



**Final submission from
Old Fort William Cottagers'
Association (OFWCA)**

**Mémoire définitif de
Old Fort William Cottagers'
Association (OFWCA)**

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

OFWCA's Submission to CNSC concerning the proposed NSDF by CNL

May 29, 2023

1. OFWCA Support of Algonquin First Nations and the duty to consult and UNDRIP, FPIC

The Berger Commission, that considered an oil pipeline in the NWT, had hearings with Indigenous people and non-Indigenous people from 1974 to 1977. In the end, Berger called for further study and the settlement of Indigenous land claims, and a 10-year moratorium on the pipeline and recommended that it avoid a caribou sensitive area. Many of those comprehensive claims or modern treaties have been settled but lessons were learned in the North, namely, to consult with Indigenous people early in the project development and fund their own cultural and environmental studies.

CNL lacked true consultation with the Algonquin First Nations and CNSC's oversight of CNL's lacklustre consultation failed to ensure that legal, constitutional, and international (UNDRIP) requirements were met. Consultation and accommodations with the Algonquin Anishinabeg should have occurred before the project was submitted to the CNSC.

These First Nations need time for community consultations and accommodations before a project is approved that includes funding and independent environmental work that is culturally appropriate to determine if the NSDF will impact them. We support these Algonquin First Nations in their efforts and time needed to assess the impacts of the NSDF on people, Eastern Wolf, birds, fish, and mussel species and whether it should proceed in unceded Algonquin territory.

Pinesi Asin/Oiseau Rock:

CNL failed to consult the Algonquin First Nations on whether a sacred site should be situated across from the NSDF. Algonquin Anishinabeg were displaced from CNL when AECL was built there, and two sacred sites were impacted: Oiseau Rock and Point Au Baptême.

Furthermore, there is no mention of the impact of the NSDF on the peregrine falcon's nesting site on Oiseau Rock. We know that in the 17th century, the site was associated with birds nesting there. Furthermore, there is evidence on the cliff that Algonquin Anishinabeg continue to conduct ceremonies there. Seeing a huge mound across from

there will impact the person's experience of being in nature with the Manitous who reside in the water, the rock and sky. Furthermore, the Quebec government spent \$300,000 creating a hiking trail that has interpretative signage sharing the Algonquin Anishinabeg's culture and history. Was the Quebec Ministry of Culture and the MRC Pontiac (both involved in this hiking trail) consulted about the view of the mound from the hiking trail?

2. Wrong Location, Wrong Facility, Site has serious issues

We reiterate the important issues raised in our previous submission and emphasize that climate change has in 2022/2023 impacted the recent winter's snowfall, water levels and increased temperatures in the summer. These heighten our stated concerns about the location of CNL and the proposed NSDF, and the propensity for earthquakes and tornadoes on this part of the River.

3. Why did CNL choose a site so close to the Ottawa River?

OFWCA cottagers and Sheenboro residents are the first down-river community, and our cottage association has been very concerned that CNL's site selection process was extremely restricted and inadequate. The EIS lists fifteen sites all situated at Chalk River Laboratories. All but two sites were eliminated leaving only two sites to choose between - both unsuitable. Why didn't CNL expand its search and consider alternative sites that are not on AECL land? Were alternative sites on the adjacent Department of National Defense property considered? If not, why not? There are thousands of acres of federal land in Renfrew County that would not require long distance transport.

4. Risky location with many types of waste

Again, its close proximity to the Ottawa River/Kichi Sibi with radioactive and hazardous waste that will remain harmful to the environment forever will certainly contaminate the surrounding environment and river over time.

5. Information Sessions are not Community Consultations

Municipalities in Pontiac County, including the Municipality of Sheenboro, were **never** consulted on this proposal until after the decisions had been made and the project was announced in 2016. Information sessions came only after the decisions had already been made. OFWCA was then painted as the troublesome organization in the Ottawa Valley declining a project that will bring work, employment and construction income to the region. Yet CNL did not hold community consultations on the types of nuclear waste management options, nor did it share its corporate plan to take industrial and nuclear waste from other sites until later. This does not breed trust in the CNL. Opposing the

NSDF is seen as opposing economic development in the region when it is about the flaws in the NSDF and CNL's management of the proposal.

CNL failed to consult the Algonquin First Nations on whether the NSDF should be situated in close proximity to sacred sites.

6. Canadian Environmental Assessment Act (CEAA) 2012

The NSDF, as a designated project under the Canadian Environmental Assessment Act (CEAA) 2012, is likely to cause significant adverse environmental effects. Under section 52 of CEAA 2012, the Commission should refer the matter of whether those effects are justified in the circumstances to the Governor in Council through the Minister of Natural Resources, who is responsible before Parliament for the CNSC.