



Supplementary Information

Renseignements supplémentaires

Written submission from Peter Harris

Mémoire de Peter Harris

In the Matter of

À l'égard de

BWXT Nuclear Energy Canada Inc.

BWXT Nuclear Energy Canada Inc.

Revision of Financial Guarantee for BWXT
Nuclear Energy Canada Inc.

Révision à la garantie financière de
BWXT Nuclear Energy Canada Inc.

Public Hearing - Hearing in writing based on
written submissions

Audience publique - Audience fondée sur
des mémoires

February 2024

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The Canadian Nuclear Safety Commission;

I am submitting this letter in response to the revised Preliminary Decommissioning Plan (PDP) for BWXT Peterborough.

I am disappointed that the CNSC has chosen to hold these hearings in private. I disagree with ALL of the CNSC's arguments in favour of making the proceedings confidential.

I would like to point out to the Commission that much of what I discussed in my decommissioning hearing intervention was in fact discussed in public at hearings held in BWXT recent license renewal. Why the CNSC has chosen to invoke national security for what is largely 1970's technology is a mystery to me and I cannot see how the protection of the licensee's information outweighs the interests of the neighbours to this facility - which most notably includes a primary school just 25m from the facility.

The Commission should also understand that almost all discussion about decommissioning in Peterborough occurred during the Toronto portion of the license renewal hearings. It remains an open question if this was a deliberate action intended to obscure the CNSC's plan to decommission this facility in brownfield condition. Holding decommissioning hearings for Toronto and Peterborough as if they were never separated and in confidence disregards why the Commission decided to separate licenses in the first place and most certainly further disenfranchises the neighbours of this facility.

Because this is a closed hearing, I can only speculate about why the CNSC has chosen to disclude the removal of PCBs and other potential contamination from the PDP for this site;

If I speculate that the CNSC has chosen not to consider PCBs and other contaminants in the PDP because they lie outside the "licensed area", then I must ask what would happen if a CNSC licensed facility chose to dump material outside their regulated site? If this is the CNSC's logic, then cleaning up Port Hope's contamination would not be the CNSC's responsibility and would not be the responsibility of the federal government, whose crown corporation was responsible for the mess. Similarly, the CNSC monitors beryllium off the licensed area with the understanding that the operations of BWXT might affect. Why does the CNSC monitor pollution outside the "licensed area" for beryllium contamination?

I might also speculate that because the materials applied were PCBs and were not beryllium or uranium, the Commission gives special status to PCBs. But this would ignore what the CNSC's director of "Waste and Decommissioning" stated during hearings; *"I confirm that in putting together the decommissioning plans the licensee must consider **any hazardous waste** that may be non-radiological in addition to any waste that is radiological. So they need to consider both non-radiological hazardous waste and radiological hazardous waste so we look at that in their preliminary decommissioning plans."*

If I speculate that the CNSC believes that spraying dust suppressants was not a licensed activity, I must point out that GE and GE-Hitachi were very clear - the PCB laden oils were applied to the parking lot for the benefit of their operations and their employees. And again, I must cite the Nuclear Safety and Control Act; *take all reasonable precautions to control the release of radioactive nuclear substances **or hazardous substances within the site of the licensed activity and into the environment as a result of the actions performed by the licensee***. PCBs were sprayed on the parking lots or ***into the environment*** as a result of the licensed activities overseen by the CNSC and its predecessor regulator.

Finally, I could speculate that the CNSC dropped the ball, or was misled with respect to how and why contamination occurred on the property currently in use by BWXT and previously used by GE-Hitachi, and GE Nuclear. In this scenario, the CNSC now finds it more convenient to move the pollution caused by GE Nuclear to provincial responsibility, where it would most certainly languish until it fell to the taxpayer to properly decommission the lands associated with CNSC regulated activities. The CNSC would therefore be offloading its problem to the public.

Looking to BWXT itself, I find it reprehensible that this PDP does not take into account the neighbouring school and school yard. This school's junior kindergarten playground is just 25m from BWXT. BWXT's PDP should have an environmental monitoring plan that includes the most effective form of environmental monitoring - continuous airborne monitoring. The CNSC seems to imagine that this facility is like all of the other facilities it regulates and that the proximity of this facility to residential housing and kids does not require special consideration.

My aunt inherited a defunct general store in a remote hamlet in Eastern Ontario. Unfortunately, the property at one point had fuel pumps and tanks, which were badly corroded when she inherited the property. She nearly went bankrupt ensuring that the property would not be a burden to others when she properly rehabilitated the property. I wish the CNSC and the nuclear industry had the same sense of obligation to the public

as my aunt did. The CNSC has a moral if not a legal responsibility to ensure that this property is properly rehabilitated upon decommissioning.

Sincerely

Peter Harris