



**Oral Presentation**

**Exposé oral**

**Written submission from  
George Fogarasi**

**Mémoire de  
George Fogarasi**

In the Matter of the

À l'égard de

**BWXT Nuclear Energy Canada Inc.,  
Toronto and Peterborough Facilities**

**BWXT Nuclear Energy Canada Inc.,  
installations de Toronto et Peterborough**

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Application for the renewal of the licence for  
Toronto and Peterborough facilities

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Demande de renouvellement du permis pour les  
installations de Toronto et Peterborough

**Commission Public Hearing**

**Audience publique de la Commission**

**March 2 to 6, 2020**

**Du 2 au 6 mars 2020**

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laissée en blanc*

January 20, 2020

Senior Tribunal Officer, Secretariat  
Canadian Nuclear Safety Commission  
280 Slater Street, P.O. Box 1046, Station B  
Ottawa, Ontario K1P 5S9

Sent by email [cncs.interventions.ccsn@canada.ca](mailto:cncs.interventions.ccsn@canada.ca)

Dear Sir or Madam:

RE: BWXT Nuclear Energy Canada's application to license FFOL-3620.1/2020

I am writing this intervention regarding the license application of BWXT in Peterborough seeking "the flexibility to conduct pellet production." I am submitting this in writing and would also like to make an oral presentation at the Peterborough hearing.

BWXT's application notes their facility is "in a mixed industrial, commercial, and residential area," a misleading legal abstraction. Residents know BWXT is the only industry around. Formerly industrial buildings nearby house a publisher, guitar repair business and rock climbing gym. Only on paper could this be considered industrial.

In reality, this is a densely populated residential neighbourhood with an elementary school across the street from BWXT. I live half a kilometre away and write to share the lived experience of my neighbourhood that is obscured and misrepresented by the abstractions in BWXT's application.

No factory is zoned in the middle of a city today. BWXT leverages a legal ossification, urban concepts from the 1800s, to do nuclear age industrial work in the heart of a city.

The plant BWXT occupies was built in 1892. Chinese Canadians, women and indigenous people could not vote. We do not "grandfather" these things and accept them. *Why accept the logic of that time when it comes to zoning?* **Please answer this.**

The intervention process demands a high level of literacy and cultural capital, excluding many people living by the factory. Whether (as the application states) "The annual management review encompasses ... radiation dose trends" is moot to them. To industry specialists, the phrase denotes manageable risk. To neighbours traumatized by GE's toxic legacy, it's another threat, refracted and obscured by industry jargon.

For experts, professional language can pinpoint things into focus. I expect surgeons and nuclear regulators to have a facility with concepts I don't understand, using jargon that excludes outsiders. But a fair intervention process would use accessible language.

BWXT's plant is in an economically depressed area. Most residents do not have a higher education and cannot effectively navigate the complex intervention process.

What do terms in BWXT's application such as "non-conformances for closure metrics" and "trends in Incident and Measurement (Gensuite) items for root cause" even mean? *Do you expect lay people to understand this? Please answer this question.*

It is normal yet wrong to universalize our experiences. Lawyers easily juggle tort law; editors chase comma splices; nuclear regulators follow the letter of the law to inform the public. They post a Revised Notice of Public Hearing Ref. 2020-H-01 Revision 3, Dec. 20, 2019 online: "To assist Indigenous peoples, members of the public and stakeholders in reviewing BWXT's application and associated documents... funding of up to \$50,000 was made available through the CNSC's Participant Funding Program."

Then this: "The deadline to submit a completed participant funding application form to the CNSC was September 3, 2019."

This may, on paper, appear to support transparency. It doesn't. To people living by the BWXT plant, *no effective message was received before the deadline*. Public awareness came later. I know. I live here. And I pay attention to these things.

In December 2019, citizens protested pelleting. Media coverage spread the word. People held a meeting about intervening. *How does a Revised Notice noting an elapsed funding deadline help citizens at this time? Please answer this* beyond "process was followed." It is a flawed process. It works on paper, the one with the "transparency" box checked off. On the street here, it does not work for me and my neighbours.

Managers and technocrats check their boxes. On paper, a transparent consultation appears to have occurred. But it has not. These documents act as blinders, hiding the giant blind spot of what actually happens—or does not happen—in my neighbourhood.

The dominant culture is starting to tackle asymmetrical power relations around race, gender and indigeneity. But marginalization based on socio-economic status is hidden.

Just as a skunk doesn't smell its own hole, educated mandarins don't sense their own privilege. There is a class bias in this intervention process. The voices of the working poor and unemployed are brushed aside or ignored.

GE workers who saw their co-workers die from workplace related poisoning were once dismissed as cranks. When a *Toronto Star* report documented the same patterns and a film—"Town of Widows"—was made, their concerns became visible.

With more studies and footnotes, the dominant culture might see that the workers were right all along. GE's safety standards were lacking. Using asbestos as insulation was not a good idea. Go figure.

It can take the dominant culture decades to see what is commonly known in a marginalized community: indigenous mothers advocating for missing daughters were ignored because they did not speak the language of power.

The language and experience of people living beside GE is not that of credentialed white-collar professionals determining this intervention process.

My neighbours didn't need a consultant to tell them they were suffering higher rates of cancer than average. But if they *were* consultants or other professionals, they would, like you, have the cultural capital to leverage power and make decision makers listen.

A spate of Missing and Murdered Women of Westmount is impossible to imagine. I ask you with respect: Can you imagine a factory doing nuclear pelleting in Rosedale?

No.

Now work backwards and unpack why.

The language and protocols of educated professionals are inaccessible to the marginalized community around the BWXT plant. But they are accessible to you. Moreover, you hold significant power and have an important responsibility.

You can make a difference and address historical and contemporary wrongs, for example, exploiting fossilized zoning ideas from the 1800s to do industrial work in the heart of a city.

BWXT's application ignores contemporary zoning and the reality of a poor neighbourhood traumatized by the toxic legacy of the GE plant BWXT occupies.

I urge you to fix the class bias of the intervention system. Wealthy neighbourhoods don't suffer toxic poisoning. Nuclear engineers don't live by nuclear pelleting facilities.

You should deny the request for pelleting in the license application and grant a shorter license renewal of five years to allow for a more accessible consultation process to develop in that time.

Sincerely,

George Fogarasi