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**Written submission from the
Municipality of Port Hope**

**Mémoire de la
Municipalité de Port Hope**

**Regulatory Oversight Report for
Canadian Nuclear Laboratories
(CNL) sites: 2018**

**Rapport de surveillance
réglementaire des sites des
Laboratoires Nucléaires Canadiens
(LNC) : 2018**

Commission Meeting

Réunion de la Commission

November 7, 2019

Le 7 novembre 2019

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October 2, 2019

VIA EMAIL: cnscc.interventions.ccsn@canada.ca

Louise Levert
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Canadian Nuclear Safety Commission
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Dear CNSC Members:

The Municipality of Port Hope submits this intervention pursuant to the Regulatory Oversight Report (ROR) for Canadian Nuclear Laboratories (CNL) for the 2018 fiscal year. The Municipality recognizes the ROR includes all CNL activities across multiple sites. This intervention is specific only to CNL's work within Port Hope.

The Municipality commends CNL on its progress and the positive CNSC staff review for 2018 as outlined in the ROR. We are encouraged with, and support the positive CNSC staff assessment of CNL's work and progress made in 2018. In addition, the Municipality continues to be supportive of the objectives of the Port Hope Area Initiative (PHAI, the Project) and is mindful that CNL has advanced many aspects of the PHAI. The progress continues in Port Hope in 2019, with remediation activities underway on both Municipal and private properties. The successes to date and positive efforts by CNL support the "social license" from the community and we trust that the progress continues for the remainder of 2019 and beyond.

On September 17, 2019, CNL provided an update to Council on the accomplishments of the Project in 2018 and thus far in 2019. The update also identified operational challenges.

The Municipality routinely works closely with CNL and Atomic Energy Canada Limited (AECL) to ensure that remediation is consistent with the objectives of the Legal Agreement and various subsequent commitments that underpin the Project. We continue to seek clarification from CNL on several specific challenges introduced in the CNL Council presentation:

1. The extent to which arsenic levels influence the volume of soils removed or left in-situ.
2. The extent to which the Remediation Verification Standard Operating Process (RVSOP) is extending the time required to complete clean-ups on private property.

3. Long term implications of private property owners wanting to forgo complete remediation, (e.g. leaving impacted trees) leading to a partial clean-up. This results in some Low Level Radioactive Waste (LLRW) being left in-situ without the application of a Special Circumstance protocol
4. Lessons learned that result in the need to implement more prescriptive procurement practices.

The Municipality looks forward to learning how CNL will address the challenges as work progresses. In addition, the Municipality seeks to understand how CNL will keep the community informed and engaged to maintain continued community support and 'social license' of the Project as it moves forward.

The Municipality holds the position that any potential changes to the currently approved processes and licensing basis must demonstrate equivalency and consistency with the overall Project objective to clean up LLRW within the community. The Municipality is interested in the views of the CNSC regarding any proposed changes to the licensing basis that maybe required to address these challenges.

With the above in mind, the Municipality encourages CNSC staff and the Commission to continue to monitor licensed CNL activities and commitments. The Municipality believes that increased CNSC staff outreach and oversight in the community, while remedial activities are underway, will bolster the positive efforts by CNL to date, and provide visibility to the community of CNSC's regulatory oversight.

The Municipality recognizes that CNSC's mandate does not stem from the Legal Agreement between the Municipality and Canada; however, we believe the objectives outlined in the Legal Agreement are the cornerstone of the Project and the community's willingness to continue to provide positive support of CNL activities. We believe the objectives and processes of the Project outlined in the Waste Nuclear Substance License (WNSL), and licensing basis are still applicable and required to maintain the community "social license".

The Municipality wishes to reserve the right to submit a supplemental intervention as deemed necessary, pending an opportunity to receive and review other interventions submitted to CNSC on the October 7 deadline.

The Municipality thanks the Commission in advance for their consideration of this intervention, CNSC staff efforts in overseeing CNL's activities within the community and CNL's continued commitment to transparency and efficient Project Delivery.

Regards,



Mayor R. J. Sanderson