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SUPPLEMENTAL/COMPLÉMENTAIRE

CMD: 20-M36.B

Date signed/Signé le : 02 DEC 2020

Reference CMD(s)/CMD(s) de référence : 20-M36

Annual Program Report

Rapport annuel sur les programme

**Regulatory Oversight
Report for Uranium and
Nuclear Substance
Processing Facilities in
Canada: 2019**

**Rapport de surveillance
réglementaire des
installations de
traitement de l'uranium
et des substances
nucléaires au Canada:
2019**

Public Meeting

Réunion publique

Scheduled for:

Prévue pour :

8 December 2020

8 décembre 2020

Submitted by:

Soumise par :

CNSC Staff

Le personnel de la CCSN

Summary

The purpose of this supplemental Commission Member Document (CMD) is to provide additional information to what is presented in CMD 20-M36, including:

- Canadian Nuclear Safety Commission (CNSC) staff responses to comments received from interventions on the current report.

There are no actions requested of the Commission. This CMD is for information only.

Résumé

L'objectif de ce document à l'intention des commissaires (CMD) supplémentaire est d'apporter des informations supplémentaires à ce qui est présenté dans CMD 20-M36, comprenant :

- Les réponses du personnel de la (Commission canadienne de sûreté nucléaire (CCSN) aux commentaires reçus à travers les interventions pour le présent Rapport.

Aucune mesure n'est requise de la Commission. Ce CMD est fourni à titre d'information seulement.

Signed/signé le

02 December 2020

Kavita Murthy

Director General

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EXECUTIVE SUMMARY

This CMD 20-M36.B is a supplemental CMD to the [*Regulatory Oversight Report for Uranium and Nuclear Substance Processing Facilities in Canada: 2019*](#), CMD 20-M36 (2019 UNSPF ROR). This CMD provides CNSC staff responses to interventions received on the 2019 Uranium and Nuclear Substance Processing Facilities (UNSPF) Regulatory Oversight Report (ROR).

1 OVERVIEW

This CMD 20-M36.B is a supplemental CMD to the [*Regulatory Oversight Report for Uranium and Nuclear Substance Processing Facilities in Canada: 2019*](#), CMD 20-M36 (2019 UNSPF ROR). The purpose of this supplemental CMD is to:

- provide CNSC staff clarifications and/or responses to comments received from interventions on the 2019 UNSPF ROR.

2 RESPONSES TO INTERVENTIONS ON 2019 UNSPF ROR

The CNSC received eight interventions from the public concerning the 2019 UNSPF ROR:

- [CMD 20-M36.2 – Submission from Curve Lake First Nation](#)
- [CMD 20-M36.3 – Submission from Canadian Nuclear Laboratories on Update on Cameco Corporation's Vision in Motion Project](#)
- [CMD 20-M36.4 – Submission from Canadian Environmental Law Association](#)
- [CMD 20-M36.5 – Submission from Algonquins of Pikwakanagan First Nation](#)
- [CMD 20-M36.6 – Submission from Swim Drink Fish Canada/Lake Ontario Waterkeeper](#)
- [CMD 20-M36.7 – Submission from Algonquins of Ontario](#)
- [CMD 20-M36.8 – Submission from Canadian Nuclear Workers' Council](#)
- [CMD 20-M36.9 – Submission from Municipality of Port Hope](#)

CNSC staff clarifications and responses for key topics identified in the interventions, and within the scope of the UNSPF ROR, are provided below. Although not all topics covered in the interventions are addressed in the tables, CNSC staff reviewed all the interventions carefully and prepared responses.

2.1 CMD 20-M36.2 Submission from Curve Lake First Nation (CLFN)

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
CLFN-01	<p>In reviewing the Cameco portions of the Regulatory Oversight Report (ROR) it became evident that CLFN does not have a routine mechanism to be familiar with the information presented. CLFN is unfamiliar with the Vision in Motion Project. There has been no proactive attempt to engage; the referenced licensee Indigenous engagement and outreach program could not be substantiated due to the absence of engagement by Cameco. There are a concerning number of releases, action level exceedances, and reportable events by Cameco.</p> <ul style="list-style-type: none"> ○ Pages 17,18/100 ○ Pages 24,25/100 ○ Pages 61 to 69/100 ○ Page 28/100 “CNSC staff confirm that the licensees have Indigenous engagement and outreach programs. Throughout 2019, the licensees met and shared information with interested Indigenous communities and organizations. These efforts have included emails, letters, meetings, site visits and tours, as well as community visits, upon request. The CNSC encourages licensees to continue to develop relationships and engage with Indigenous groups who have expressed an interest in the licensee’s activities.” 	<p>Over 2019 and 2020, Canadian Nuclear Safety Commission (CNSC) staff have provided regular updates to Curve Lake First Nation, and other Indigenous communities, about activities ongoing for the projects and facilities of interest in their territory, including Cameco’s Port Hope Conversion Facility (PHCF), which includes the Vision in Motion (VIM) project. More recently, last July and last October, CNSC staff met with Curve Lake First Nation and informed CLFN about the status of different CNSC-regulated facilities, activities and projects that are on CLFN territory.</p> <p>CNSC staff also engaged with Indigenous communities and provided information during Cameco’s Port Hope Conversion Facility licence renewal process in 2016, which included the VIM project.</p> <p>CNSC staff acknowledge the concern raised. CNSC staff will add this matter as a topic of discussion for our next meeting and to potentially add this item to our work plan as part of our long term engagement terms of reference that is currently being developed.</p>

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		CNSC staff encourage Cameco to work with Curve Lake to develop an appropriate and mutually acceptable engagement strategy, including updates on the VIM project.
CLFN-02	<p>2. Routine interactions are planned for the future with BWXT; several positive and encouraging meetings and interactions were completed in 2020. CLFN considers this particular issue regarding beryllium in soil to be an open item and an ongoing issue of concern; CLFN considers this in progress with BWXT and CNSC. With reference to CLFN's intervention in March 2020, in CLFN's view, consultation with respect to the BWXT licence is still required and has not yet been sufficiently conducted.</p> <ul style="list-style-type: none"> ○ Page 29/100 "However, in March 2020 during the BWXT licence renewal hearing, several interventions expressed concerns over the levels of beryllium in soil near the Peterborough facility observed during the CNSC's IEMP sampling campaigns in 2014, 2018 and 2019. In response to public concerns, CNSC staff were directed by the Commission to carry out expedited soil resampling for beryllium of properties adjacent to BWXT's Peterborough facility, with a special focus on the property where the Prince of Wales Public School is located. The Commission also directed CNSC staff to carry out an analysis of the results and to clarify the risk that the beryllium levels may present to the health and safety of the public and 	As a result of the BWXT hearing in March 2020, the Commission issued a Notice of Continuation requiring CNSC staff to draft supplemental CMD 20-H2.D addressing the concerns of beryllium concentrations in soil in the Peterborough area. A decision has not been rendered by the Commission. Once the Commission has made a decision regarding the BWXT licence renewal, CNSC staff will engage directly with CLFN.

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
	the environment. CNSC staff completed the additional sampling in July 2020. Once the sampled have been analyzed, the information will be made available.	
CLFN-03	Suggest that the CNSC consider an appropriate way to acknowledge Indigenous communities at the beginning of the report, early in the report.	<p>CNSC staff acknowledge the comment and will, in future regulatory oversight reports, commit to including the acknowledgement at the beginning of the report.</p> <p>CNSC staff are committed to seeking further feedback from CLFN to better understand what changes could be made to the ROR to reflect their recommendations.</p>
CLFN-04	Where it is contextually relevant or appropriate, consider making a distinction between Indigenous groups and the public and not use the term public to be all encompassing.	CNSC staff have noted this comment for future RORs.
CLFN-05	Suggest that the CNSC consider if the public information program and disclosure protocol (PIDP) sufficiently covers the equivalent needs for Indigenous Communities; has there been any thought given to an information program and disclosure protocol that was specific to Indigenous Communities?	<p>Through the requirements of the Public Information and Disclosure Program (PIDP) licensees ensure that facility information is communicated to all stakeholders. The PIDP requires licensees identify all target audiences, which includes Indigenous communities. Indigenous engagement is an important aspect of the PIDP. The information and tools used to share the information is identified specific to each audience in the CNSC approved program.</p> <p>Licensees are also required to provide information about Indigenous engagement through their Annual Compliance Reports, which is another way for CNSC</p>

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
		<p>staff to ensure that appropriate engagement is done with Indigenous communities.</p> <p>CNSC staff intend to start the review process of REGDOC-3.2.2 Indigenous Engagement in the next year. Prior to recommending revisions to REGDOC-3.2.2, <i>Indigenous Engagement</i> to the Commission, CNSC staff will make the updated Regulatory Document available for public comment. CNSC staff will ensure that Curve Lake First Nation and other interested Indigenous communities are provided the opportunity to provide input and recommendations to the CNSC on potential updates to this Regulatory Document.</p>
CLFN-06	Consider including and elaborating further what is being done for Indigenous groups and not just the public	The section on Indigenous engagement can be found on pages 20 and 21 of CMD 20-M36 . Please see the response for comment CLFN-03.
CLFN-07	<p>Where it is appropriate in the document, consider including an assessment of effectiveness of the engagement activities by the CNSC.</p> <ul style="list-style-type: none"> ○ Page 9/100 “The report also includes information on the licensees’ public information programs, engagement with Indigenous groups and communities, and reportable events.” 	Please see the response for comment CLFN-03.

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
CLFN-08	<p>Consider explaining if and where Indigenous engagement and consultation is rated; if not as part of the SCA framework because it isn't the purpose of the SCA framework, then where could it reside?</p> <ul style="list-style-type: none"> ○ Page 15/100 "Performance ratings result from regulatory oversight activities. Table 4-2 presents CNSC staff's rating for each licensee's performance for each SCA in 2019. 	<p>Indigenous and public engagement are currently captured under Other Matters of Regulatory Interest and are not under the 14 safety and control areas.</p> <p>CNSC staff evaluate how licensees communicate with Indigenous communities and organizations under their Public Information and Disclosure Programs, and report the evaluation through the ROR.</p> <p>Please also see the response for CLFN-05.</p>
CLFN-09	<p>There are certain portions of the report that would tend to garner more interest than others. It would be of help if further information, details, explanations were provided on reportable events. It would also help to explain how the CNSC evaluated the events and reached the conclusion that there is no impact.</p> <ul style="list-style-type: none"> ○ Page 18/100 ○ Pages 24,25/100 	<p>In future regulatory oversight reporting, CNSC staff will consider including a summary of these requested details and also encourage the inclusion of these additional details when licensees post reportable events on their public websites. As part of the licensees' PIDP, licensees provide information on events on their websites. The CNSC also links to the information on licensees' websites as part of its communications activities.</p> <p>As part of initial reporting requirements per CNSC REGDOC-3.1.2, <i>Reporting Requirements, Volume I: Non-Power Reactor Class I Nuclear Facilities and Uranium Mines and Mills</i>, the licensees provide details to the CNSC about reportable events. This information is also provided as part of annual reporting requirements. CNSC staff review the details of the events as well as the corrective actions that the licensee takes in order to prevent recurrence. During</p>

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
		<p>onsite inspections, CNSC inspectors verify the measures that the licensee implemented to minimize or prevent reoccurrence of events.</p> <p>CNSC intends to publish “<i>The Canadian Nuclear Safety Commission: Regulatory Oversight Report Review - Discussion paper DIS-20-01</i>” in the first quarter of 2021 for a 60-day public comment period. Its purpose will be to present information on RORs and solicit feedback on possible improvements.</p>
CLFN-10	<p>It would help to understand how action level exceedances and reportable events differ from each other and/or how they are viewed from a regulator’s perspective.</p> <ul style="list-style-type: none"> ○ Page 18/100 ○ Pages 24,25/100 	<p>CNSC staff CMD 20 M36.A provide information as to how action level exceedances are viewed from a regulator’s perspective.</p> <p>An action level exceedance is not always classified an event, but regardless, licensees are required to report it to the CNSC. Regulatory requirements related to events at nuclear sites described in this Commission Member Document (CMD) are set out in CNSC REGDOC-3.1.2, Reporting Requirements, Volume I: Non-Power Reactor Class I Nuclear Facilities and Uranium Mines and Mills. It sets out requirements and guidance for reports and notifications that licensees of Class I nuclear facilities and of uranium mines and mills must submit to the CNSC, including the types of events that require reporting, what to include in reporting, and the applicable timeframe for reporting.</p>

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
CLFN-11	<p>Consider including a commentary or explanation on data trends and the implications of the trends and/or the loading; even if the trends are below the regulatory limits and thresholds. (Table G-1 and in Table H-1)</p>	<p>The reporting within the main body of the ROR for environmental protection (EP) has been simplified in order to summarize the overall environmental performance for a number of facilities.</p> <p>With regards to the assessment of environmental data, CNSC staff provide conclusions related to the overall protection of human health and the environment. CNSC staff perform a detailed assessment of the environmental data provided by licensees in their annual compliance reports (ACRs), to evaluate any potential trends and confirm that results are below the applicable action levels and regulatory licence limits. The licensees are required to provide a discussion of any emerging trends and any details on how these trends relate to the licence limits or to estimated dose to the public and any critical groups.</p> <p>The ACRs are available on the public websites of the licensees and links are provided in Appendix A of CMD 20-M36.</p>
CLFN-12	<p>CLFN has identified some areas where opportunities exist to build our relationship with the CNSC and the proponents identified in this ROR; perhaps strengthen oversight activities at the same time. To discuss in future meetings:</p> <ul style="list-style-type: none"> ▪ The contents of the ROR on a regular basis to bring a common understanding of the issues. 	<p>CNSC staff welcome CLFN's expressed interest over multiple projects/facilities that the CNSC regulates. CNSC staff will look at this list of topics and discuss with CLFN on what they want to prioritize during the next year, what they want to learn or discuss, and keep updating them on our ongoing activities.</p>

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
	<ul style="list-style-type: none"> ▪ Pertinent activities and events including timely information sharing and depth of information shared to support a better understanding of the issues; with considerations for such items as emergency, emergent, routine, ad-hoc, project driven information, plans, and actions. ▪ Transportation activities in the territory. ▪ How the RORs can be improved to reflect that there is an understanding of the key issues brought forth by CLFN to the CNSC. ▪ How CLFN input can be used in oversight processes and/or to provide input to evaluations. Including CLFN perspectives as part of oversight could potentially enhance CNSC oversight and will also enhance engagement activities. ▪ How CLFN's participation in the IEMP can enhance the independence portion of the program. Considerations for involvement of CLFN environmental monitors and overall development of the concept of oversight monitors and compliance monitors. ▪ The science that supports the establishment of regulatory limits and baselines; discuss existing monitoring, sampling, testing, analytical protocols. ▪ How the SCA ratings were developed, if input from Indigenous representatives and knowledge keepers were part of the development and subsequent implementation of the framework. Discuss why exceedances, for example, do 	

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	<p>not necessarily result in an unsatisfactory rating; discuss what specific actions were taken to address the situation and how that influences the rating. How long term considerations on aging infrastructure and lifecycle conditions can be addressed and approaches jointly developed.</p> <ul style="list-style-type: none"> ▪ How long term risk management of releases and exposure can be jointly developed. ▪ How long term strategies concerning decommissioning can be jointly developed. ▪ How long term monitoring of sites should be described and pursued in partnership with guardian or stewardship experts from within treaty territory of sites. 	

2.2 CMD 20-M36.3 Submission from Canadian Nuclear Laboratories (CNL) on Update on Cameco Corporation's Vision in Motion (VIM) Project

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
CNL-01	No issue/concern raised. CNL offers its continued support of the Vision in Motion Project that, in conjunction with the PHAI, will bring long-term environmental and socio-economic benefits to Port Hope through the remediation of the harbour and surrounding lands.	Canadian Nuclear Safety Commission (CNSC) staff acknowledge the intervention. No response required.

2.3 CMD 20-M36.4 Submission from Canadian Environmental Law Association (CELA)

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
CELA-01	CELA remains of the view that Regulatory Oversight Report (ROR) meetings are not a replacement for relicensing hearings and the CNSC must remedy the discrepancy in participation rights among public interveners and licensees by providing oral presentation opportunities.	<p>Regulatory Oversight Reports (RORs) presented in public Commission Meetings and are intended to provide an overview of Canadian Nuclear Safety Commission (CNSC) staff activities for a given calendar year. No decision is made by the Commission following a meeting.</p> <p>The Commission uses public hearings to get the information it needs to make decisions on the licensing of major nuclear facilities.</p> <p>The type of proceeding determined by the Commission Secretariat and aligned with the CNSC Rules of Procedure.</p> <p>CNSC intends to publish “<i>The Canadian Nuclear Safety Commission: Regulatory Oversight Report Review - Discussion paper DIS-20-01</i>” in the first quarter of 2021 for a 60-day public comment period. Its purpose will be to present information on RORs and solicit feedback on possible improvements.</p>
CELA-02	The CNSC should extend the amount of time provided to the public for the review of RORs and ensure a minimum 60-day timeframe is provided.	The format of interventions and timelines for submission of documents for public review are determined by the Commission Secretariat and aligned with the CNSC Rules of Procedure .
CELA-03	CELA requests an explanation as to why the CNSC has decided to significantly reduce the amount of information included in the ROR.	The 2019 RORs provide the same information found in the previous documents and has been streamlined to focus on regulatory oversight during the 2019 calendar year.

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		Redundant and repeated text in the written portion was removed and carried over to the presentation.
CELA-04	Given the above mentioned issues, as well as the specific comments provided below, CELA recommends issuing a revised ROR containing more complete and detailed information with regards to all of the licensed activities covered by the ROR.	Please see the response for comment CELA-03.
CELA-05	Whenever conclusions are made on the basis of data, key examples of the underlying data (and associated limits) should be included in the ROR.	The reporting within the ROR for environmental protection (EP) has been simplified in order to summarize the overall environmental performance for a number of facilities. CNSC staff thoroughly review environmental data in licensees annual compliance reports to verify and ensure environmental compliance. CNSC staff's conclusions of these reviews are reflected in the RORs.
CELA-06	The use of maximum values should be expanded to cover the remaining areas of the ROR.	CNSC staff are pleased to see that CELA has noted that staff provided the average and maximum values for monitoring results in numerous locations within the ROR where such reporting is of value in demonstrating compliance and/or interpreting potential environmental implications. CNSC staff will review the additional instances that CELA has identified as potentially benefitting from the addition of maximum values to the discussion.
CELA-07	The CNSC should use the ROR as an opportunity to synthesize data relevant to an SCA for the year in review,	CNSC staff note the intervention and will strive to incorporate more hyperlinks to supporting documents where appropriate.

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
	and wherever possible, hyperlinks should be provided to supporting documents	
CELA-08	Information should be included, which explains the process of setting action levels	Action levels are an indication of whether there is a loss of control of an aspect of the operation as it pertains to environmental protection. Action levels are site-specific and vary across all facilities. Licensees are revising their action levels in accordance with CSA N288.8 <i>Establishing and implementing action levels for releases to the environment from nuclear facilities</i> . These action levels are performance based and the approach involves defining an upper value of normal operations based on operational data using a statistical approach. The action level is then established by applying a factor to the upper value of normal operations. Licensees are responsible for establishing action levels and CNSC staff review these action levels to ensure they are acceptable.
CELA-09	Information should also be provided on how the goal of detecting program deficiencies is considered when action levels are set.	CNSC staff CMD 20 M36.A provides information as to how action level exceedances are viewed from a regulator's perspective. Action levels for environmental protection provide the licensee with a tool to demonstrate adequate control of its Environmental Protection Program (EPP). Action level exceedances allow the licensee an opportunity to investigate the event and implement any corrective actions

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		where necessary to restore the effectiveness of the program.
CELA-10	The CNSC should explain why action level exceedances appear to remain nearly nonexistent for several years, despite the stated goal of setting these levels sufficiently low to trigger more frequent exceedances.	The CNSC has clarified and standardized the role and methodology for deriving action levels by requiring licensees to comply with CSA N288.8 <i>Establishing and implementing action levels for releases to the environment from nuclear facilities</i> . The action levels are derived using actual performance data (retrospective approach) or estimated data (prospective approach) from the facility operations to provide a yellow light (warning system) to improve transparency and consistency. This approach allows action levels to be triggered more frequently to identify a potential loss of control within the environmental protection program (EPP). This is an improvement to the previous environmental action level development which was based on the facilities derived release limits (DRLs). Licensees are now in compliance with CSA N288.8 or are currently working towards implementation of this standard.
CELA-11	CELA requests that the CNSC explain why it has chosen to not include IEMP data and an appropriate discussion of this data in the 2019 ROR.	The reporting within the main body of the regulatory oversight report (ROR) for the Independent Environmental Monitoring Program (IEMP) provides an overview and concludes about the sampling campaigns completed in 2019. Including the 2019 IEMP data and providing a subsequent discussion would add substantially to the text in the ROR.

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		Further information about the IEMP sampling campaigns completed in 2019, including IEMP results for the BWXT Peterborough and Toronto can be found on CNSC's external webpage , with a hyperlink in CMD 20-M36 section 6.4.
CELA-12	The 2019 ROR should be updated with relevant IEMP data from the most recent sampling activities, including a discussion of said data and a comparison to data collected in previous years.	Please see the response to comment CELA-11.
CELA-13	Examples should be included in the ROR of what is meant by low risk in terms of inspection findings.	Low risk findings include minor non-compliances that do not require immediate attention by the licensee because they are of low safety significance, but need to be addressed. For example, maintenance record forms that are partially incomplete require the attention of the licensee to take the appropriate corrective actions but do not necessarily reduce the safety margins or defence in depth for a facility.
CELA-14	Further information should be included as to why it is necessary to simplify the ratings to only include "Satisfactory (SA)" or "Below Expectation (BE)", and whether any licensees might have been given a rating of UA under normal circumstances.	The simplified rating approach was adopted this year to streamline the rating process and, as such, enable CNSC staff to reprioritize their efforts on ensuring that licensees had in place adequate measures to ensure there will be no impacts to operational safety due to COVID. That is, licensees were only rated as "Satisfactory (SA)" or "Below Expectation (BE)". The "Fully Satisfactory (FS)" rating was not used and the "Unacceptable" (UA) rating was not applicable for these licensees. Regulatory

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		oversight occurs throughout the year; any indications of unsatisfactory performance would have been addressed during the ongoing compliance oversight. All licensees met CNSC expectations so there was no need to consider the UA rating.
CELA-15	As the inspections were carried out in 2019, it should also be explained why COVID makes it necessary to simplify the ratings in order to reach a consensus on a final rating.	Please see the response for comment CELA-14.
CELA-16	The corrective actions resulting from the 18 exceedances of daily action levels at Cameco Port Hope Conversion Facility (PHCF) should be described, and information should be included as to the duration of the discharges that led to the action level exceedances – i.e. if they were sudden or gradual.	CNSC staff will consider including in future regulatory oversight reports a summary of these requested details and also encourage licensees to include these additional details when they post reportable events on their public websites.
CELA-17	The compliance in 2019 with the Environmental Management System is addressed in one short sentence, which simply states that “CNSC staff determined that, in 2019, the uranium and nuclear substance processing facility licensees established and implemented their EMS in compliance with the CNSC regulatory requirements.” CELA finds this inadequate, as little information is provided as to how this was determined.	<p>CNSC staff through compliance verification activities verify the licensees’ environmental management system (EMS). The compliance verification activities include onsite inspections, desktop reviews and technical assessments of licensee reports.</p> <p>The EMS of the licensees’ facilities provides a framework for the integrated activities for the protection of the environment at a specific facility. It includes activities such as establishing annual environmental objectives and targets. The licensees verify the effectiveness of the EMS through internal/external audits as well as during annual</p>

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		<p>management reviews, during which environmental protection issues are discussed and documented.</p> <p>In 2019, the annual reports submitted by the licensees to the CNSC documented any audits or reviews completed by the licensee in 2019 and summarized any significant findings. CNSC staff reviewed and verified the results of the EMS findings as part of their compliance review and followed-up on any outstanding issues as appropriate. CNSC staff determined that, in 2019, the uranium and nuclear substance processing facility licensees established and implemented their EMS in compliance with the CNSC regulatory requirements.</p>
CELA-18	A better basis should be provided for the determination that licensees established and implemented their EMS in compliance with regulatory requirements, including whether it was based on inspections or desktop reviews.	Please see the response to comment CELA-17.
CELA-19	Information should be provided on how it is determined that programs at facilities covered by the ROR protect the public from facility emissions of hazardous substances.	Licensees' effluent/emissions and environmental monitoring programs require compliance with N288.5 <i>Effluent monitoring programs at Class I nuclear facilities and uranium mines and mills</i> and CSA N288.4 <i>Environmental monitoring programs at nuclear facilities and uranium mines and mills</i> . CNSC staff review monitoring results from these programs to ensure that releases are being adequately controlled and are within the predictions of the (environmental risk assessment) ERA.

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CELA-20	As radiological hazards differ across facilities due to complex and varying work environments, information should be included on why facilities may see higher doses.	Facility doses are reflective of the type and scope of work being performed at each site. Year to year variations in the individual facilities as they relate to the radiation protection programs for the licensees provides the CNSC with meaningful data to assess safety performance. The doses seen are safely below the annual limits.
CELA-21	Following the fire alarm at BTL caused by water ingress, it should be noted if repairs have been carried out, and if not, when the repair will take place?	Leak repairs were completed within hours of the alarm. The complete roof replacement project finished successfully in October 2020.
CELA-22	Until confirmed by new testing, the CNSC should alter its conclusion that, among other things, the beryllium levels in soil near BWXT in Peterborough are of no concern.	<p>CNSC staffs' conclusion with regards to the beryllium levels in soil near the BWXT Peterborough facility remain unchanged. Based on CNSC staffs' assessment, the health and safety of people and the environment continue to remain protected based on the beryllium concentrations reported in soil.</p> <p>As a result of the BWXT hearing, the Commission issued a Notice of Continuation requiring CNSC staff to draft a supplemental CMD, CMD 20-H2.D addressing the concerns of the elevated beryllium levels in soil.</p>
CELA-23	The CNSC should provide an update on the status of the 2017 version of REGDOC-2.9.1 implementation plans, and clarify if it will be implemented in 2020, and if not then when.	Official implementation letters for REGDOC 2.9.1 were sent to licensees in early 2020. Cameco's processing facilities, Blind River Refinery (BRR), Port Hope Conversion Facility (PHCF) and Cameco Fuel Manufacturing (CFM), will be in compliance with REGDOC 2.9.1 (2017) once their groundwater protection

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		<p>programs are reviewed by CNSC staff against CSA N288.7 <i>Groundwater protection programs at Class I nuclear facilities and uranium mines and mills</i>. The BWXT facilities will be in compliance with REGDOC 2.9.1 once their action levels are reviewed by CNSC staff against CSA N288.8 <i>Establishing and implementing action levels for releases to the environment from nuclear facilities</i>.</p> <p>SRB Technologies, Nordion, and Best Theratronics have submitted a gap analysis and implementation plans for REGDOC 2.9.1.</p> <p>Implementation and compliance with REGDOC 2.9.1 for all uranium and nuclear substances processing facilities is anticipated by the end of 2020.</p>
CELA-24	<p>The very limited number of FS ratings for the past several years should be addressed, including if the activities covered by the ROR are inherently unable to meet this standard.</p>	<p>A rating of Fully Satisfactory (FS) is provided for an SCA if a licensee demonstrates performance that goes above and beyond the requirements for that SCA.</p> <p>All licensees covered in this ROR met all CNSC expectations in 2019.</p>
CELA-25	<p>CELA asks if efforts have been made to reduce groundwater uranium concentrations at Blind River Refinery, and if there may be a long-term accumulation of uranium. CELA further recommends assessing the potential environmental impacts.</p>	<p>The elevated uranium concentrations in groundwater are in relation to well #22. This monitoring well is located upstream of the refinery relative to the local groundwater flow. Given the location of the refinery and the direction of groundwater flow in the area, there is no possible impact to drinking water sources from supply wells downstream. With the exception of three samples from</p>

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
		<p>monitoring well #22, results remained below Health Canada's Guidelines for Canadian Drinking Water Quality (GCDWQ) of 20 µg/L and the CCME Water Quality Guidelines for the Protection of Aquatic Life (33 µg/L).</p> <p>Results in 2019 were relatively stable with the average result in 2019 being over 20% lower than the 2018 value. Although concentrations have decreased in 2019, CNSC staff will continue to monitor these results closely in the coming years.</p>
CELA-26	<p>CELA requests information on the CNSC's communications with Cameco regarding the increasing nitrite, Radium-226, and ammonia concentrations in groundwater at PHCF, including whether the communications have resulted in plans to remediate the existing contamination and to avoid further contamination.</p>	<p>As part of Cameco's reporting requirements, the licensee provides the CNSC an analysis of its groundwater monitoring program including any observed trends. Cameco will continue to monitor groundwater to ensure down gradient offsite receptors remain protected during and after the completion of Vision in Motion (VIM) remediation activities. Cameco reports the status of its groundwater monitoring program as part of its Annual Compliance Report.</p>
CELA-27	<p>At PHFC, CELA recommends sampling the sediment in the harbour to determine to what degree an accumulation of uranium is taking place, as well as planning a response, including remediation, if the sampling results show elevated levels.</p>	<p>As part of Cameco's licence requirements, the licensee must provide adequate provision of protection to the environment, including the adjacent Port Hope Harbour. Currently, Port Hope Harbour is undergoing sediment remediation by Canadian Nuclear Laboratories (CNL). During this CNL activity, any possible monitoring by Cameco of this adjacent waterbody and its sediment have</p>

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
		<p>been suspended. Cameco will recommence monitoring of water and sediment in Port Hope Harbour once CNL has completed its remediation activities. Updates on CNL's progress with continue via CNSC staff regulatory oversight reporting.</p>
CELA-28	<p>CELA requests information on any steps taken to avoid future exceedances of CCME guidelines for short-term uranium exposure at CFM drainage locations, and a consideration of the impact of existing exceedances on people and species in the environment.</p>	<p>The elevated concentrations in the spring from the intermittent drainage locations have been attributed to groundwater infiltration within the upstream storm sewer works. Although the uranium concentrations were elevated in 2019, there have been no significant uranium concentration increases in surface water or groundwater monitoring results at CFM. The 2019 results have been similar to previous years and the majority of the surface water results remained below federal and provincial guidelines.</p> <p>Subsequent samples were taken from the intermittent drainage locations in the summer and fall to further assess the extent of groundwater infiltration to the storm sewer works. The results were below the CCME short-term uranium guideline of 33 µg/L.</p> <p>With regards to the observed groundwater infiltration, Cameco plans on performing follow-up storm sewer inspection and rehabilitation work to address the observed sewage works deficiencies. Cameco expects to complete the recommended inspection and rehabilitation by the end of 2020.</p>

2.4 CMD 20-M36.5 Submission from Algonquins of Pikwakanagan First Nation (AOPFN)

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
AOPFN-01	AOPFN recommends that CNSC work with AOPFN and other indigenous groups to develop methods for the meaningful inclusion of Indigenous Knowledge in regulatory oversight processes.	<p>Canadian Nuclear Safety Commission (CNSC) staff agree with AOPFN that the meaningful inclusion of Indigenous Knowledge in CNSC's regulatory process is important.</p> <p>In December 2018, through the Participant Funding Program (PFP), CNSC approved funding (\$250,000) to Algonquins of Ontario (AOO) and AOPFN to develop an Indigenous Knowledge study – and received AOPFN's study in October 2020; information and results from the study will be integrated into CNSC's regulatory oversight and licensing functions in relation to the environmental assessments for the Near Surface Disposal Facility (NSDF) and Nuclear Power Demonstration (NPD) projects.</p> <p>CNSC staff are also committed to continuing to engage and involve interested Indigenous groups, including the AOPFN, in the CNSC's Independent Environmental Monitoring Program (IEMP) to ensure that sampling efforts take into consideration Indigenous Knowledge and Land Use information so that the process and results are meaningful to interested Indigenous groups.</p>
AOPFN-02	AOPFN recommends that CNSC work with AOPFN to identify more frequent and funded engagement opportunities (including involvement of AOPFN Knowledge Keepers, AOPFN Advisory Committee and AOPFN leadership) concerning nuclear substance processing facilities within AOPFN territory.	Please see the response to comment AOPFN-01.

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
AOPFN-03	AOPFN recommends that CNSC work with Indigenous groups to improve transparency and methods for accessing funding for post-environmental assessment engagement activities such as monitoring.	CNSC staff are committed to continuing to engage with the AOPFN on IEMP activities moving forward and to share funding opportunities with regards to their participation in the IEMP, where appropriate. CNSC staff will continue to work with AOPFN relating to information sharing and monitoring.
AOPFN-04	AOPFN recommends that CNSC work with Indigenous groups to develop indicators and metrics for reviewing effective Indigenous engagement.	CNSC staff intend to start the review process of REGDOC-3.2.2 Indigenous Engagement in the next year. Prior to recommending revisions to REGDOC-3.2.2, <i>Indigenous Engagement</i> to the Commission, CNSC staff will make the updated Regulatory Document available for public comment. CNSC staff will ensure interested Indigenous communities are provided the opportunity to provide input and recommendations to the CNSC on potential updates to this Regulatory Document.
AOPFN-05	AOPFN recommends the reporting on Indigenous participation in the IEMP in all future regulatory oversight reports.	Please see the response to comment AOPFN-03.
AOPFN-06	AOPFN recommends that CNSC further engage with AOPFN on funded opportunities for AOPFN participation in the IEMP.	Please see the response to comment AOPFN-03.
AOPFN-07	AOPFN recommends that CNSC work with AOPFN and other Indigenous Groups to develop funded	CNSC staff are committed to continuing to engage with AOPFN on IEMP activities moving forward. CNSC staff will continue to work with AOPFN relating to information

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
	meaningful roles for Indigenous monitors in CNSC compliance and verification monitoring.	sharing and monitoring, where appropriate. CNSC staff will ensure that this matter is added as another topic of discussion for an upcoming meeting. CNSC staff encourage the licensees to work with AOPFN to develop an appropriate and mutually acceptable engagement strategy, including collaboration on monitoring activities and the establishment of Indigenous monitors.

2.5 CMD 20-M36.6 Submission from Swim Drink Fish Canada/Lake Ontario Waterkeeper (SDCF/LOW)

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
SDFC/LOW-01	Recommendation 1: CNSC staff should standardize how environmental data is reported from facility to facility, and include rationales for how sampling results are reported.	Environmental data can be reported differently by licensees depending on the type of licensed limit that has been established (i.e. concentration based versus loading based licence limits). Canadian Nuclear Safety Commission (CNSC) staff recognize the importance of providing consistent reporting throughout the Regulatory Oversight Report (ROR). In future RORs, CNSC staff will consider revising some of the facility specific environmental protection subsections, such as groundwater, to align with the details and quantity of information provided by other facilities, where appropriate.
SDFC/LOW-02	Recommendation 2: consistently provide licence limits and appropriate regulatory limits to contextualize reported environmental data and provide rationales for the selection of regulatory limits.	Licence limits are not applied to environmental monitoring programs in the environment. For these reasons, CNSC staff compare environmental data such as soil or surface water results to the applicable provincial or federal guidelines (i.e. Ministry of the Environment, Conservation and Parks (MECP) or the Canadian Council of Ministers of the Environment (CCME)).
SDFC/LOW-03	Recommendation 3: that CNSC staff clarify the IEMP's purpose and how monitoring is determined in future ROR references.	The Independent Environmental Monitoring Program (IEMP) is an environmental sampling initiative by the CNSC designed to verify that public health and the

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		environment around licensed nuclear facilities are protected. The IEMP is put in place for facilities in all areas of the nuclear fuel cycle: uranium mines and mills, processing facilities, power plants and research reactors, as well as waste management facilities.
SDFC/LOW-04	<p>Recommendation 4: that uranium and nuclear processing facilities include the following in their online event reports:</p> <ul style="list-style-type: none"> a) The event's posting date to licensees' website; b) quantity and concentration of released contaminants; c) applicable ALs, DRLs, and regulatory limits; d) measured environmental impacts; and e) a description of any mitigation and/or remediation efforts undertaken to address incidents after they occur. 	<p>Uranium and nuclear substance processing facilities have requirements based on their approved Public Information and Disclosure Programs (PIDP) to post events on their websites that may impact the public and the environment.</p> <p>CNSC staff encourage licensees to provide the information requested on their online event reports. Licensees should identify the action level exceedance concentration in order to adequately make a comparison to the applicable action level and licence limit. In addition, any corrective actions implemented as a result of the event should be described by the licensee in the event report. This will allow members of the public to obtain a better understanding of the event. This additional information would also provide reassurance to members of the public that the event did not pose a risk to the health and safety of persons and the environment.</p>
SDFC/LOW-05	<p>Recommendation 5: That future RORs and the CNSC's webpages for uranium and nuclear processing facilities include a hyperlink to these event reports.</p>	<p>This comment is noted, this feedback will be considered for future RORs.</p> <p>CNSC intends to publish "<i>The Canadian Nuclear Safety Commission: Regulatory Oversight Report Review - Discussion paper DIS-20-01</i>" in the first quarter of 2021</p>

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		for a 60-day public comment period. Its purpose will be to present information on RORs and solicit feedback on possible improvements.
SDFC/LOW-06	Recommendation 6: That future RORs and the CNSC's webpage for uranium and nuclear processing facilities include a discussion of cooperation with municipal water treatment plants concerning contaminants received from the PHCF and their treatment and release to the lake.	<p>PHCF does not discharge process effluent to the sanitary sewers. PHCF sanitary sewer discharges consist of domestic contributions (i.e. restroom facilities) which are not treated prior to reaching the municipal sewer system and subsequently released to Lake Ontario. Concentration-based licence limits have been set in a conservative manner to be protective of sensitive aquatic organisms.</p> <p>Cameco must remain below its sanitary sewer discharge limit to remain protective of the receiving environment. The licensed limit applies to the final point of discharge at PHCF, not the discharges from the municipal water treatment plant.</p> <p>Licensees are also required to comply with other federal and provincial environmental regulations which include municipal sewer use by-laws. Municipalities establish sewer use by-laws that provide limits for substances released to the sewers. For radionuclide releases, these by-laws defer to the CNSC approved licence limits.</p>
SDFC/LOW-07	Recommendation 7: that Cameco post full versions of its ERAs for the CFM facility on its website and archive past annual and quarterly compliance reports on its website.	<p>For Cameco to respond.</p> <p>As part of its recent implementation of REGDOC-3.2.1 Public Information and Disclosure, Cameco has posted its most recent ERA on the CFM website. Cameco currently</p>

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
		posts its current and previous years' annual compliance reports, and the most recent four quarterly compliance reports on its website.
SDFC/LOW-08	Recommendation 8: an explanation that all CMD references can be obtained from the Secretariat, and the provision of the Secretariat's contact information, should be consistently provided at the start of all RORs as an interim measure before a formalized registry of all evidentiary information is used to house materials supporting CNSC staff CMDs.	This comment is noted and is currently incorporated in CMD 20-M36 . For additional information, the public can also email the CNSC's general enquiries email address as found on the public webpage , or file a formal Access to Information request. Each licensee also has contact information on their website.
SDFC/LOW-09	Recommendation 9: that CNSC staff ensure links to facility webpages on the CNSC website are provided in RORs moving forward.	This comment is noted and is currently incorporated in CMD 20-M36 .
SDFC/LOW-10	Recommendation 10: that CNSC staff continue to work to ensure easy access to current and archived licences and LCHs for all nuclear and uranium processing facilities.	The CNSC is committed to openness and transparency of information and is currently assessing different initiatives to improve how information is provided to the public. In particular, CNSC staff are engaged in an initiative to improve the quality and consistency of information on the facility pages of the CNSC public website and make them easier to find.
SDFC/LOW-11	Recommendation 11: that the provision of contact information for licensees be standardized and	This comment is noted, this feedback may be considered for future RORs.

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	updated in all future RORs, including those for nuclear processing, generating and CNL facilities.	Please see response to SDFC/LOW-10.
SDFC/LOW-12	Recommendation 12: future RORs, including those for nuclear processing, generating and CNL facilities, include hyperlinks to licensee websites, facilities' ACRs, the Open Government data portal, and referenced Commission meetings and hearings.	This comment is noted and is currently incorporated in CMD 20-M36 , Appendix A and G. Please see the response for comment SDFC/LOW-10.
SDFC/LOW-13	Recommendation 13: that the CNSC ensure intervenors have at least three months to prepare written interventions for future public meetings. This time period would span from the date on which organizations are notified of the actual granted funding amounts until the date on which written submissions are due.	The timelines for submission of documents for public review are determined by the Commission Secretariat and aligned with the CNSC Rules of Procedure .
SDFC/LOW-14	Recommendation 14: that CNSC staff ensure their ROR is available to intervenors at least two months in advance of due dates for intervenor written submissions.	The timelines for submission of documents for public review are determined by the Commission Secretariat and aligned with the CNSC Rules of Procedure .
SDFC/LOW-15	Recommendation 15: The CNSC should immediately initiate a comprehensive review of access to information or interrogatory processes for future Commission meetings and hearings in consultation with stakeholders.	Please see the response for comment SDFC/LOW-10.

2.6 CMD 20-M36.7 Submission from Algonquins of Ontario (AOO)

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE						
AOO-01	<p>“Nordion reported three events related to packaging and transport in 2019. In all three cases, the events were low-risk, involving damage to Type A packages sustained during handling by shippers or carriers, with no impact to the radioactive contents of the packages”.</p> <p>Please confirm what corrective actions will be taken by the licensee to ensure that similar events resulting from mishandling by shippers and carriers does not occur in the future.</p>	<p>It must be noted that in all three events, the damage sustained by the package was limited to the outer package and the integrity of the packages were not compromised.</p> <p>For two of the three events, the packages were damaged as a result of the carriers mishandling the packages. Actions taken by Nordion and the carriers following the incidents were appropriate.</p> <p>In the third event, the damage to the package was the result of actions taken by a consignor (another Canadian licensee). Nordion reported the event as required. As a result of that event, the consignor implemented corrective actions to ensure that such an event does not re-occur. Canadian Nuclear Safety Commission (CNSC) staff are satisfied with the corrective actions taken by the other licensee.</p>						
AOO-02	<p>“In 2019, groundwater was sampled from 29 SRBT-installed monitoring wells at their facility plus an additional eight wells at surrounding residential and business properties. From the 2019 sampling results, the highest average tritium concentration was reported from monitoring well MW06-10 (34,592 Bq/L, with a minimum of 23,900 Bq/L and maximum of 52,321 Bq/L). This well is located directly beneath the area where the active ventilation stacks are located.”</p>	<p>The following table provides historical concentrations of tritium for monitoring well MW06-10:</p> <table border="1" data-bbox="1108 1062 1423 1354"> <thead> <tr> <th data-bbox="1108 1062 1199 1279">Year</th> <th data-bbox="1199 1062 1423 1279">Average Measured Tritium Concentrations (Bq/L)</th> </tr> </thead> <tbody> <tr> <td data-bbox="1108 1279 1199 1317">2006</td> <td data-bbox="1199 1279 1423 1317">140,857</td> </tr> <tr> <td data-bbox="1108 1317 1199 1354">2007</td> <td data-bbox="1199 1317 1423 1354">81,130</td> </tr> </tbody> </table>	Year	Average Measured Tritium Concentrations (Bq/L)	2006	140,857	2007	81,130
Year	Average Measured Tritium Concentrations (Bq/L)							
2006	140,857							
2007	81,130							

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE																									
	<p>Please confirm what the historical concentrations of tritium have been for monitoring well MW06-10 in comparison to the above-standard concentrations observed in 2019. Additionally, please outline what measures CNSC and SRBT will be taking to ensure that the high concentration is reduced, and negative impacts mitigated, as the average concentration was nearly five times greater than the <i>Ontario Drinking Water Standard</i> in 2019.</p>	<table border="1"> <tr><td>2008</td><td>27,887</td></tr> <tr><td>2009</td><td>53,227</td></tr> <tr><td>2010</td><td>44,428</td></tr> <tr><td>2011</td><td>33,402</td></tr> <tr><td>2012</td><td>39,492</td></tr> <tr><td>2013</td><td>30,381</td></tr> <tr><td>2014</td><td>42,959</td></tr> <tr><td>2015</td><td>51,635</td></tr> <tr><td>2016</td><td>48,189</td></tr> <tr><td>2017</td><td>33,520</td></tr> <tr><td>2018</td><td>41,501</td></tr> <tr><td>2019</td><td>34,592</td></tr> </table>	2008	27,887	2009	53,227	2010	44,428	2011	33,402	2012	39,492	2013	30,381	2014	42,959	2015	51,635	2016	48,189	2017	33,520	2018	41,501	2019	34,592	<p>Average Tritium Concentrations for Well MW06-10</p> <p>CNSC staff note that neither this monitoring well, nor any other monitoring well for SRB Technologies, Inc. (SRBT), are used for drinking water so it is not appropriate to</p>
2008	27,887																										
2009	53,227																										
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		<p>compare to the Ontario Drinking Water Standard of 7,000 Becquerels per liter.</p> <p>Overall, CNSC staff concluded that the tritium inventory in the groundwater system around the facility has been trending downward since 2006. This trend is due to SRBT's initiative to reduce emissions, including the commissioning of improved tritium trap valves and remote display units, the real-time monitoring of gaseous effluent, and a reduction in the amount of failed leak tests of manufactured light sources. Along with the reduced emissions, the concentration of tritium in the groundwater is decreasing due to the natural decay of tritium and the flushing of historical tritium emissions through the groundwater system.</p> <p>Since 2016, SRBT has been in compliance with CSA N288.7-15, <i>Groundwater protection programs at Class I nuclear facilities and uranium mines and mills.</i></p>
AOO-03	<p>“In 2019, Nordion reported two environmental reportable limit exceedances involving non radiological releases to the sanitary sewer and one halocarbon release.”</p> <p>Please provide additional details regarding the reportable limit exceedances in 2019 related to the Nordion site, including the parameters released and their respective concentrations. Once Nordion has provided information to CNSC regarding their investigation of the releases and identification of ways</p>	<p>In 2019, Nordion reported two environmental reportable limit exceedances involving non-radiological releases to the sanitary sewer and one halocarbon release. Further details are provided below.</p> <ul style="list-style-type: none"> • On June 17, 2019, during Nordion's routine sanitary sampling of the cafeteria grease trap, levels of oil and grease – animal/vegetable 156 mg/L (with a limit of 150 mg/L) exceeded the Ottawa by-law limit. Nordion indicated that the City of Ottawa was notified. <ul style="list-style-type: none"> ○ Nordion investigated the incident and found that during the last emptying of the cafeteria grease trap,

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	to minimize or remove the source of such releases, the AOO requests that CNSC share that information.	<p>it was reassembled improperly which caused the release. Nordion took corrective actions and corrected the issue.</p> <ul style="list-style-type: none"> • On September 24, 2019, during Nordion's routine sanitary sampling, the levels of phosphorus (total) 20.5 mg/L (with a limit of 10 mg/L) and total kjeldahl nitrogen 160 mg/L (with a limit of 100 mg/L) exceeded the city of Ottawa sewer by-law limits. Nordion indicated that the City of Ottawa was notified. <ul style="list-style-type: none"> ○ Nordion investigated the incident. No specific source for the exceedance could be identified. Nordion indicated that it could be due to low water/dilution and routine cleaning activities. • On April 9, 2019, 85 lbs of R-22 halocarbon was found to have been released. Nordion reported the release to Environment Canada. <ul style="list-style-type: none"> ○ Nordion investigated the incident, where a contractor performed a leak test and found a leak at the discharge valve. Corrective actions were taken, including the replacement of the discharge valve. <p>As part of CNSC's regulatory oversight, CNSC staff note that the incidents were low-risk and conclude that Nordion's analysis of the exceedances, and the corrective actions taken by Nordion are acceptable.</p>
AOO-04	"SRBT continues to control and monitor tritium released as liquid effluent from the facility." and "SRBT also samples and analyzes runoff water from its facility, and engages a qualified third party to perform	In compliance with CSA Standard N288.5-11, <i>Effluent monitoring programs at Class I nuclear facilities and uranium mines and mills</i> , SRBT has implemented an effluent monitoring program, which monitors the releases of

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	<p>monitoring and analysis of precipitation, surface water, produce, milk and wine.”</p> <p>Please provide details of all the parameters that are assessed during monitoring activities for liquid effluent, runoff water, precipitation and surface water.</p>	<p>radioactive substances to the environment. SRBT releases liquid effluent in batches. SRBT collects liquid effluent in batches and measures and analyzes for tritium oxide (HTO) before liquid effluent can be released to the sanitary sewer.</p> <p>In compliance with CSA Standard N288.4-10, <i>Environmental monitoring programs at Class I nuclear facilities and uranium mines and mills</i>, SRBT has established and implemented an environmental monitoring program (EMP). As part of SRBT's EMP, SRBT monitors surface water, ambient air, downspout run-off water, precipitation, produce, milk, and wine. Downspout run-off monitoring is conducted by a qualified third party at six different locations, where samples are collected typically during rainfall. HTO concentrations are measured and analyzed. Precipitation monitoring is also conducted by a qualified third party, where samples are collected monthly from eight precipitation sampling stations, measured and analyzed for HTO. Surface water monitoring is conducted by a qualified third party, where surface water samples are collected, measured and analyzed for HTO.</p>
AOO-05	<p>Comment 1: Section 5.1 – The CNSC requires each licensee to develop and maintain an environmental management system for activities related to environmental protection, where licensees conduct internal audits of their programs at least once a year. Although CNSC reviews and assesses the licensee's objectives, goals, and targets, the AOO believe that the</p>	<p>The CNSC acknowledge this comment and we look forward to receiving the AOO Traditional Knowledge Land Use Study and working with AOO on the best way to reflect the knowledge and information provided in CNSC processes and activities, including ongoing monitoring, when appropriate and authorized by the AOO.</p>

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	<p>environmental management systems would benefit from a third-party audit for truly unbiased outcomes.</p> <p>Accommodation 1: The AOO requests that the CNSC create opportunities for the AOO perspective to be integrated in the oversight of environmental management systems established by licensees located within the AOO settlement area. This additional oversight and audit process would ensure that the licensee's objectives for environmental activities and targets are robust and supportive of holistic Algonquin worldviews.</p>	<p>CNSC staff also recommend the licensees to work directly with AOO to develop an appropriate and mutually acceptable communication and collaboration protocol that takes into account AOO's perspective.</p>
AOO-06	<p>Comment 2: Section 5.1 – The CNSC staff verify that each licensee has appropriate environmental monitoring programs to monitor releases of radioactive and hazardous substances and characterize environmental quality associated with the licensed facility.</p> <p>Accommodation 2: The AOO have played a role as guardians of the lands and waters since time immemorial. The AOO request that the CNSC provide appropriate resources for training and staffing to expand the Kichi-Sibi Guardians program so that they can partake in the environmental monitoring programs for the licensed facilities, and where appropriate provide third-party monitoring to supplement the CNSC's verification of adequacy.</p>	<p>The CNSC's Participant Funding Program is flexible and can assist AOO to meet with staff, participate in CNSC reviews, as well as participate in monitoring programs.</p> <p>CNSC staff encourage the licensees to work with AOO to develop an appropriate and mutually acceptable engagement strategy, including collaboration on monitoring activities and the establishment of Indigenous monitors.</p>

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AOO-07	<p>Comment 3: Section 6.3.2 – The CNSC have indicated that the licensees actively engage and communicate with Indigenous groups who have interest in their facilities. The extent of CNSC's evaluation is whether or not the licensees have Indigenous engagement and outreach programs.</p> <p>Accommodation 3: The AOO recommends that CNSC adjust their evaluation for this criterion and seek feedback from the AOO as to whether the engagement and communication from licensees is adequate and appropriate and how the AOO's perspectives are considered and integrated in their operations.</p>	<p>CNSC staff evaluate how licensees communicate with Indigenous communities and organizations under their Public Information and Disclosure Programs (PIDP), and report the evaluation through the Regulatory Oversight Report (ROR).</p> <p>CNSC staff intend to start the review process of REGDOC-3.2.2 Indigenous Engagement in the next year. Prior to recommending revisions to REGDOC-3.2.2, <i>Indigenous Engagement</i> to the Commission, CNSC staff will make the updated Regulatory Document available for public comment. CNSC staff will ensure that all interested Indigenous communities are provided the opportunity to provide input and recommendations to the CNSC on potential updates to this Regulatory Document.</p>
AOO-08	<p>Comment 4: Section 6.4 – The report indicates that as part of the IEMP, CNSC staff conducted monitoring around the licensed facilities. The CNSC have included AOO staff and have incorporated Algonquin Knowledge in the IEMP sampling program at other sites regulated by the CNSC (i.e., Canadian Nuclear Laboratories' Nuclear Power Demonstration [NPD] Waste Facility). The AOO notes that SRBT, Nordion and BTL were not sampled in 2019.</p> <p>Accommodation 4: The AOO recommends that the IEMP continue to include the AOO in sampling events (like at the NPD site) and engage the AOO for future sampling events at the SRBT, Nordion and BTL sites. The AOO must have input and involvement in all</p>	<p>CNSC staff are committed to continuing to engage with AOO on IEMP activities moving forward. CNSC staff will continue to work with AOO relating to information sharing and monitoring, where appropriate. CNSC staff encourage the licensees to work with AOO to develop an appropriate and mutually acceptable engagement strategy, including collaboration on monitoring activities and the establishment of Indigenous monitors. The CNSC's Participant Funding Program is flexible and can assist AOO to meet with staff, participate in CNSC reviews, as well as participate in monitoring programs.</p>

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	<p>IEMP sampling efforts within the AOO Settlement Area. In order to facilitate this, the AOO recommends the following:</p> <ol style="list-style-type: none"> 1. Where possible CNSC's IEMP should coordinate with the AOO to integrate the Kichi-Sibi Guardians Program into IEMP sampling in the AOO Settlement Area. 2. A formal protocol be developed between the AOO and CNSC around involvement in the IEMP. 3. Capacity funding be provided for the AOO to define the list of Valued Components of the environment that can be sampled as part of the IEMP. 	
AOO-09	<p>Comment 5: Appendix I – The ROR indicates that “SRBT samples and analyzes runoff water from its facility and engages a qualified third party to perform monitoring and analysis of precipitation, surface water, produce, milk, and wine.”</p> <p>Accommodation 5: Although it is commendable that SRBT is sampling and analyzing matrices beyond air and water, the AOO request that they add a matrix to their sampling program that would reflect impacts to natural materials traditionally harvested for consumption in the area.</p>	<p>SRBT to respond.</p> <p>In compliance with CSA Standard N288.4-10, <i>Environmental monitoring programs at Class I nuclear facilities and uranium mines and mills</i>, SRBT has established and implemented an environmental monitoring program (EMP) to assess exposure/potential effects on the public and the environment from the operations of the SRBT facility, and verify the effectiveness of SRBT's effluent monitoring program. The scope of SRBT's EMP is commensurate with its licensed activities. As part of SRBT's EMP, and groundwater monitoring program, SRBT monitors surface water, groundwater, ambient air, downspout run-off water, precipitation, produce, milk, and wine.</p>

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
AOO-10	<p>Accommodation 6: To further assist the AOO in developing its internal capacity to actively engage in the monitoring and oversight activities associated with CNSC-regulated facilities within the AOO Settlement Area, the CNSC should provide resources for the development of an AOO-specific Sustainable Archeological Research Program (SARP). The SARP would build capacity within the AOO's liaison program and provide technical training opportunities for the Kichi-Sibi Guardians to be able to undertake Stage 1 site assessments and conduct reviews of archeological assessment reports associated with CNSC-regulated facilities. This program could be launched in collaboration with the Nipissing University (NU) Anthropology Department, which currently offers a Certificate Program in Archeology that is aimed at engaging Algonquin students. The NU program offers "portable courses" which can be delivered off-campus, raising the possibility that a more local site could be utilized as a learning site. Further accredited courses on "special topics" could be included as needed and the chosen site could host a museum exhibit which would showcase the human, environmental and geological history of the property.</p>	<p>Accommodation request is noted. CNSC staff are committed to continuing to engage with AOO on all CNSC's activities and processes of interest to them moving forward.</p>
AOO-11	<p>Accommodation 7: To reduce the burden that multiple and repeated interactions with proponents of CNSC-regulated facilities place on the capacity of the AOO, the CNSC should adopt a "one-window approach"</p>	<p>The CNSC is committed to working with AOO to develop an engagement terms of reference (ToR) and look for ways to</p>

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
	<p>through which all CNSC-regulated site-specific engagement, consultation and oversight activities are convened. This approach should include stable funding to ensure the AOO's effective participation in consultation processes and oversight reviews as opposed to the current piecemeal approach. Additionally, a one-window approach would lead to the formalization of the recommendations the AOO has provided to the CNSC in previous reviews of RORs.</p>	<p>simplify the funding and engagement process for CNSC activities.</p>
AOO-12	<p>Accommodation 8: In considering the unique relationship described above and the associated recommendations, the CNSC and AOO can move forward to co-develop a Terms of Reference (TOR) with the intention of initiating a joint advisory and monitoring committee as it relates to CNSC-regulated facilities in the AOO Settlement Area. Advisory and monitoring committees have been deployed on major projects in western Canada (e.g., Trans Mountain Expansion, Enbridge Line 3 Replacement Program) in order to:</p> <ul style="list-style-type: none"> • Support the effective and active participation of the AOO in the monitoring of traditional, environmental, safety and socio-economic aspects of major projects • Enable a reciprocal exchange of information relating to traditional, environmental, safety and socio-economic aspects of major projects • Provide a collaborative forum, supported with 	<p>CNSC staff acknowledge the comment and are committed to continuing to engage with AOO on all CNSC's activities and processes of interest to them moving forward.</p> <p>CNSC staff are committed to working with AOO to develop an engagement ToR and look for ways to simplify the funding and engagement process for CNSC activities.</p> <p>The measures highlighted in AOO's intervention will be taken into consideration and be the subject of discussion in upcoming meetings.</p> <p>CNSC staff will also ask AOO to work with the CNSC to help prioritize this initiative in order to move it forward over the coming months.</p>

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
	<p>resources for the AOO, regulators, and governments to enhance the environmental protection and safety of major projects</p> <ul style="list-style-type: none">• In collaboration with the AOO, the CNSC should assess existing examples of co-developed TORs for advisory and monitoring committees and develop a distinct model that reflects the unique relationship between the AOO and CNSC, the ongoing treaty negotiation process, and a nation-to-nation relationship based on recognition of rights, respect, co-operation and partnership.	

2.7 CMD 20-M36.8 Submission from Canadian Nuclear Workers' Council (CNWC)

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
CNWC-01	<p>No issue/concern raised.</p> <p>The CNWC is supportive of the annual regulatory oversight reports and would be pleased to participate in any future discussion on improving this process.</p>	<p>CNSC staff acknowledge the intervention.</p> <p>There will be future opportunities for input on the CNSC's Regulatory Oversight Reports. The CNSC intends to publish Discussion Paper DIS-20-01 "<i>The Canadian Nuclear Safety Commission: Regulatory Oversight Report Review</i>" in the first quarter of 2021 (January to March) for a 60-day public comment period. Its purpose will be to present information on regulatory oversight reports and solicit feedback on possible improvements. CNSC staff will present the results of the public comments to the Commission in the latter half of 2021 (calendar year).</p>

2.8 CMD 20-M36.9 Submission from Municipality of Port Hope (MPH)

Comment Identifier	COMMENT	CNSC STAFF'S RESPONSE
MPH-01	No issue/concern raised. The Municipality continues to be impressed with Cameco's record of safely operating the Port Hope facility, and in addition, Cameco's commitment to the environment in the work they are undertaking with the VIM initiative as proposed in the Cameco business plan and currently underway.	CNSC staff acknowledge the intervention. No response required.