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**Written submission from the
Concerned Citizens of Renfrew
County and Area**

**Mémoire de
Concerned Citizens of Renfrew County
and Area**

In the Matter of the

À l'égard de

Canadian Nuclear Laboratories (CNL)

Laboratoires Nucléaires Canadiens (LNC)

**Progress Update for CNL's Prototype
Waste Facilities, Whiteshell Laboratories
and the Port Hope Area Initiative**

**Rapport d'étape sur les installations
prototypes de gestion des déchets, les
Laboratoires de Whiteshell et l'Initiative dans
la region de Port Hope des LNC**

Commission Meeting

Réunion de la Commission

August 22, 2018

Le 22 août 2018

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Progress Update for CNL's Prototype Waste Facilities, Whiteshell Laboratories and Port Hope Area Initiative – Comments from Concerned Citizens of Renfrew County and Area

July 22, 2018

Introduction

Concerned Citizens of Renfrew County and Area wishes to welcome new Commission Members and congratulate returning Members on their reappointments.

We would like to congratulate Ms. Rumina Velshi on her appointment as President and CEO, and wish her all the best during her 5-year term, which starts on the day of the August 22, 2018 public meeting.

Our group has prepared this short written submission related to the August 22nd meeting; specifically for the agenda item "Progress Update for CNL's Prototype Waste Facilities, Whiteshell Laboratories and Port Hope Area Initiative." We have included some questions for the Commission's consideration.

Public Participation

The July 16, 2014 CNSC hearing that awarded a 20-year "waste facility decommissioning license" for the Nuclear Power Demonstration (NPD), Gentilly-1 and Douglas Point reactors to Atomic Energy of Canada Limited (AECL) was held without public notice before a 1-person panel of the Commission consisting of President Michael Binder. The October 22, 2014 hearing that transferred this AECL license to Canadian Nuclear Laboratories was also held before a closed-session, 1-person panel of the Commission consisting of President Michael Binder, with no opportunity for written public comment.

CNSC, in general, permits face-to-face discussions with the public when it makes licensing decisions. In the case of the NPD, Gentilly-1 and Douglas Point reactors, there has never been an opportunity for a public discussion of decommissioning matters such as the final end-state for the reactor sites. There may be an opportunity for such a discussion in the context of the environmental assessment of Canadian Nuclear Laboratories' proposed "entombment" of the NPD reactor, but for the Gentilly-1 and Douglas Point reactors the next opportunity would not be until 2034.

We respectfully request that the Commission consider at its August 22nd public meeting:

1. What are the views of the Commission on consulting the public regarding decommissioning of nuclear reactors?
2. Will the Commission continue its practice of convening closed hearings of 1-person panels consisting only of the CNSC President?
3. When will there be an opportunity for public discussion about decommissioning of the Government of Canada's shut-down nuclear reactors?
4. When will there be a public discussion of the final end-state objectives for the reactor sites?

Licensee Commitments

Table A3 of the current *Licence Conditions Handbook – Compliance Framework Document Associated with the Prototype Waste Facilities – Waste Facility Decommissioning Licence WFDL-W4-332.00/2034* contains the following eight "Licensee Commitments", all to have been completed by April 2016:

- Public Information Program Update (September 2014)
- Updated Preliminary Decommissioning Plan (December 2014)

- Occupational Safety and Health Compliance Program (December 2014)
- Emergency Preparedness Program Self-Assessment (February 2015)
- Updated Storage with Surveillance Plans (March 2015)
- Self-Assessment of Radiation Protection program (March 2015)
- Fire Hazard Analysis update (December 2015)
- Effluent Monitoring Program revised to bring into compliance with CSA N288.5 (April 2016)

CMD 16-M12, “*Canadian Nuclear Laboratories Status Update for CNL Prototype Waste Facilities and Whiteshell Nuclear Laboratories,*” prepared for the previous (May 6, 2016) Commission meeting on the federal reactors, did not mention whether these commitments were achieved. Similarly, CMD 18-H30 is silent on these matters.

5. What is the status of each of the eight Licensee Commitments in the Licence Conditions Handbook for the Douglas Point, Gentilly-1, and NPD reactors?

Effluent Monitoring

With regard to effluent monitoring, neither CMD 16-M12 nor CMD 18-M30 discusses emissions of radioactive and toxic wastes from the three reactors.

However, other sources of information indicate that emissions are occurring, with potentially significant environmental impacts. Section 8.3.3 of the draft environmental impact statement (EIS) for the NPD Closure Project describes releases to the Ottawa River of liquid radioactive wastes (tritium, carbon-14, cesium-137, etc.) and non-radiological wastes (mercury, lead, cadmium, PCBs, dioxins, etc.) from the “wells area sump” of the reactor. Many of these releases exceed Canadian Council of Ministers of the Environment environmental quality guidelines, in some cases by orders of magnitude. Section 8.2.3 of the draft NPD EIS describes radioactive releases to the air (tritium, carbon-14, gross beta).

The NPD reactor releases were described in a March 21, 2018 CBC article, “*Reactor's neighbours alarmed over radioactive toxins in river. Report details dumping water contaminated with tritium, PCBs, other toxins from Rolphton, Ont., site.*” (<https://www.cbc.ca/news/canada/ottawa/nuclear-contamination-plan-containment-rolphton-cnll-algonquins-1.4584336>)

We respectfully ask that the Commission consider the following questions:

6. Why is there no mention of waste effluents from the NPD reactor in CMD 18-M30? Are radioactive and toxic wastes still being discharged to the Ottawa River from this reactor?
7. Are radioactive and toxic wastes being discharged from other shut-down federal reactors?
8. Where can the public obtain monitoring data and information on the effluents from these reactors?

Decommissioning Plans

With regard to the Government of Canada’s Douglas Point, Gentilly-1, and NPD reactors, Section 3.1.1 of CMD 18-H30 says the following:

CNL has developed decommissioning plans that include final end-state objectives and provided associated financial guarantees (FG) to assure the CNSC that it can access adequate funding upon demand, should the licensee not be able to fulfill its obligations.

There are no references to support this statement. The Licence Conditions Handbook requires that CNL:

Revise the Preliminary Decommissioning Plans to update the cost estimates, conform to the licensee's decommissioning process, and comply with CNSC Regulatory Guide G-219, Decommissioning Planning for Licensed Activities and CSA Standard N294-09, Decommissioning Facilities Containing Nuclear Substances.

Noting that the Licence Conditions Handbook indicates that preliminary decommissioning plans for the Douglas Point and Gentilly-1 reactors were prepared by Atomic Energy of Canada Limited in 2003, and the preliminary decommissioning plan for the NPD reactor was prepared by AECL in 2008:

9. Has CNL prepared revised reactor decommissioning plans; if so, what are the references for these plans (dates, title of plan, etc.)?
10. Has CNSC reviewed and approved the revised plans?
11. Can the public have access to these plans?

Financial Guarantees

Licence Condition 2.2 says "The licensee shall maintain in effect a financial guarantee for the decommissioning of the Prototype Waste Facilities." The Licence Conditions Handbook says

The financial guarantee for decommissioning is to be reviewed and revised by the licensee every 5 years, when required by the Commission or person authorized by the Commission, or following a revision of the preliminary decommissioning plan if it significantly impacts the financial guarantee.

As noted above, CMD 18-H-30 says that CNL has provided financial guarantees "to assure the CNSC that it can access adequate funding upon demand, should the licensee not be able to fulfill its obligations."

We respectfully ask that the Commission consider the following questions:

12. When did CNL provide these financial guarantees?
13. While noting that the Licence Conditions Handbook calls for these financial guarantees to be reviewed by the licensee, should they not also be reviewed by the Commission?
14. Have these financial guarantees been revised in the past 5 years?
15. What is the source of funding for these financial guarantees?
16. Does CNL have an "Expressed commitment from a government (either federal or provincial) to cover all otherwise unfunded aspects of decommissioning" (see CNSC Regulatory Guide G-206, *Financial Guarantees for the Decommissioning of Licensed Activities*) and if so, what government provided this commitment, and when?
17. What are the dollar amounts for each of these financial guarantees (i.e., what are the cost estimates for decommissioning each of the three reactors)?

Thank you for the opportunity to share these comments, which we hope will help inform your discussions during the August 22, 2018 public meeting.