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## Written submission from Piotr Ciompa

## Mémoire de Piotr Ciompa

In the Matter of the

À l'égard d'

**Ontario Power Generation Inc.**

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**Ontario Power Generation Inc.**

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Application for a licence to construct one BWRX-300 reactor at the Darlington New Nuclear Project Site (DNNP)

Demande visant à construire 1 réacteur BWRX-300 sur le site du projet de nouvelle centrale nucléaire de Darlington (PNCND)

**Commission Public Hearing  
Part-2**

**Audience publique de la Commission  
Partie-2**

**January 2025**

**Janvier 2025**

**SUMMARY: Ms. Rumina Velshi, until October 2023 president and CEO Canadian Nuclear Safety Commission, despite a prohibition on cooperation for two years after leaving office with entities whose applications the official in question had reviewed, began cooperating with General Electric Hitachi, the BWRX-300 designer, through a Polish member of a consortium led by GEH. Under her tenure the licensing of the BWRX-300 reactor began, using previously unapplied procedures to facilitate licensing. Some circumstantial evidence calls into question the certainty that this cooperation was not established earlier. This would put a question mark over whether the applied licensing procedures were shaped impartially with consequences for the safe operation of the BWRX-300 reactor. Therefore, an independent verification of the legitimacy of the applied deviations from the licensing procedures previously used by CNSC staff and IAEA standards for SMRs is necessary.**

My name is Piotr Ciompa and I am a citizen of the Republic of Poland. I am not affiliated with any entity in the energy industry, nor do I work for NGOs critical of nuclear power. I worked for the Polish government until January 2024. The reason why I am speaking at the public hearing in Canada on SMR certification is because Poland has undertaken very close cooperation with Canada in the nuclear energy field. Poland's regulator, the National Atomic Energy Agency (hereafter PAA), signed two agreements with the Canadian Nuclear Safety Commission (CNSC) in 2023, which provide for Poland to benefit from the CNSC's work on the licensing of the BWRX-300 small reactor developed by General Electric Hitachi. Poland is GEH's third area of interest after the US and Canada. Consent has already been granted for 6 sites for this reactor in Poland, and a dozen more applications are being announced by the investor. Although a step behind Canada when it comes to the construction of the first reactor (Canada expects 2029, Poland declares 2030), Poland is ahead of Canada when it comes to the number of planned BWRX-300 reactors. Poland is also expected to be the starting point for BWRX-300 reactor expansion in Europe. Given the limited experience of the Polish regulator and its announcement to rely on the Canadian license, anyone interested in nuclear power development in Poland must take an interest in CNSC decisions.

During the first year of processing Ontario Power Generation's (OPG) application for licensing of the GE-designed BWRX-300 reactor, Rumina Velshi was President and CEO of the CNSC. Therefore I was surprised to learn from an official announcement that Ms. Rumina Velshi 3.5 months after leaving office in October 2023, was employed in February 2024 as a strategic advisor to Orlen Synthos Green Energy (OSGE)<sup>1</sup> based in Warsaw, Poland. This company<sup>2</sup> that is leading the BWRX-300 project in Poland in close cooperation with General Electric Hitach and Ontario Power Generation (OPG). On March 23, 2023, these entities, together with the U.S. company Tennessee Valley Authority, signed an agreement to work closely on the BWRX-300 reactor project and its implementation. The official statement reads, among other things: *"Each contributor has agreed to fund a portion of GEH's overall cost and collectively will form a Design Center Working Group with the purpose of ensuring the standard design is deployable in multiple jurisdictions. The long-term goal is for the BWRX-300 design to be licensed and deployed in Canada, the U.S., Poland and beyond."*<sup>3</sup>

The four companies are bound by an agreement that shows that their interests in the design and certification of the BWRX-300 reactor are the same. In fact, when working for one of the consortium members, one works for the others.



From left: GE Hitachi President and CEO Jay Wileman, Ontario Power Generation President and CEO Ken Hartwick, Tennessee Valley Authority President and CEO Jeff Lyash, and Synthos Green Energy CEO Rafał Kasprów. Images credit: GE Hitachi Nuclear Energy

<sup>1</sup> <https://osge.com/en/osge-partners-with-canadas-former-top-nuclear-regulator/>

<sup>2</sup> Orlen Synthos Green Energy (OSGE) is a subsidiary of Synthos Green Energy (SGE) controlled by Mr. Michał Sołowow, according to the Forbes list, the richest Pole. SGE owns a 50% stake in OSGE and fills the positions of CEO (Mr. Rafał Kasprów holds this position in both companies) and Chairman of the Supervisory Board. The other 50% stake in OSGE is held by state-owned Orlen, which trades oil, gas and other energy sources.

<sup>3</sup> [https://www.governova.com/news/reports/srms-deploy-ge-hitachi-signs-four-party-agreement-to-bring-small-modular-reactors-online;](https://www.governova.com/news/reports/srms-deploy-ge-hitachi-signs-four-party-agreement-to-bring-small-modular-reactors-online)  
[https://www.governova.com/news/press-releases/tennessee-valley-authority-ontario-power-generation-and-synthos-green-energy-invest;](https://www.governova.com/news/press-releases/tennessee-valley-authority-ontario-power-generation-and-synthos-green-energy-invest)  
[https://www.powermag.com/tva-opg-synthos-team-to-shape-standard-design-for-bwrx-300-nuclear-reactors/;](https://www.powermag.com/tva-opg-synthos-team-to-shape-standard-design-for-bwrx-300-nuclear-reactors/)

In June 2023, OPG and OSGE signed a letter of intent<sup>4</sup> to cooperate on BWRX-300.



The signing of the letter of intent between OPG and OSGE (Image: OSGE)

OPG and OSGE representatives have visited frequently both companies<sup>5</sup>. Their relationship with GEH as a technology provider is permanent. Most recently, in October 2024 GEH and OSGE staged a joint booth at the International Atomic Energy Agency's SMR conference in Vienna

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tygodniu jesteśmy w Wiedniu na „International Conference on Small Modular Reactors and their Applications”, gdzie wspólnie z **GE Hitachi Nuclear Energy** mamy stanowisko, na którym prezentujemy nasz projekt i technologię BWRX-300.

1 z pierwszych gości, który nas odwiedził był **Rafael Mariano Grossi**, Director General of the **International Atomic Energy Agency (IAEA)**, który dogłębnie się z nami spotkał i podzielił się z nami swoimi doświadczeniami z reaktorami BWRX-300 dzięki wirtualnej rzeczywistości.

Świetnych udziałowców i partnerów, dobrą technologię, właściwie prowadzone regulacje, musi się Wam udać” - powiedział **Rafael Mariano Grossi**, Director General of the **International Atomic Energy Agency**.

Spotkanie z Rafael M. Grossim Prezes Zarządu OSGE **Rafał Kasprów** z zespołem, a także **Masanao Moriwaki** z Hitachi GE Nuclear Energy

*This week we are in Vienna for the "International Conference on Small Modular Reactors and their Applications," where together with **GE Hitachi Nuclear Energy** we have a stand where we are presenting our BWRX-300 design and technology.*

*One of the first guests to visit us was **Rafael Mariano Grossi**, Director General of the **International Atomic Energy Agency (IAEA)**, who took an in-depth look at the BWRX-300 reactor through virtual reality.*

*"You have great shareholders and partners, good technology, you are approaching regulation correctly, you must succeed," - said **Rafael Mariano Grossi** Director General of the **International Atomic Energy Agency**.*

*Pictured with **Rafael M. Grossi** CEO of OSGE **Rafał Kasprów** with his team, **Rumina Velshi P.Eng, ICD.D** and **Dagmara Peret** with the **GE Hitachi Nuclear Energy** team, and **Masanao Moriwaki** of Hitachi GE Nuclear Energy*

<sup>4</sup> <https://www.world-nuclear-news.org/Articles/OPG-and-OSGE-enhance-cooperation-on-SMRs>

<sup>5</sup> [https://twitter.com/ORLEN\\_Synthos/status/1844684095571243078](https://twitter.com/ORLEN_Synthos/status/1844684095571243078); [https://twitter.com/ORLEN\\_Synthos/status/1745818892981707225](https://twitter.com/ORLEN_Synthos/status/1745818892981707225); [https://twitter.com/ORLEN\\_Synthos/status/1664644505708969988](https://twitter.com/ORLEN_Synthos/status/1664644505708969988);

In April 2024, six months after leaving office, Ms. Rumina Velshi together with Synthos Group founder Mr. Michal Sołowow (according to Forbes list, the richest Pole) and Rafal Kasprów CEO of OSGE, attended a meeting at OSGE's headquarters in Warsaw with GE Vernova Vice President Ms. Mavi Zingoni and General Electric Hitachi President and CEO Jay Wileman and his colleagues on the implementation of BWRX-300 in Europe, the key to which is the licensing of the reactor in Canada\*.

The screenshot shows a Twitter interface with a navigation menu on the left and a tweet on the right. The tweet is from ORLEN Synthos Green Energy (@ORLEN\_Synthos) and contains the following text:

We would like to thank our partners from @GEVernova and @gehnnuclear for two days of intensive work on the development and deployment strategy of state-of-the-art BWRX-300 reactors in CEE and in the UK.

The meeting, held under the great leadership of Mavi Zingoni - Vice President of GE Vernova & Michal Solowow – industrialist and founder of OSGE, was also attended by @jtwileman - President and CEO of GEH, Nicole Holmes - Chief Commercial Officer, Amir Mujezinovic - Head of Strategy & Business Development GE Vernova and Nomi Ahmad - CEO of GE Vernova Financial Services.

OSGE was represented by @RafalKasprów - CEO, @RVelshi - OSGE Strategy Advisor and former chairman of @CNSC\_CCSN, and Jarosław Grodzki - Chairman of the Supervisory Board.

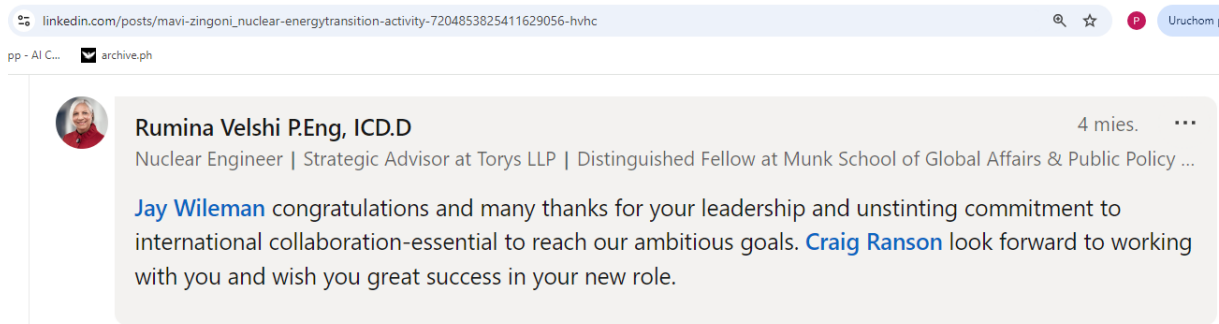
A strong partnership between the largest energy and technology group in the world - GE Vernova, and OSGE is the best way to deploy a fleet of the BWRX-300 reactors across Europe.

Przetłumacz wpis

3:07 PM · 25 kwi 2024 · 5 688 Wyświetlenia


\* [https://x.com/ORLEN\\_Synthos/status/1783482856104243233](https://x.com/ORLEN_Synthos/status/1783482856104243233); interesting, that in Rumina Velshi's relation from that event no GE staff was mentioned: <https://www.linkedin.com/posts/rumina-velshi-p-eng-icd-d-67219018-i-spent-last-week-in-warsaw-for-meetings-activity-7183945854985072640-Smve>

Rumina Velshi visited GEH headquarters and undertook collaborations with GEH on her own.<sup>6</sup> In her profile on the LinkedIn platform, Ms. Rumina Velshi reports that since December 2023 she has been a strategic advisor to an entity whose name is confidential<sup>7</sup>. I presume that this entity may be General Electric Hitachi or a related company. I base this supposition on the premise of her taking up employment 2 months later with OSGE, a member of the consortium established by GEH to collaborate on the BWRX-300 reactor. It is legitimate to conclude that the hidden employer is non-competitive with GE in the nuclear power industry, otherwise Ms. Rumina Velshi would not have been accepted as an advisor to OSGE, a member of the GE-led consortium. Given the breadth of General Electric's interests in this area, it is difficult to imagine such another non-competitor. This reasoning leads to a plausible conjecture that it could be GEH itself or one of its affiliates. This supposition is supported by Ms. Rumina Velshi's comment<sup>\*</sup> in July 2024 on the LinkedIn profile of Mavi Zingoni vice president of GE Vernova with the announcement of Jay Wileman's retirement and replacement by Craig Ranson as president and CEO of GE Nuclear.



linkedin.com/posts/mavi-zingoni\_nuclear-energytransition-activity-7204853825411629056-hvhc

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 **Rumina Velshi P.Eng, ICD.D** 4 mies. ...  
Nuclear Engineer | Strategic Advisor at Torys LLP | Distinguished Fellow at Munk School of Global Affairs & Public Policy ...

**Jay Wileman** congratulations and many thanks for your leadership and unstinting commitment to international collaboration-essential to reach our ambitious goals. **Craig Ranson** look forward to working with you and wish you great success in your new role.

What common "ambitious goals" might Ms. Rumina Velshi and General Electric Hitachi have in common? What joint work (continuation?) does Ms. Rumina Velshi expect from the new CEO?

To the best of my knowledge, senior officials in Canada are prohibited from being employed by entities on which they have issued decisions for 2 years from the date they leave office, and indefinitely prohibited from sharing the confidential knowledge they have gained. Thus, Ms. Rumina Velshi should not cooperate with OPG and GEH, which was a party to the VDR proceedings and supported OPG during the first part of the public hearing on October 2, 2024 (intervention of Mr. Christer Dahlgren, Chief Consulting Engineer at GEH). Although Ms. Rumina Velshi was hired by an entity that was not a party to the CNSC proceedings, OSGE has the same interests vis-à-vis the CNSC as the two companies. Perhaps because of the use of circumvention with employment by OSGE, the law in Canada was not violated, but of greater importance to my further argument than the legal state is the fact of close Ms R.Velshi's cooperation through OSGE with GEH and OPG.

<sup>6</sup>[https://www.linkedin.com/posts/rumina-velshi-p-eng-icd-d-67219018\\_i-was-delighted-to-visitges-vernova-nuclear-activity-7199195243324317697-w5hP;](https://www.linkedin.com/posts/rumina-velshi-p-eng-icd-d-67219018_i-was-delighted-to-visitges-vernova-nuclear-activity-7199195243324317697-w5hP;)

<sup>7</sup>[https://ca.linkedin.com/in/rumina-velshi-p-eng-icd-d-67219018?trk=public\\_post\\_feed-actor-name](https://ca.linkedin.com/in/rumina-velshi-p-eng-icd-d-67219018?trk=public_post_feed-actor-name)

<sup>\*</sup>[https://www.linkedin.com/posts/mavi-zingoni\\_nuclear-energytransition-activity-7204853825411629056-hvhc](https://www.linkedin.com/posts/mavi-zingoni_nuclear-energytransition-activity-7204853825411629056-hvhc)

As an aside, let us also note that in February 2024, Ms. Rumina Velshi was hired as Senior Counsel at Toronto-based law firm Torys<sup>8</sup>, which represented OPG on the BWRX-300 project. In addition, Ms. Rumina Velshi on LinkedIn presents herself as co-founder and principal of ZettaJoule Inc. a Japanese startup which intends to provide clean power directly to commercial end-users through Japanese high-temperature gas-cooled reactor technology<sup>9</sup>. At the same time Ms. Rumina Velshi introduces herself as International Expert Advisor to the Nuclear Regulation Authority in Japan<sup>10</sup>. In addition, Ms. Rumina Velshi is the member of the IAEA's International Nuclear Safety Advisory Group. In spite of that facts, she sees no conflict of interest in promoting her Japanese startup on the IAEA forum<sup>11</sup>. The above facts raise concerns about whether Ms. Rumina Velshi has a correct sense of the boundary between the private and public sectors, and how this distorted assessment may have previously affected the CNSC's actions under her leadership

The above facts entitle me to ask whether Ms. Rumina Velshi's cooperation with the consortium formed around GE to implement the BWRX-300 reactor did not begin or was planned while she was still in office, and if so, what, if any, consequences this may have had on her office's handling of the OPG application that is the subject of this public hearing. Note that the application was received in October 2022, the public hearing began in October 2024, and Ms. Rumina Velshi left office in October 2023. Thus, half of the period of consideration of the application fell during her tenure, and this is the part when decisions are made on the shape of the procedure to be followed by the application, which could affect the results.

I have no evidence that Ms. Rumina Velshi worked on her own account with GE during her term as CNSC President and CEO. However, it should be stated that she was very active in relation with the Polish regulator (PAA). And Poland is the third center of GEH's nuclear interests after the US and Canada, actually the most promising in terms of the number of planned SMRs and a starting point for expansion into Europe.

In February 2023, on behalf of CNSC, its CEO Ms. Rumina Velshi signed with the president of the Polish regulator National Atomic Energy Agency an annex of the 2014 agreement on cooperation for new reactors and SMRs. In my opinion, the extension was not necessary, for the provisions of the 2014 agreement could be the basis for cooperation on new reactors and SMRs. It is unusual, that GE's BWRX-300 reactor is mentioned in the agreement as the only one by name, even though both regulators at the time were considering applications from other technology providers, e.g. Nuscale (for CNSC in the VDR procedure). Such prominence of the BWRX-300 reactor suggests that handling applications related to the General Electric reactor is a priority for both regulators over other suppliers. Meanwhile, in the SMR technology supplier race, regulators should be impartial and not give the impression that they favor one supplier over another<sup>12</sup>.

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<sup>8</sup> <https://www.torys.com/about-us/news-and-media/2024/02/torys-welcomes-nuclear-energy-industry-leader-rumina-velshi-as-strategic-advisor>;

<sup>9</sup> <https://www.linkedin.com/company/zettajoule/>;

<sup>10</sup> [https://www.nra.go.jp/english/cooperation/extl\\_advisors\\_meeting.html](https://www.nra.go.jp/english/cooperation/extl_advisors_meeting.html);

<sup>11</sup> <https://www.linkedin.com/posts/rumina-velshi-p-eng-icd-d-67219018-i-was-in-vienna-last-week-for-the-international-activity-7257759052414214144-Cdfy>

<sup>12</sup> It is reasonable to ask whether technology providers handing over confidential technology solutions will trust CNSC that they will not be disclosed by former CNSC employees to competitors, to whom they could move overnight.

Ms. Rumina Velshi's activity as CNSC president and CEO with the Polish regulator may look like she was preparing the ground for her future work on the European expansion of the consortium around the BWRX-300 reactor led by GEH, which includes OPG and OSGE. Her possible assertions that this is not the case are unbelievable, given that she began working with this consortium 3.5 months after leaving office, although the cool-off was two years in effect. Concern for safety requires assuming the most difficult scenarios, including the one that this cooperation took place during her tenure and influenced the adoption of more favorable licensing procedures for the investor.

Doubts about the impartiality of the procedure applied to OPG's application for the BWRX-300 reactor are raised by the following facts. Under the guise of procedural innovation, that supposedly the procedures applied to large reactors should not be applied to the certification of small reactors, the innovations in the procedure applied appear to be unilaterally favorable to the applicant. It is not my task here to carry out the process of inspecting the work on the application, so I will stop at one example, which is the admission to consideration of an application that relates to a reactor design whose design is not yet ready.

Class I Nuclear Facilities Regulations\* in paragraph 5 (License to Construct), letter e) states that the license application shall include *"a description of the systems and equipment proposed to be installed at the nuclear facility, including their design and their design operating conditions."* I understand that instead of a design, the applicant provided *"sufficient information"* about the design, which Ms. Rumina Velshi CEO of CNSC allowed to trigger the license proceedings. I take this deviation from the Regulations as favoritism to the applicant.

Previous CNSC rules (REGDOC-1.1.2: License Application Guide: License to Construct a Nuclear Power Plant, section 7.1 "General consideration")<sup>13</sup> stated that *"The safety analyses should proceed in parallel with the design process, with iteration taking place between the two activities. This chapter should outline the methodology used to advance the detailed design and the safety analyses, and should include the appropriate information links and checks between them. The scope and level of detail of the analyses should increase as the design progresses, so that the final safety analyses reflect the finished plant design. The design, procurement, manufacture, equipment qualification, construction, installation and commissioning processes should all be integrated with the safety analyses to ensure that the design intent will be achieved in the 'as-built' plant."*

From the above, I conclude that until the reactor design is completed, safety analyses cannot be completed.

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\* <https://laws.justice.gc.ca/eng/regulations/sor-2000-204/FullText.html>

<sup>13</sup> <https://www.cnsccsn.gc.ca/eng/acts-and-regulations/regulatory-documents/published/html/regdoc1-1-2/#sec7-1> This rule has not been repealed for SMRs in REGDOC-1.1.5, Supplemental Information for Small Modular Reactor Proponents, section 2.1.4 <https://www.cnsccsn.gc.ca/eng/acts-and-regulations/regulatory-documents/published/html/regdoc1-1-5/#sec2-1-4>.



The procedure used looks as if a VDR (vendor design review) procedure applied to the application, applied at an early stage to reactor plans that are only just taking shape, so that the vendor knows what solutions the Commission will and will not accept, and does not waste time and money on unacceptable solutions. It is incomprehensible to me why the current licensing proceeding bears some of the characteristics of a VDR proceeding, i.e., among other things, it allows proceeding despite the lack of a reactor design. I perceive the use of "semi-VDR" procedure in the current licensing proceeding as a downgrading of the quality of the licensing procedure. The response to GEH's December 2019 application was given in February 2023, and OPG, with GEH's support, submitted its application for certification in October 2022 without waiting for the VDR's conclusions. OPG's application did not, and as I understood the October 2, 2024 public hearing, still does not meet the requirement for 2 separate, independent and diverse means of reactor shutdown, or else an alternative approach, with justification. The applicant also failed to provide the VDR safety analysis conducted in accordance with procedures, detailing the technical steps, as stipulated in the proceedings, when the full reactor design does not yet exist. OPG staff responds that the safety analysis information provided is sufficient without a completed design. Such a response is acceptable at the VDR stage, not the licensing proceedings. The risk of such an insufficient response at the VDR stage burdens the vendor, but at the licensing stage burdens the Commission members and the public. This is a fundamental difference.

In the case of SMRs, the International Atomic Energy Agency has developed a range of deviations from the essential licensing procedure for large reactors. It changed or clarified only about 8% of the recommendations, adding rather than reducing requirements. The IAEA regulator's forum in report form Working Group on Licensing Issues stated the following: *There is no fundamental change in the design review process for an SMR vs. a large-scale design. However, due consideration should be given to first-of-a-kind (FOAK) designs, since these will differ in the type of evidence and operating experience available to support their safety cases. In addition, regulatory agencies may need to adopt new guidelines/approaches adapted to SMRs in order to meet the underlying requirements or regulations.*<sup>14</sup>

The lack of a finalized BWRX-300 design is a fundamental change from the licensing of large-scale reactors. In the key document "Applicability of Design Safety Requirements to Small Modular Reactor Technologies Intended for Near Term Deployment. Light Water Reactors. High Temperature Gas Cooled Reactors"<sup>15</sup>, Requirement 1 says: *An applicant for a license to construct and/or operate a nuclear power plant shall be responsible for ensuring that the design submitted to the regulatory body meets all applicable safety requirements.*

OPG has submitted to the CNSC no completed design. Despite this, the CNSC, under the leadership of Ms. Rumina Velshi, has begun the licensing process.

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<sup>14</sup> [https://www.iaea.org/sites/default/files/21/06/working\\_group\\_on\\_licensing\\_issues\\_phase\\_2\\_report.pdf](https://www.iaea.org/sites/default/files/21/06/working_group_on_licensing_issues_phase_2_report.pdf). The reference to IAEA standards is justified by Ms. Rumina Velshi's declarations as CEO CNSC about ongoing efforts toward the international standardization of small modular reactor (SMR) designs and the harmonization of regulatory practices. From 2020 to 2023, Ms. Rumina Velshi was chairwoman of the IAEA's Commission on Safety Standards, so it is justified to refer to international standards that she co-authored or, at the IAEA, supported.

<sup>15</sup> [https://www-pub.iaea.org/MTCD/Publications/PDF/TE-1936\\_web.pdf](https://www-pub.iaea.org/MTCD/Publications/PDF/TE-1936_web.pdf)

The argument that more lenient procedures and requirements should be applied in SMR licensing is deceptive, for the desired effect of reducing unit investment costs what requires building more than 10, and some say 20, small reactors. In the case of a design error, the severity of any failures resulting from this possible error could be comparable to the failure of a large reactor. Since it is planned to start construction of more BWRX-300 reactors while the Darlington reactor is still under construction, and even before its first fuel cycl is completed, in reality all these reactors will be FOAK.

The IAEA's position is not binding, but it would be respectful to the public if CNSC staff would indicate to what extent the current licensing procedure deviates from the Agency's recommendations and justify why the procedural solutions adopted in Canada are more adequate, in particular, with regard to requirements 42 (safety analyses) and 46 (shutdown).

Perhaps the nuclear industry is over-regulated, which generates unnecessary costs and wastes a lot of time, and which may reflect negatively on the common good. Perhaps this view is most pertinent in the case of NOAK. However, any doubts should be clarified in the case of FOAK in particular in favor of applying stricter requirements. Since the BWRX-300 in Canada is a FOAK, assessing whether the risks are reasonable is difficult, especially since the ESBWR, whose miniaturized successor is the BWRX-300, was never built, so its possible shortcomings could not become apparent. Therefore, the assessment of SMR risks should be approached as if it were the first approach to the issue, especially since 10 years have passed since the licensing of the ESBWR in 2014 and knowledge has expanded since then. But the reason, prejudging the precautionary principle, is Ms. Rumina Velshi's entanglement with the consortium around GE to such an extent that it cannot be resolved beyond a reasonable doubt which of her decisions in the first half of the licensing procedure were or were not made with a possible conflict of interest. Therefore I ask that this issue be independently investigated before a decision is made on the BWRX-300 reactor license.

The public's trust is the most important "asset" of any state regulator. The CNSC itself, in its four strategic priorities, writes: "The CNSC continuously strives to be a trusted regulator, recognized as independent, open and transparent, and as a credible source of scientific, technical and regulatory information."

In keynote address, President and CEO of CNSC at the 5th International Conference on Generation IV and Small Reactors, Toronto, October 3, 2024 Mr. Pierre Tremblay said, "We need to instil confidence in Canadians that the regulator makes good, risk-informed, evidence- and science-based decisions that keep the safety of Canadians and the environment at the forefront of all that we do. (...).<sup>16</sup>

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<sup>16</sup> I understand Mr. Pierre Tremblay's difficult position as Chairman and CEO of the CNSC - appointed to office less than 2 months before the public hearing began, he could not stop the licensing process, which had been advanced 2 years earlier, without facing charges of irresponsibility.

Therefore, the CNSC should not leave Ms. Rumina Velshi's case without an independent scrutiny. The CNSC should distinguish itself positively from other public sector entities. In August 2024 Ontario Provincial Energy Minister Todd Smith, who supervised OPG and represented its sole shareholder, abandoned his public mission and joined the AtkinsRéalis group (former SNC Lavalin accused of foreign corrupt practices in the past, holding contracts with OPG and GEH as well as with Poland's OSGE signed during Mr T.Smiths' tenure). The condition for maintaining this trust is that there is not even a shadow of suspicion that decisions are being made in conflict of interest.

I do not make the above comments in an instructive tone. Even in the most transparent country, "distortions" occur at the interface between big business and the public sector. Poland has a bigger problem than Canada with the transparency of the public sector's actions in the BWRX-300 case. Unlike in the case of European countries with far more experience in nuclear power such as the UK, Sweden, or the Czech Republic, in Poland a private company controlled by the richest Pole according to the Forbs list, was allowed to select the BWRX-300 reactor on a non-competitive basis, over which, despite the company's lack of obligations to the state, the state extended a regulatory and financial umbrella. Neither Mr. Michal Solowow nor his companies have the know-how in nuclear power and sufficient financial resources for such a huge project, so they borrow capital from state-owned banks, while OSGE uses capital from state-owned Orlen. The CEO of both companies SGE and its company set up with the state-owned conglomerate OSGE is Mr. Rafal Kaspro, who was previously a journalist and then headed MDI Inc, a public relations and lobbying firm accused of black PR. This company previously served General Electric in Poland. Abused in suppressing public debate is the overwhelming public favorability of nuclear energy, a consequence of the experience after the Russia-Germany deals at the expense of Central Europe, particularly the construction of the Nord Stream pipeline across the Baltic Sea, which allowed Putin to bypass Poland and Ukraine in gas supplies to the European Union and attack Ukraine by cutting it off from oil and gas. Nuclear energy, even if it would be more expensive than energy from other sources, guarantees stability and security in a dangerous region of the world. I see that Poland and Canada experience the same methods of promoting the BWRX reactor that do not avoid using opaque personal and business relationships. I believe that signaling this problem will have more effect in Canada than in Poland. I am very impressed by the rules of the public hearing in Canada in which I participate, because in Poland no such opportunity has been created in the actions of the Polish regulator. Perhaps my case of a citizen from another country appearing in a public hearing in a country on another continent to deal with the public interest of my country is the first such response of civil society to globalization expressed in the actions of corporations, and consequently the signing of agreements between state regulators.

In view of the above, I propose that before issuing a license, an independent investigation be conducted into how the work on OPG's application for the BWRX-300 reactor deviated from CNSC and IAEA standards for SMRs, and in the cases found to be so, to see how justified they are and whether they were unilaterally favorable to the applicant in terms of consequences for a safety.