



Supplementary Information

Presentation from Ottawa Riverkeeper

In the Matter of the

Canadian Nuclear Laboratories (CNL)

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

Commission Public Hearing Part 2

May 30 to June 3, 2022

Renseignements supplémentaires

Présentation de Garde-Rivière des Outaouais

À l'égard des

Laboratoires Nucléaires Canadiens (LNC)

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

Audience publique de la Commission Partie 2

30 mai au 3 juin 2022

Ottawa Riverkeeper's intervention on the NSDF proposal at Chalk River

May 30, 2022

Intervenors:

Laura Reinsborough, CEO and Riverkeeper, Ottawa Riverkeeper

Larissa Holman, Director of Science and Policy, Ottawa Riverkeeper

Introduction

Ottawa Riverkeeper is a champion and collective voice for the Ottawa River watershed, providing leadership and inspiration to protect, promote and improve its ecological health and future.

We are:

- Expert and independent
- Guided by a science-based approach
- Advocates for participatory decision-making, public education, access to information, and compliance with protective regulations



Concerns (WWTP + ECM)

There remain significant shortcomings in the EIS which should have been addressed during the EA decision that a project of this scale necessitates. While EA decisions are related to hearing decisions, these decisions should remain separate.

In 2017 an EA was required for the NSDF under the Canadian Environmental Assessment Act, 2012 (CEAA, 2012).

However in 2022, the Commission accepted the CNSC staff's assessment that the project would not cause significant harm and the public hearings are now framed as a licensing amendment decision.

We disagree with this finding and would like to speak directly to the environmental assessment of this project and advocate for the following:

- A. Extending the scoping for an appropriate site to include additional federal lands.
- B. The extension and expansion of the monitoring program to include chemical waste
- C. The necessity of independent reviews of the monitoring program including the duration of monitoring post-closure
- D. A reverse osmosis system added to the proposed wastewater treatment plant

Concerns (WAC)

Ottawa Riverkeeper has also raised concerns about the CMD 22-H7 and the corresponding LCH.

We have highlighted how:

- the LCH contains minimal legal requirements
- the need to bind REGDOCs and adopt stricter CSA guidance pertaining to waste characterization
- the WAC is too vague
- the handling and packaging of waste is too vague
- the upper boundaries for waste thresholds were often adopted

Ottawa Riverkeeper insists that CNSC provide increased assurances and oversight through:

- A. Permitting only the lower-bounds for radionuclides concentrations within the ECM
- B. Including CSA N292.8:21 within the LCH
- C. Ensuring appropriate record-keeping for all materials destined for the ECM.
- D. Explicitly stating expectations for activities, such as how waste characterization will be performed

Role of the regulator

The Ottawa River and its watershed is not only a source of drinking water for an estimated **5 million** people, but is also one of the great natural marvels of our continent.

It is the unceded, unsundered territory of the Algonquin Anishinabeg Nation, home to Canada's capital city, and is a crucial habitat for an incredible amount of biodiversity, all of which depends on this source of water for life.

This river, like all rivers, should be protected from harm, including contaminants, that could otherwise be avoided.



Questions and Concerns raised

1. The location selected for the ECM is a poor fit for this type of project; it has been described as having ‘unfavorable geology’ for the ECM. Why wasn’t the scoping for an appropriate site extended beyond the immediate boundaries of CRL to include other nearby federal lands?
2. The addition of reverse osmosis provides additional environmental protections and is more suitable for addressing a variety of contaminants, thereby removing some of the uncertainty of the current process selected for the WWTP. Why isn’t this more stringent process included in the design of the WWTP?
3. The WWTP is not guaranteed to produce effluent that meets the release criteria. Why is there no contingency plan to address this risk?
4. Stronger measures are available to ensure the best protections for the Ottawa River. For the sake of transparency and public confidence, why weren’t more conservative WAC thresholds adopted? And why was CNL permitted to work with CNSC to select thresholds depending on the criteria which best suits CNL’s activities?
5. What is the process for ensuring that appropriate record-keeping for all materials destined for the ECM is archived and made available to ensure transparency on WAC procedure and waste re-classification was completed?

Questions and Concerns raised (continued)



6. In some cases for procedure and process, there appear to be assumptions on operations of this project. Would it not be in the regulators' and proponents' best interest to explicitly state expectations for activities, such as how waste characterization will be performed, to avoid any such assumptions?
7. The composition of the waste destined for the ECM is complex. Why hasn't longer-term explicit planning, monitoring and assessments been included in the final EIS and its supporting documents?
8. Currently, all monitoring of leachate is scheduled to cease shortly after the ECM is capped. Why is leachate not monitored for this site post-closure? Is there a contingency plan should there be leachate present post-closure and, how will it be treated?
9. Will an independent review of the monitoring program be developed to assess and ensure that it remains focused, effective, and up-to-date for the duration of monitoring post-closure?
10. Will the "Public Information Plan" be updated to include the NSDF? Will all results associated with the oversight and monitoring programs for the NSDF be made publicly accessible?