



Oral presentation

Exposé oral

Written submission from Duncan Noble

Mémoire de Duncan Noble

In the Matter of the

À l'égard des

Canadian Nuclear Laboratories (CNL)

Laboratoires Nucléaires Canadiens (LNC)

Application from the CNL to amend its Chalk River Laboratories site licence to authorize the construction of a near surface disposal facility

Demande des LNC visant à modifier le permis du site des Laboratoires de Chalk River pour autoriser la construction d'une installation de gestion des déchets près de la surface

**Commission Public Hearing
Part 2**

**Audience publique de la Commission
Partie 2**

May and June 2022

Mai et juin 2022

11 April 2022

From: Duncan Noble

To: Canadian Nuclear Safety Commission (via email to interventions@cnsccsn.gc.ca)

Subject: May 31 Public Commission Hearing – Canadian Nuclear Laboratories Near Surface Disposal Facility

I would like to intervene orally in these hearings. A summary of what I would like to say is shown below.

Introduction

- Engineering Physics grad, MBA, worked in climate change consulting for more than 20 years
- Worked as a summer student at CRNL in 1980
- Worked as an engineer for AECL 1981-1983
- I recognize the benefits that the nuclear industry has brought to our society, including radiation treatments for cancer and other diseases, and supporting the phase out of fossil fuels like the coal phase out in Ontario
- Like all professional engineers, I am obliged to “regard the practitioner's duty to public welfare as paramount” (PEO Code of Ethics, section 77 of the [Professional Engineers Act, R.S.O. 1990, c. P.28](#))¹
- This obligation applies to me. It also applies to any professional engineers involved in the design, review, and assessment of the proposed Near Surface Disposal Facility

Process Issues

Lack of Genuine Consultation with Indigenous Peoples

- Canada’s federal government has made reconciliation with Indigenous Peoples a priority issue.
- Groups representing Indigenous Peoples such as the Assembly of First Nations and several First Nations have expressed their frustration with the lack of genuine consultation concerning this project.

Conflict of Interest

- As part of a review of federal environmental assessment processes, an [Expert Panel](#) recommended in 2017 that the CNSC not be in charge of environmental assessment for nuclear projects. The panel also noted that the CNSC is widely perceived to be a captured regulator, with conflicts of interests concerning assessments of proposed projects like the NSDF.

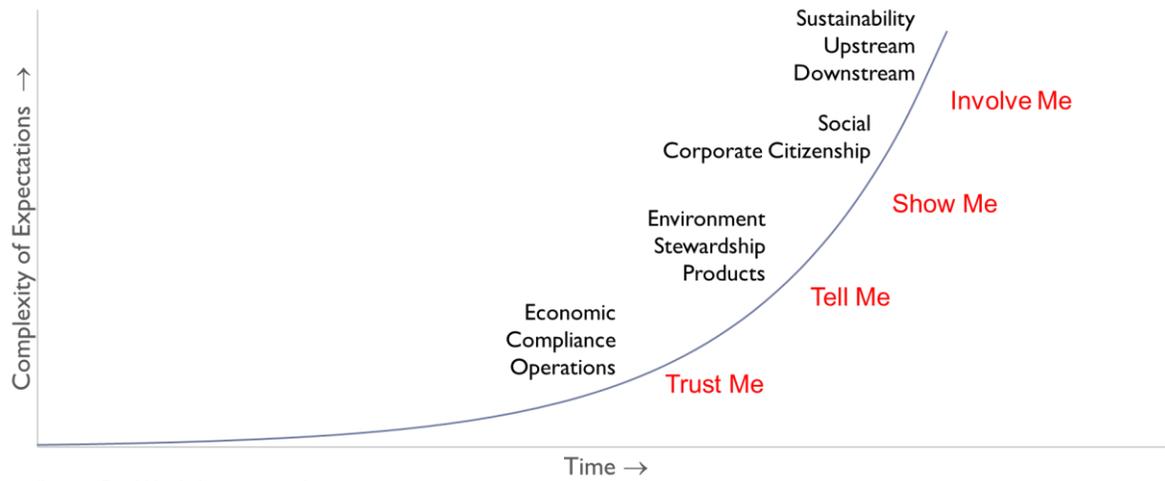
Timing of Nuclear Waste Policy

- Canada’s Nuclear Waste Policy is currently being developed
- It seems odd and inappropriate to rush the approval of this project before the governing nuclear waste policy is finalized and approved

¹ PEO Code of Ethics, <https://www.peo.on.ca/licence-holders/code-ethics>

The Age of “Trust Me” is Over

- As environmental management matured, stakeholder expectations evolved. In the past, “Trust Me” may have been sufficient to gain public confidence in projects. This is no longer true.



Design Issues

Inappropriate Site

- The proposed site is partly surrounded by wetlands and the underlying bedrock is porous and fractured.
- The proposed site for the NSDF is less than one kilometre from the Ottawa River, a drinking water source for millions of Canadians.
- Downstream communities that rely on the Ottawa River include Ottawa-Gatineau and Montreal.
- The site is [tornado](#) and [earthquake](#) prone; the Ottawa River itself is a major fault line.

Not a World Class Design

- There are several deficiencies in the proposed design that have been highlighted by independent reviews. These include, but are not limited to:
 - The [International Atomic Energy Agency](#) says that only Very Low Level Radioactive Waste (VLLW) can be put in an above-ground landfill-type facility.
 - The International Atomic Energy Agency says radioactive wastes must be carefully stored [out of the biosphere](#), not in an above-ground mound.
 - The International Atomic Energy Agency says high-activity cobalt-60 is “intermediate-level waste” and [must be stored underground](#).
- If the nuclear industry wants to position itself as a responsible climate solution, it needs to demonstrate responsible stewardship across the entire supply chain, a world-class engagement/consultation process, and a world-class design.

Recommendations

- Do not approve the current proposed design
- Restart the engagement and consultation process
- Develop a better design that meets “world-class” standards and the concerns of Indigenous Peoples and other stakeholders