



Procedural Direction

Canadian Nuclear Safety Commission

DIR 26-H100

In the Matter of

Canadian Nuclear Laboratories Ltd.

**Application to Amend the Licence and Licensing Basis for the
Gentilly-1 Waste Facility**

Date: August 28, 2026

1 OVERVIEW

1. On [July 17, 2024](#), Canadian Nuclear Laboratories Ltd. (CNL) applied to the Canadian Nuclear Safety Commission (CNSC),¹ under subsection 24(2) of the [Nuclear Safety and Control Act](#)² (NSCA), to amend the licence and licensing basis³ for the [Gentilly-1 Waste Facility](#) (G1WF). On [April 15, 2026](#), CNL submitted a revised application.⁴ The G1WF is located on the Hydro-Québec (HQ) Gentilly-2 Nuclear Generating Station site near Bécancour, Québec, on the south shore of the St. Lawrence River. The G1WF is located in the traditional territory of the Abenaki people under the council of the W8banaki, and the traditional land of the Wendat people.
2. The G1WF is operated by CNL under a Class IB Waste Facility Decommissioning Licence (WFDL), WFDL-W4-331.00/2034, on lands owned by HQ and leased to Atomic Energy of Canada Ltd. (AECL). The G1WF is being decommissioned following a three phased approach:
 - Phase 1 Decommissioning - Establishing a Safe Shutdown State, which brought the Gentilly-1 Nuclear Generating Station (now G1WF) to a safe, sustainable, shutdown state. This was achieved by 1986.
 - Phase 2 Decommissioning - Storage with Surveillance (SWS), which began in 1985 and was expected to last for 51 years until 2035.
 - Phase 3 Decommissioning - Decommissioning and Demolition (D&D), which has not started yet.
3. Since 1986, the G1WF has been maintained under Phase 2 Decommissioning (i.e., SWS). The Phase 3 Decommissioning (i.e. D&D) is not currently part of the licensing basis for the G1WF.
4. The current licensing basis authorizes decommissioning activities that are limited to Phase 2 of CNL's decommissioning approach for the G1WF. CNL is requesting authorization to change the licensing basis so that CNL can enter the final phase,

¹ The Canadian Nuclear Safety Commission is referred to as the "CNSC" when referring to the organization and its staff in general, and as the "Commission" when referring to the tribunal component.

² *Nuclear Safety and Control Act*, SC 1997, c 9.

³ The licensing basis is a set of requirements and documents for a regulated facility or activity comprising:

- the regulatory requirements set out in the applicable laws and regulations
- the conditions and safety and control measures described in the facility's or activity's licence and the documents directly referenced in that licence
- the safety and control measures described in the licence application and the documents needed to support that licence application

⁴ CNL's revised application addresses feedback from CNSC staff and includes additional documents to support its application.

Phase 3, which involves progressing beyond SWS to remove all aboveground and underground structures owned by AECL, and restore the site footprint before turning it over to HQ.

5. CNL is also requesting an amendment to the G1WF licence period to allow CNL to carry on the activities authorized by its licence for a period of 15 years, until 2041.⁵ The current G1WF licence was issued in 2019 and expires in 2034. CNL projects that the decommissioning activities will be completed in 2035.
6. To consider CNL's application, the President of the Commission established a Panel of the Commission, composed of Commission Member Dr. Marcel Lacroix.⁶ On May 13, 2025, the Commission published [*Notice of Hearing in Writing and Participant Funding*](#)⁷ for this matter, which invited requests to intervene by June 17, 2026. The Commission, in conducting a public hearing based on written materials, received written submissions from CNL ([Application](#), [Revised Application](#), and [accompanying submissions](#)) and CNSC staff ([CMD 26-H100](#)). The Commission also received written submissions from 16 intervenors, including 5 Indigenous Nations and Communities.
7. Following the June 17, 2026, intervention deadline, the Commission Registry received correspondence from a hearing participant, Kebaowek First Nation (KFN), asking that additional information be accepted on the record for the hearing in writing.⁸

2 COMPLETENESS AND FAIRNESS OF THE RECORD

8. The Commission recognizes the importance of establishing and respecting filing deadlines. Filing deadlines support the orderly, fair and expeditious conduct of Commission proceedings and provides participants with reasonable certainty regarding the hearing process.⁹ At the same time, the Commission must ensure that the process by which it considers matters before it is fair and that it has the information it considers necessary to make an informed decision.

⁵ CNL is proposing an acceleration of Phase 3 activities that CNL had previously planned to undertake at a later date (i.e. 2053).

⁶ Pursuant to section 22 of the NSCA.

⁷ *Notice of Hearing in Writing and Participant Funding*, CNSC, May 12, 2025.

⁸ Letter from Chief L. Haymond (KFN) to C. Moses (CNSC), *Response to June 23 and July 3, 2026. correspondence regarding the Gentilly-1 Waste Facility Licensing Proceeding*, August 6, 2026.

⁹ Under subsection 20(3) of the NSCA, all proceedings before the Commission shall be dealt with as informally and expeditiously as the circumstances and considerations of fairness permit, but, in any case, within the prescribed period of time.

9. The [*Canadian Nuclear Safety Commission Rules of Procedure*](#)¹⁰ (the Rules) provide the Commission with flexibility to manage its proceedings in a manner that reflects the circumstances of each matter and consideration of fairness. In particular:
- Subrule 3(1) of the Rules provides that the Commission may vary or supplement the Rules in order to ensure that a proceeding is dealt with as informally and expeditiously as the circumstances and considerations of fairness permit.
 - Subrule 3(2) provides similar discretion in relation to procedural matters that are not otherwise provided for in the Rules.
 - Rule 15 establishes that the record of a Commission proceeding includes documentary evidence, written submissions and other material filed with the Commission, as well as any other relevant information that the Commission directs to be placed on the record.
 - Rule 19 provides the means by which the Commission may permit persons to participate as intervenors in a hearing.
10. The Commission has considered the request to add information to the record following the intervention deadline. Without making any determination regarding the merits of the matters raised in the request, the Commission considers that providing a limited additional opportunity for submissions would support a complete and transparent evidentiary record and provide interested persons with a meaningful opportunity to bring potentially relevant information to the Commission's attention.

3 DIRECTION

11. The Commission accepts for the record of this proceeding (26-H100), the aforementioned letter from KFN dated August 6, 2026. Further, the Commission directs that the record for this proceeding (26-H100) be **reopened for the limited purpose of receiving additional written submissions relevant to CNL's application for the G1WF licence by current hearing participants** (i.e. CNL and intervenors, as well as CNSC staff). Only evidence submitted in support of statements contained in the application, interventions or in documents or supporting material filed with the Commission, will be accepted by the Commission. The Commission will not accept submissions from persons who are not already hearing participants.

¹⁰ SOR/2000-211.

12. Any participant wishing to provide an additional written submission may do so no later than **3:00 pm (ET) on September 28, 2026.**
13. Additional submissions must address matters relevant to the Commission's consideration of CNL's application. The reopening of the record is not an opportunity to introduce information unrelated to the matters before the Commission.
14. The Commission is satisfied that a short and clearly defined additional filing period appropriately balances the importance of procedural deadlines with the Commission's interest in ensuring that relevant perspectives are not excluded solely as a result of the expiry of the original intervention period.
15. The Commission Registry will provide instructions respecting the filing of submissions pursuant to this procedural direction and will make submissions available in accordance with the Commission's normal hearing processes and applicable requirements.
16. Following the expiry of the additional filing period, the Commission will determine whether it has obtained the information it requires to decide the matters before it. Unless otherwise directed by the Commission, no further information will be accepted after the record is closed.
17. This procedural direction does not constitute a finding or ruling on the merits of CNL's application, on any position advanced by an intervenor or other participant, or on any issue raised in the request to reopen the record. The Commission will consider the complete record before making its decision on CNL's application.
18. By providing this additional opportunity, the Commission seeks to ensure that its decision is based on a record that appropriately reflects the relevant information and perspectives brought forward in this proceeding, while maintaining a process that is fair, transparent and expeditious.

Dr. Marcel Lacroix
Commission Member
Canadian Nuclear Safety Commission

August 28, 2026

Date