage all current onsite materials
19 and also project waste from the urban area of the
20 municipality of Port Hope as I described on the previous
21 slide.

22 The solid line outlines the perimeter of
23 the site within which the new Port Hope Long-Term Waste
24 Management Facility will be located.

25 This photo, looking in a westerly direction

1 toward Toronto allows one to orient the location of the
2 site in relation to Highway 401, along the northern
3 boundary and the county road interchange shown in the
4 right-centre of the photo.

5 The Port Hope project is a community-based
6 initiative. From the beginning with the principles of
7 understanding in October of 2000 a cooperative
8 relationship among all municipal and federal parties was
9 recognized as the key to the success for this major
10 undertaking and this cooperative relationship was
11 formalized in the legal agreement of 2001.

12 In July of 2001 the Low Level Radioactive
13 Waste Management Office was designated as the proponent
14 for the initiative and subsequently established this
15 timeline of key activities to illustrate the various
16 activities required to undertake and complete this
17 initiative.

18 The initiative itself was broken down into
19 three phases. Phase 1, which we are presently in, is the
20 environmental assessment regulatory review and licensing
21 phase. Phase 2 is the remediation work and facility
22 development phase and Phase 3 will be the ongoing care and
23 monitoring and maintenance phase.

24 We are currently approaching the end of
25 phase one for the project. In its designated role as

1 proponent the Low Level Office has conducted baseline
2 characterization and technical studies; an assessment of
3 alternative means and assessments of the effects of the
4 project on the environment and the environment on the
5 project, all in accordance with the scope of the
6 environmental assessment issued by the three responsible
7 authorities in July of 2002.

8 The Low Level Office has also prepared
9 conceptual waste excavation plans that outline in general
10 terms how the cleanup work will be undertaken at the
11 various large and small scale sites, including the
12 landfill site and the Harbour Turning Basin.

13 The office has over 25 years experience in
14 addressing historic waste issues across Canada that it was
15 able to rely upon during the development of these plans.

16 Now, through the alternative means process
17 the Low Level Office identified preferred routes to be
18 used for the transportation of the wastes from the various
19 areas within the urban area of Port Hope; these are
20 depicted on the this figure. The total volume of waste
21 material to be hauled along these various routes to the
22 proposed long-term waste management facility denoted by
23 the star on the left-side of the figure is in the order of
24 800,000 cubic metres.

25 An important result of the alternative

1 means process was the recommendation to consolidate all
2 the Port Hope wastes into one site located within the area
3 of the existing 50 hectare property currently owned by
4 Cameco Corporation.

5 This artist's rendering, looking in an
6 easterly direction, depicts Highway 401 on the left-hand
7 side, on the northern perimeter, and the proposed location
8 and orientation of the new Long-Term Waste Management
9 Facility.

10 The proposed facility property, as I
11 stated, is approximately 50 hectares and is immediately
12 south of Highway 401 between Baulch Road and Brand Road.
13 There's a drop -- from a topographical perspective there
14 is a drop in elevation of approximately 30 metres from the
15 southeast corner to the northwest corner where the ponds
16 are located.

17 The site would be accessed by a new 750
18 metre-long dedicated road from Toronto Road, about 250
19 metres south of the Highway 401 Interchange.

20 The site is currently owned by Cameco
21 Corporation and occupied by an auto recycling yard and the
22 existing welcome waste management facility.

23 The proposed aboveground mound is
24 trapezoidal in shape with an approximate 22 hectare
25 footprint; there would be a setback of 90 metres from the

1 northern, eastern and southern property boundaries. The
2 setback to the western boundary varies from 200 to 520
3 metres.

4 The maximum height of the mound will be
5 approximately 25 metres above the existing surface.
6 Excavation would range between one to four metres below
7 the existing surface and the side slopes of the mound
8 would be approximately 25 per cent with a top cover of
9 five per cent.

10 The design for the waste volume capacity of
11 the mound would be approximately two million cubic metres.

12 This figure provides a plan view with the
13 final mound contour elevations. It also depicts the 750
14 metre construction road that would be built to allow
15 haulage vehicles a more direct route into the site in
16 accordance with the preferred haulage route mapping
17 presented earlier.

18 This figure depicts the internal multi-cell
19 design that has been proposed to allow the appropriate
20 sequencing of construction activities and segregation of
21 some specific waste types such as the methane generating
22 wastes from the landfill site.

23 Also depicted on this figure are the
24 various infrastructure facilities required to support the
25 onsite operations.

1 This facility has been designed to contain
2 and isolate the wastes from the local environment. This
3 encapsulation is based upon a multi-component liner and
4 cover systems, comprising of both natural and man-made
5 materials.

6 The design of the base of the mound is a
7 double liner system with a total thickness of
8 approximately 2.1 metres. Each of these systems comprises
9 a sand drainage layer for the collection of leachate from
10 the waste, an 80 ml high-density polyethylene membrane to
11 act as a hydraulic barrier and a compacted clay soil layer
12 or geo-synthetic clay layer to act as a hydraulic
13 diffusive barrier.

14 The cap of the mound is approximately 2.4
15 metres thick and starting from the waste and working
16 upwards comprises a sand for cushioning and grading, geo-
17 synthetic clay layer, high-density polyethylene membrane,
18 sand for cushioning and drainage, geo-textile, a coarse
19 stone intrusion barrier drainage layer that will also keep
20 out animals and prevent root growth, geo-textile layer,
21 geo-textile filter, a thick layer of general fill followed
22 by topsoil and grass on the top.

23 Now, another role of the proponent in the
24 project was to develop clean-up criteria that would be
25 applied to the project. In accordance with the legal

1 agreement of 2001 these criteria were developed to allow
2 current and foreseeable unrestricted uses of lands within
3 Port Hope affected by the historic wastes.

4 The radiological criteria were derived in
5 such a way to limit the dose to members of the public to a
6 maximum of 0.3 millisieverts per year. The three
7 contaminants of primary concern that were identified were
8 uranium, arsenic and radium. The respective criteria for
9 these COPC's are 35 for uranium, 20 parts per million for
10 arsenic and 0.9 Becquerels per gram for radium 226.

11 Application of these criteria allows the
12 Low Level Office to determine the volumes of waste to be
13 removed from the various sites. The right-half of this
14 figure depicts the information sheet that was developed by
15 the Low Level Office explaining the criteria development
16 process to the general public.

17 Of particular note, throughout Phase 1 of
18 the Port Hope project was the peer review process. This
19 involved peer review at various stages of study
20 development and included peer review not only on behalf of
21 the proponent but by the Municipality of Port Hope's
22 contracted Peer Review Team. The rigour of this review
23 process is evident in the back sections of most reports
24 prepared for the project, in which the peer review
25 comments received are presented and dispositioned. In the

1 context of the reports prepared for this phase of the Port
2 Hope project over 1,500 individual comments have been
3 dispositioned.

4 Public consultation and communications were
5 very important aspects of the project. This slide
6 presents some of the statistics for the period of 2001 to
7 2006. Of particular note are the total cumulative
8 contacts and personal dialogues undertaken by staff during
9 this period of time totalling in excess of 11,000. Visits
10 to our project information exchange and property value
11 protection program have also exceeded 2,000.

12 The Low Level Office has also conducted
13 five annual public attitude surveys with the most recent
14 one in November of last year, 2006. This slide depicts
15 the ever-increasing awareness of the Port Hope area
16 initiative, with over 80 per cent of those surveyed being
17 aware of the project.

18 The 2006 survey also indicates that 22 per
19 cent of those surveyed have low-level radioactive waste as
20 a top issue on their mind. However, the 2006 survey also
21 found that employment and economic growth was the top
22 issue in the minds of those surveyed.

23 This figure depicts the high level of
24 public confidence in the project that the waste can be
25 managed safely at the proposed facility, which in this

1 case and for 2006 is approximately 73 per cent.

2 Two questions added in the 2005 and 2006
3 surveys indicate the high level of study awareness by the
4 public and the satisfaction with their manner of input to
5 the project.

6 It must be remembered that we are
7 approaching the end of Phase 1. Phase 2 will involve the
8 implementation of the project and the adherence to the
9 findings of the environmental assessment. Following Phase
10 2 will be Phase 3, involving the long-term care
11 surveillance and maintenance of the facility.

12 Thank you.

13 **THE CHAIRPERSON:** Thank you very much for
14 that presentation.

15 Now we're going to open the floor for
16 questions.

17 I'd like to note that we have
18 representatives from NRCan with us, led by Mr. McCauley,
19 and representative of Fisheries and Oceans, Mr. Rose is
20 with us for questions from the other two authorities that
21 are involved in this, as well as CNSC.

22 So with that we will open the floor for
23 questions.

24 Dr. McDill, would you care to start?

25 **MEMBER MCDILL:** Thank you.

1 Perhaps my first question should be how
2 will the Low Level Radioactive Waste Management Office
3 continue to operate over the next 20 or 30 years in the
4 community?

5 **MR. ZELMER:** Bob Zelmer for the record.

6 It's a good question. I believe that our
7 annual funding process by submission of a business plan to
8 NRCan will continue until such time as NRCan asks us to
9 use a different approach to funding.

10 Through the life of the project funding has
11 been identified and basically assembled and is distributed
12 to us for use on an annual basis by Natural Resources
13 Canada.

14 I think beyond the period of the
15 implementation phase of the project we're basically at the
16 call of NRCan to determine how they would like us to
17 proceed.

18 **THE CHAIRPERSON:** Dr. McDill, perhaps Mr.
19 McCauley may wish to comment.

20 **MR. McCAULEY:** Thank you very much.

21 My name is Dave McCauley. I work in
22 Natural Resources Canada.

23 The Low Level Office was established in
24 1982. It was established by Cabinet, and we go to Cabinet
25 roughly every five years to re-establish its mandate. And

1 I believe that the existing mandate runs out in 2010 but
2 the approach is to return in advance of that to renew the
3 mandate.

4 Thank you very much.

5 **MEMBER McDILL:** Maybe I could ask staff.
6 Could staff comment on -- I mean, we have a late life
7 going out to 2500 in this document.

8 **DR. THOMPSON:** Patsy Thompson for the
9 record.

10 I will ask Mr. Robert Barker to speak to
11 that issue.

12 **MR. BARKER:** Bob Barker for the record.

13 The legal agreement that defines the
14 project sets out the concept of a federal operating agency
15 on behalf of the Government of Canada to monitor and to
16 conduct the project and to be responsible for the site.
17 The Low Level Office has been assigned that role, but
18 nonetheless the legal agreement assigns that the
19 responsible authority for ongoing maintenance and care of
20 the facility will be the federal government through
21 Natural Resources Canada.

22 **MEMBER McDILL:** And licensing is a function
23 of CNSC as time goes by?

24 **MR. BARKER:** Licensing is the function of
25 the CNSC.

1 **MEMBER MCDILL:** What would be the first
2 licence that -- I realize this is a screening report so
3 I'm -- at what point would CNSC have the first -- what
4 would be the first license CNSC would have?

5 **MR. BARKER:** Bob Barker for the record.

6 If the -- is your question in relation to
7 the type of licence to be issued? Yes. The type of
8 licence to be issued if the Commission allows the process
9 to continue beyond the application of the screening report
10 has been determined to be a waste nuclear substance
11 licence and this was based on the combined inventory of
12 the waste that would be accommodated within the facility.

13 That is they would not meet the definition
14 of a nuclear facility under the General Nuclear Safety and
15 Control Regulations, as the inventory would be less than
16 one times ten to the fifteenth Becquerel's. So it would
17 not be a Class 1B nuclear facility.

18 **MEMBER MCDILL:** Thank you.

19 My next question then relates to a few more
20 specific things and I'm not certain where I should direct
21 the question so I'll look for the Chair's guidance.

22 With respect to the four cells containing
23 different things, how is it going to be coordinated
24 between the different industrial wastes are going on the
25 top, cell three would be constructed to accommodate the

1 commingled waste and cell four would be designed for
2 drummed waste. Perhaps ---

3 **THE CHAIRPERSON:** I think we'll direct it
4 to the Low Level Waste Office and then we'll start there.

5 **MEMBER McDILL:** Thank you.

6 Perhaps somebody could explain how this is
7 going to be handled, and I mean, I've seen a timeline but
8 not a specific line for that kind of questioning.

9 **MR. ZELMER:** Yes, thank you for the
10 question.

11 Bob Zelman for the record.

12 I'd like to refer the question to Glenn
13 Case.

14 **MR. CASE:** Glenn Case for the record.

15 The sequencing of the cells is to allow us
16 to remediate the Welcome Waste Management Facility. It's
17 a brown field site at this time and what we need to do is
18 to remediate it so that we can in fact construct a
19 facility on the site.

20 So you will notice that there are a
21 sequence of cells, 1, 2A, 2B, et cetera, and the
22 coordination of that is, as you say, important, but we
23 have designated waste and a sequencing of deliveries of
24 offsite waste that will coordinate when those cells become
25 available. So when the cell for the landfill material is

1 available that's when the material would be transported
2 into that site.

3 So when I talk about sequencing it's -- one
4 of the big issues is the coordination of the cleanup of
5 the Welcome site to allow us to then bring in material
6 from offsite. So that's why we have the multi-cells.

7 **MEMBER McDILL:** And is staff in agreement
8 with the science behind those cells and the coordination
9 and sequencing of the cells?

10 **DR. THOMPSON:** Patsy Thompson for the
11 record.

12 In the course of the environmental
13 assessment those issues were considered and the
14 conclusions are presented in the technical studies.
15 Should the Commission approve the environmental assessment
16 screening report those issues would be dealt with in more
17 detail at licensing.

18 If you wish Mr. Barker could provide more
19 information on that stage.

20 **MEMBER McDILL:** Yes, please.

21 **MR. BARKER:** Bob Barker for the record.

22 The proposal for the multi-cell
23 development, I can add a little bit to the discussion that
24 Mr. Case provided, in that the earlier cells are developed
25 in fact to allow for the remediation of the Welcome Waste

1 Management Facility and to allow for the receipt of
2 various offsite sources. But some of the cells are in
3 effect purpose built for the specific types of waste that
4 we're receiving.

5 One of the cells will be specifically for
6 the landfill wastes and for other organic wastes, and
7 we'll have special measures assigned to it such as a
8 methane venting system to assure that pressure doesn't
9 build up within the mound itself. And there is also a
10 need to construct a cell to separate some of the drummed
11 waste from the general soil type waste.

12 So basically the concept is acceptable, but
13 as Dr. Thompson indicated we will be looking at the
14 details of the cell design in much greater detail during
15 the licensing assessment phase.

16 **MEMBER McDILL:** Thank you.

17 Perhaps my colleague would like to
18 continue?

19 **THE CHAIRPERSON:** Thank you. Mr. Harvey?

20 **MEMBER HARVEY:** My first question is, who
21 will manage that project? Will the office be responsible
22 for all the work or would it be delegated to a consultant?
23 How is it going to work?

24 **MR. ZELMER:** Thank you for the question.

25 Bob Zelmer, for the record.

1 Our practice in previous projects and our
2 practice in this project is to use the professional
3 expertise of the Low Level Office but extend the resources
4 through the use of consultants and contractors. So the
5 general model and the answer to your question is both
6 approaches, but the responsibility as proponent remains
7 with the Low Level Office and we direct contractors and
8 consultants to implement the program.

9 We are debating different ways of
10 contracting major pieces of the project or the entire
11 project, but we still would have a role as the proponent
12 on behalf of Canada.

13 **MEMBER HARVEY:** Would you keep the follow-
14 up of the project within the office or that part could be
15 also delegated?

16 **MR. ZELMER:** I believe that you may be
17 referring to the ongoing monitoring in the third phase
18 that was mentioned by Mr. Case?

19 **MEMBER HARVEY:** No. I'm talking during the
20 work, some follow-up would have to be -- just to check if
21 all the mitigation measures are applied and things like
22 that and I'm just talking of that. Who will take care of
23 that follow-up?

24 **MR. ZELMER:** Yes. Thank you for the
25 question.

1 There are many dimensions to follow up
2 supervision and oversight as we well know in these
3 projects. If we consider the quality assurance aspect,
4 which is part of the answer to your question, there would
5 be responsibilities by quality assurance officials within
6 the Low Level Office and there would be requirements for
7 quality assurance plans to be provided by our contractors.
8 This would provide some guidance.

9 So we would have an oversight role and they
10 would have a contracted role. When it comes to the
11 progress of the work, schedule time, volumes, that kind of
12 monitoring of the conduct of the work, that would be the
13 responsibility of the project director and as delegated
14 down to contractors. So there would again be the sharing
15 and the oversight role in delivery of the work.

16 So I think the model, you know, is applied
17 in different dimensions, the very practical, physical
18 side, the quality and safety side and so on. There are
19 several streams of procedures defined within industry
20 practice and the practice of Atomic Energy of Canada
21 within which we are delivered that provide us guidance in
22 these areas.

23 **MEMBER HARVEY:** Thank you.

24 My concern is with the fact that there will
25 be a large number of sites on which there will be work and

1 simultaneously I think. When you look at the schedule,
2 you'll be working at many -- well, maybe 10-20 sites at
3 the same time and I was concerned about the -- there are
4 so many measures to be applied to protect the environment,
5 protect the health of the people and things like that,
6 that I'm a little preoccupied by the fact that how it's
7 going to work.

8 **MR. ZELMER:** Yes. Thank you for the
9 question.

10 You are right. It will be a very
11 interesting and exciting project and we're looking forward
12 to it. Because it does have so many dimensions and
13 involves so many sites, one approach would be as an option
14 would be to contract major portions of the work, for
15 instance the remediation of perhaps all of the small scale
16 sites as a single contract or maybe as an even larger
17 contract. And regardless of how it's organized on a
18 contractual basis, there will be a structure of reporting
19 meetings, project progress reporting, all the disciplines
20 of the area of project management practice to help us
21 direct it.

22 I don't think we have concerns about losing
23 track of the details as long as we have a good reporting
24 system in place and apply the tools of project management
25 practice.

1 **MEMBER HARVEY:** How many sites -- when we
2 look at the Table 7.1, there is a list of the sites but
3 there is one item which is miscellaneous sites. How many
4 sites are included in that item there?

5 **MR. ZELMER:** One of the figures that was
6 presented, identified the large scale sites, the
7 industrial sites and I believe there's a reference to the
8 small scale sites as well. And I think when we deal with
9 small scale sites, you are correct; there could be
10 hundreds of sites.

11 Currently, the Low Level Office maintains
12 property files on about 4,000 individual properties in the
13 Municipality of Port Hope and area and we've been
14 responsible for keeping those records for, you know, more
15 than 20 years during our existence.

16 Not all of those properties will require
17 remediation, but most of those properties will require
18 verification surveys so that we can ensure that we can
19 walk away permanently from this issue on those properties.

20 So there is a large number of very small
21 and individual properties in various ownerships. I think
22 if you require the number of major sites and industrial
23 sites, I'd ask Mr. Case to verify but I think it's about
24 14 major sites on this slide and five industrial sites.

25 **MEMBER HARVEY:** Okay. Thank you.

1 **THE CHAIRPERSON:** I would like to -- I mean
2 this is a very major project and we heard -- quite
3 recently we were in Port Hope for a hearing. So we heard
4 about a number of issues. We weren't, of course, on this
5 project but we heard concerns about this would add to the
6 realm of projects that are there, not just ongoing areas
7 but changed projects I guess, if I could put it that way,
8 Vision 2010 and changes that are happening at facilities.

9 So I think I would say that uncertainty as
10 to who will own this, is there money for it, you know, who
11 will run it, those types of things, I would just say that
12 my view would be that that would make it difficult for
13 people there in this changed environment.

14 Would that be a correct assumption when you
15 do the consultation? Is that an issue or not?

16 **MR. ZELMER:** Thank you for the question.
17 Bob Zelmer again.

18 I guess my personal answer would be it's
19 very complex. The undertaking of remediation into the
20 urban area has been long anticipated in the community and
21 I think one should look to the public opinion surveys that
22 we have been taking and measuring and using to guide us.

23 One can also look to the resolution --
24 various resolutions of municipal council in support of
25 pieces of the work that has been accomplished to date;

1 support for cleanup criteria, as an example; support for
2 moving forward and submitting our report which is the
3 basis of the environmental screening document that you're
4 considering today.

5 I think it's a process that's involved
6 many, many people, either by their attendance at our
7 workshops or at municipally led activities. So I think
8 that the public is very well informed. I think the mood
9 that I've seen over the last five years and longer has
10 been let's get on with it and I think that there is a
11 great opportunity for synergy in the community when you
12 integrate the work that various individuals are doing.

13 It doesn't matter if the example used is
14 the new water treatment plant that was constructed and our
15 work together there, or Cameco's 2010 Vision for
16 development or any other municipal or federal initiatives
17 that might involve the harbour.

18 I would think the offsetting -- the two
19 great offsetting positives to the potential for disruption
20 are, first of all, the remediation that will be
21 accomplished and, secondly, the synergy that can result
22 when constructively minded groups work together.

23 Thank you.

24 **THE CHAIRPERSON:** Talking about synergies,
25 we talk about a number of agencies being involved in this

1 with you as the lead and other agencies getting involved
2 at various points. We talk often here about the Ontario
3 Ministry of the Environment, for example, getting
4 involved, et cetera.

5 In some projects that CNSC has been
6 involved in, I'm thinking of Elliot Lake for example, the
7 Rio Algom project, there is a grouping; there is a way
8 forward that's sort of a committee-type approach to this
9 that reduces overlap and increases communications.

10 You've obviously had a lot of interaction
11 with these people up to now and if you get permission to
12 go forward, is there sort of a view of how that would be
13 done on the implementation phase of this?

14 **MR. ZELMER:** Yes. Thank you for the
15 question. Bob Zelmer again, for the record.

16 If I can speak to that initially, there are
17 mechanisms already in place that we would use to continue
18 the way forward. The one that comes to my mind first is
19 the agreement monitoring group, agreement monitoring
20 committee that I chair and where a lot of dialogue occurs
21 between the signatories to the legal agreement.

22 And this is, from my perspective, a great
23 opportunity to bring other issues forward and integrate
24 them or determine the impacts of the Port Hope area
25 initiative progress against other initiatives.

1 So that is one venue and process that I
2 could see continuing. I think certainly the follow-up
3 program associated with the environmental assessment is
4 another one where there will be clear responsibilities and
5 there will be leadership offered by federal responsible
6 authorities as well and that will be an ongoing thing.

7 And in addition to that, I think within
8 Port Hope particularly, discussions at the agreement
9 monitoring group table have of late -- and for your
10 information, I believe we're on our 47th or 48th meeting
11 now. Each meeting is about six weeks apart. So we've
12 been going for years on this, but basically, issues at the
13 table now relate to how are we going to deal with both the
14 monitoring of the agreement commitments and also issues or
15 concerns that arise from the public and the community. So
16 there's another tool.

17 So I think those are the core processes and
18 tools that would come to my mind.

19 **THE CHAIRPERSON:** I guess I was being quite
20 concrete in my mind because I was thinking for example
21 about permitting and those kinds of things, licensing and
22 seeking to pull this together. I think probably Mr.
23 McCauley knows that there is quite a bit of issues going
24 around now in this town in terms of discussions of those
25 kinds of things.

1 I think it's not just -- you know, if you
2 have delays because you have to have delays, meaning that
3 there is some issue that comes up that's health and safety
4 organized, I think it's important but sometimes these
5 things are just annoying and they're annoying to the
6 citizens as much as they are to you, as the proponent. So
7 I was thinking about that and some of the areas that could
8 be looked at there.

9 One of my questions is with regards to the
10 ownership of the land. Perhaps I missed it when I was
11 reading this was that it was Cameco-owned land and how is
12 this agreement working out? I mean how does -- are they
13 going to transfer it to your office or will they own it
14 permanently or is this part of the agreement or how does
15 this work in terms of land ownership issue?

16 **MR. McCAULEY:** Dave McCauley, for the
17 record.

18 The Welcome Waste Facility is currently
19 owned by Cameco Corporation. The federal government,
20 Natural Resources Canada, has entered into an options
21 agreement with Cameco, such that should the facility be
22 licensed, we have the option of taking over that property.
23 So the federal government in the end, Natural Resources
24 Canada, will be the owner of this property and the waste
25 management facility.

1 with regard to the release of information that is held by
2 the Low Level Office on private properties and these
3 provide us some guidance. We're certainly very
4 transparent and open with the owners of land and this has
5 been a longstanding practice. This particular matter was
6 discussed at some length by the parties at the Graham
7 Monitoring Group table and within our company and our
8 office.

9 We have operated a very transparent process
10 with regard to our information program on studies and
11 reports that are provided, and that arise out of our
12 studies in the Port Hope project and I think that those
13 are very voluminous, very detailed, and sometimes requests
14 for information end up being redirected to the information
15 already on the public record. So I think that's a source
16 of much information for the community.

17 I think those are the things that come to
18 mind in answering your question. If you have
19 supplemental, maybe it would direct me a little bit.

20 **MEMBER McDILL:** Maybe, is the first someone
21 is going to know about, let's say, land next door is when
22 bulldozers arrive? In very crude terms.

23 **MR. ZELMER:** No, not at all. Bob Zelmer
24 speaking.

25 Perhaps I should refer the question to

1 either Glenn Case or Bernard Gerestein, who have been
2 working in anticipation of that day coming. Okay?

3 **MR. CASE:** Glenn Case, for the record.

4 One of the things that we are considering
5 as part of the project is something referred to as a
6 project monitoring advisory committee, which is an entity
7 that would be comprised of members of the public as well
8 as the project, as well as the municipality, to keep the
9 community apprised in terms of the progress of the project
10 and when certain activities are taking place in certain
11 areas of the community itself.

12 One of the other thoughts is the creation
13 of smaller groups within certain designated areas of the
14 community that we can consult with to advise them in terms
15 of the progress on certain streets, certain areas of the
16 community, the landfill site. A good example right now is
17 we have a working group with the Port Hope High School and
18 Dr. Hawkins Junior School, which is immediately to the
19 west of the landfill site. What we are doing is working
20 with that group to bring them up-to-speed in terms of what
21 the project is about; what activities are going to take
22 place and how we can work cooperatively in timing and
23 various other issues associated with the landfill
24 remediation.

25 So that example, I think, we are going to

1 carry on throughout various areas within the municipality
2 as we progress from area to area.

3 **MEMBER McDILL:** Thank you. Could I have
4 staff's comment on that, please?

5 **DR. THOMPSON:** Patsy Thompson, for the
6 record.

7 In general terms, the information available
8 to do the Environmental Assessment, in terms of levels of
9 contamination in relation to the clean-up criteria, to be
10 able to evaluate the amount of waste to be generated for
11 eventual management in the planned waste management
12 facility has been adequate in terms of -- for planning
13 purposes, but as well in terms of the levels of
14 contaminants to be able to do the Environmental Assessment
15 and assess potential effects on people's health and on the
16 environment.

17 In order to do the assessment, the
18 information is not needed on specific properties. Our
19 understanding is that that information is protected
20 personal information, but we have been able to do the
21 assessment to the level required to be comfortable with
22 the conclusions being drawn.

23 **MEMBER McDILL:** Thank you.

24 **THE CHAIRPERSON:** Any further questions,
25 Mr. Harvey?

1 **MEMBER HARVEY:** Yes, I have one question.

2 If the project is approved, you will
3 conduct costing studies to adjust the figures. Could
4 those studies modify the project in that sense or should
5 the money, well, not be available to conduct the whole
6 project? You have a ranking of certain activities that
7 could be dropped off and the project would be, maybe not
8 significantly, but changed to a certain degree.

9 **MR. McCAULEY:** Dave McCauley for the
10 record.

11 The Low Level Office -- we've asked the Low
12 Level Office to do a costing of the project as it's
13 envisaged in the Environmental Assessment study report.
14 Once that is completed, the government will consider that
15 as a whole and determine what kind of funding would be
16 available for the implementation of the project.

17 So I would say that we look at the project
18 as what is being defined in the Environmental Assessment
19 study report now, taking into consideration the mitigation
20 and follow-up programs that have been identified in the
21 screening report.

22 I hope that answers your question.

23 **MEMBER HARVEY:** Thank you.

24 **THE CHAIRPERSON:** I guess one of the
25 questions of that is looking at the report as you see it

1 now, Mr. McCauley.

2 I think it would be important for us to
3 know if there was, right now, any sort of red flags that
4 come up with regards to that, that would result in
5 significant changes to this; that what we are looking at
6 today would not necessarily be the one that would be
7 funded in the future.

8 We are not asking for the final tally or
9 anything, but looking at this "grosso modo", you've had
10 ample opportunity, you are the RA, to look at the plan.
11 Does it basically make sense to you in terms of something
12 that would be looked at? Not the fine tuning of the
13 budget per se.

14 **MR. MCCAULEY:** Yes, that's Dave McCauley
15 for the record.

16 Yes, we have accepted the project as it has
17 been described in the Environmental Assessment study
18 report. We don't see red flags. We think of this as
19 being an appropriate manner of proceeding with a project
20 of this sort and we, like the CNSC, have made a
21 recommendation that the conclusions on the environmental
22 effects be accepted to our senior management.

23 **THE CHAIRPERSON:** That becomes my next
24 question. For you and also for Mr. Rose from Fisheries.
25 What I gather is we are all at the same stage; that there

1 have been recommendations by staff? Would that be
2 correct? Mr. Rose, as well, from Fisheries' point of
3 view, the recommendation has gone forward to management at
4 this time; would that be correct?

5 **MR. ROSE:** Yes, senior management has been
6 briefed all the way through this, the entire EA process,
7 and there isn't anything that we've recognized in the
8 project to date that is out of the ordinary or that we
9 would have any serious concerns about being able to draw
10 the conclusions that we've drawn and for the project to go
11 ahead and move forward.

12 **THE CHAIRPERSON:** Thank you. That's
13 important information for us in terms of input into what
14 we do, but that said, as you are aware, the Commission is
15 independent and will make its decision based on how it
16 sees the issues before us.

17 Are there any other questions from the
18 Members?

19 I think not. So, therefore, with respect
20 to the matter, I propose the Commission confers with
21 regards to the information that we have considered today
22 and then determine if further information is needed or if
23 the Commission is ready to proceed with a decision, and we
24 will advise you accordingly.

25 Thank you very much and I apologize for the

1 long hours, but this is what the Commission usually goes
2 through. Thank you very much.

3 --- Upon adjourning at 5:30 p.m.

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