Canadian Nuclear Safety Commission | Commission canadienne de sûreté nucléaire

CMD 26-M3.11
CMD 26-M4.9
CMD 26-M5.17
CMD 26-M6.7
CMD 26-M7.9

Date: 2026-01-28

Written Submission from the Nuclear Transparency Project

In the matter of the

Regulatory Oversight Report for Uranium Mines and Mills in Canada: 2024

Regulatory Oversight Report for Canadian Nuclear Laboratories Sites: 2024

Regulatory Oversight Report for Canadian Nuclear Power Generating Sites for 2024

Regulatory Oversight Report on the Use of Nuclear Substances in Canada: 2024

Regulatory Oversight Report for Uranium and Nuclear Substance Processing Facilities in Canada: 2024

Commission Meeting

March 2026

Mémoire du Projet de transparence nucléaire

À l'égard du

Rapport de surveillance réglementaire des mines et usines de concentration d'uranium au Canada : 2024

Rapport de surveillance réglementaire des sites des Laboratoires Nucléaires Canadiens : 2024

Rapport de surveillance réglementaire des sites de centrales nucléaires au Canada : 2024

Rapport de surveillance réglementaire sur l'utilisation des substances nucléaires au Canada : 2024

Rapport de surveillance réglementaire des installations de traitement de l'uranium et des substances nucléaires au Canada : 2024

Réunion de la Commission

Mars 2026

Document ID: QQQVZZNDK725-166150894-10144 (PDF)

Canada

nuclear transparency project

Website: www.nucleartransparency.ca
Email: info@nucleartransparency.ca

Submitted via email

January 28, 2026

To President Tremblay and Members of the Canadian Nuclear Safety Commission,

Re: All five of Canadian Nuclear Safety Commission Staff's Regulatory Oversight Reports for 2024

We would like to begin by thanking the Commission for this opportunity to provide comments on all five of the 2024 Regulatory Oversight Reports (ROR). We would also like to recognize the efforts of Canadian Nuclear Safety Commission (CNSC) staff, other Canadian civil society organizations, and Indigenous Nations for their informative publicly available materials and submissions on this matter.

NTP is also grateful for the comments in writing we have received from CNSC staff in response to our ROR intervention from last year. We were excited and grateful to see that some of our past recommendations were incorporated into some of this year's RORs. We look forward to continuing our dialogue with CNSC staff as our understanding of the licensees covered by this ROR deepens.

Table of Contents

About NTP

The Nuclear Transparency Project (NTP) is a Canadian-registered not-for-profit organization dedicated to supporting open, informed, and equitable public discourse on nuclear technologies. NTP advocates for robust public access to data and other types of information and helps to produce accessible analysis of publicly available information, all with a view to supporting greater transparency in the Canadian nuclear sector. NTP is comprised of a multi-disciplinary group of experts who work to examine the economic, ecological, and social facets and impacts of Canadian nuclear energy production. We are committed to interdisciplinary, cross-sectoral, and equitable collaborations and dialogue between regulators, industry, Indigenous nations and communities, civil society, members of host and potential host communities, and academics from a variety of disciplines.

About this intervention

NTP's intervention was made possible by CNSC funding through its Participant Funding Program (PFP). These submissions were drafted by NTP founder and coordinator Pippa Feinstein, JD LLM in collaboration with biologist Dr. Tamara Fuciarelli and data analyst and engineer Alan Rial, M. Eng. As all ROR proceedings this year will be considered at a single Commission meeting, our submissions have been provided in a single document. However, to ensure some consistency from previous years' ROR comments, we have maintained the format we used for past submissions for each ROR. You will find fiver separate sections below, one for each ROR. In each of these fives sections there are three parts: the first part contains a review of the current ROR; the second part contains recommendations to increase the amount of publicly accessible data collected by facilities that use nuclear substances; and the third part contains recommendations relating to procedural or administrative aspects of these ROR proceedings. This is NTP's fourth year commenting on CNSC staff's RORs and we continue to prepare our submissions in a way that builds on our previous years' recommendations, elaborating further or amending some of them and reporting on the progress of implementing others.

NTP Submissions relating to the Regulatory Oversight Report for Canadian Nuclear Laboratories Sites: 2024

NTP's review of this year's ROR

This is NTP's fourth year of comments related to the Regulatory Oversight Report (ROR) for Canadian Nuclear Laboratories (CNL) facilities and projects. Since the beginning, we have expressed an overarching concern about CNL having its own ROR. It appears inconsistent with the practice used for all other RORs of naming them according to licensed *activities* rather than the *licensees.* This year, we continue to recommended greater transparency in this ROR by renaming it a "legacy waste and decommissioning" report. This would more accurately depict the primary activity undertaken by CNL at all facilities and projects covered by this ROR. CNSC staff and CNL have since confirmed that its primary licensed activity is waste management, not laboratory research.

We continue to urge the CNSC to take a strong stance against public communications that diminish the significance of waste management in the nuclear fuel chain. This is an argument we outlined in more detail in our submissions relating to OPG's request to rename the Darlington Waste Management Facility in 2022.[1] These same arguments apply to this ROR: like all industrial processes, nuclear energy production produces waste. It is necessary and responsible for the CNSC to clearly communicate what these wastes are and how they are managed. In the case of legacy wastes, it is necessary to explain to the public how modern standards of waste management are being employed to remediate poorer historic waste management practices. Failing to do this clearly threatens to misinform the public, preventing members of the public from understanding the full breadth of the Canadian-regulated nuclear sector.

Recommendation 1: that this ROR be renamed as a "legacy waste and decommissioning" ROR.

While this first recommendation applies to the current ROR, NTP similarly recommends that waste issues in all RORs should be discussed more openly and prominently. The ROR relating to nuclear generating stations has done this to some extent, and the ROR relating to facilities that use nuclear substances has begun to do this more, all RORs can improve on this. To this end, we urge RORs for all categories of licensee to more prominently and transparently address issues of waste management.

[1] See: Nuclear Transparency Project, CMD 23-H9.25, "Written Submission Re: Ontario Power Generation's request to relicense the Darlington Waste Management Facility", December 5, 2022, online: https://www.nuclearsafety.gc.ca/eng/the-commission/hearings/cmd/pdf/CMD23/CMD23-H9-25.pdf and last year's ROR for CNL online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD24-M16-4.pdf.

Recommendation 2: that all RORs address waste management issues more prominently and transparently, whether in their respective report titles or else the ways these reports are structured.

In addition to this overarching concern related to public messaging, we would like to take this opportunity to resubmit another recommendation from our previous submissions relating to the CNL ROR reports. It relates to risk characterizations for identified non-compliances and the lack of quantitative information accompanying discussions of identified non-compliances and unplanned events.

In each year's RORs, identified non-compliances are invariably deemed by CNSC staff to pose no risk to the public or environment. However, either no data, or very little data, is provided to support and contextualize these risk characterizations. Last year, we expressed some concern over fire protection issues which remain at several CNL-managed facilities this year as well. CNSC staff had noted there were numerous non-compliances relating to fire safety at Chalk River (with fire protection reviews not being performed, non-compliance fire extinguisher installation, improper fire dampeners identification, egress aisles obstruction, non-compliance flammable storage containers, etc.). Last year, none of these identified non-compliances were deemed to pose any risk. This year, fire protection issues persist with Whiteshell Laboratories' overall fire protection systems still operating below CNSC staff expectations – even after measures to limit operations and the licence length for this facility based on its poor fire management system. Still, CNSC staff deem this issue to pose no risk to the public or local environment. Again, it remains unclear how multiple poor safeguards against fires – in contravention of regulatory standards – could be considered circumstances that pose no risk at all.

In this year's ROR, CNSC staff noted there were "missing required radiation field measurements as per the CECEUD Test Facility Storage with Surveillance Plan" at Chalk River. CNSC staff deemed this to pose no risk to the health and safety of workers.[2] However, in the event that there are missing measurements, how can CNSC staff or the licensee know that there is no resulting risk? More contextual factors such as other nearby ambient measurements, or data collected immediately before and after the missing measurements, should be discussed to support any findings of risk in this instance. But no such discussion is provided. An inspection at Whiteshell Laboratories this past year also noted a non-compliance relating to "the maintenance of sampling and analytical procedures". CNSC staff asserted the non-compliance did not pose a risk to the health and safety of workers, the public and the environment."[3] But again, in reference to a lack of sampling and analytical measurements or practices, how can Staff know? Where measurements are not taken, or measuring equipment is improperly used, there should be more context given for why staff would not be concerned. In the absence of this

[2] This year's ROR at p 9, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M4-ENG.pdf/object
[3] This year's ROR at p24, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M4-ENG.pdf/object

information, the public cannot understand the significance of these issues or their risk categorization.

In other cases, the data is known but not publicly disclosed. For example, the ROR explains, at Whiteshell Laboratories

> in September and November 2024, CNL reported action level exceedances to CNSC for pH measured in outfall liquid effluent samples (effluent samples were a monthly average of samples collected weekly). The pH measured was just below the acceptable pH range and was not expected to have any impacts on the Winnipeg River, the environment, or the public. CNL investigated the event, reviewed pH monitoring data from around the site, reviewed precipitation and river level data, and implemented a new sampling location along the Winnipeg River to monitor pH in intake water to the facility. After an investigation, this event was attributed to natural changes in the environment since recent monitoring data for the Winnipeg River has shown lower pH values than in the past and CNL had no known site activities that would have contributed to a low pH. CNSC staff were satisfied with CNL's response and the actions taken to investigate this event."[4]

With this data on hand, it could be easily shared with the public. Access to such data would facilitate a better understanding how significant these fluctuations in pH were and what changes in local surface water pH could mean for waterbody health in the vicinity of nuclear infrastructure.

While risk-informed and "graded approaches" to oversight and public communications remain a central guiding principle in Canadian nuclear regulation, the CNSC should also recognize other complimentary approaches such as proactive data disclosure. Where planned and unplanned releases to the environment are known – for example, where sampling results from existing monitoring programs or mitigation efforts are available – this available information and data should be publicly released regardless of predicted risks to environmental or public and worker health. Members of the public and civil society organizations vary in their science and data literacy. While some prefer to defer to the CNSC for general assurances of safety, wellbeing, and regulatory compliance, others have an interest in seeing and understanding how the CNSC comes to their determinations. A robust ROR would ideally cater to these differing needs, interests, and capacities.

As such, NTP recommends that wherever assessments of the risk or significance of noncompliance events are provided, CNSC staff should endeavour to provide the data in the main text of the ROR, or else hyperlink to publicly available data sources, that can speak to how these CNSC staff assessments were reached.

Recommendation 3: that CNSC staff publicly disclose more information and quantitative data to accompany their assessments of the risk and significance of identified non-compliances and reportable events, including environmental releases.

[4] This year's ROR at p25, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M4-ENG.pdf/object

Also this year's ROR, several identified non-compliances were difficult to understand due to missing contextual information. For example, one non-compliance at Chalk River related to "controls on environmental releases from the decontamination of personnel".[5] Are employees contaminating the local environment when decontaminating their protective equipment? If so, how often and how widespread is this practice? It is impossible to glean much from this description. Two other examples of non-compliance at Chalk River pertained to "a lack of formal training on waste segregation" and the "absence of secondary containment for a waste drum labelled as liquid waste". CNSC staff determined that the corrective actions taken by CNL to address these non-compliances were acceptable and thus, the non-compliances did not pose a risk to the health and safety of workers, the public and the environment."[6] However, the non-compliance descriptions do not facilitate a public understanding of exactly what happened. Why would insufficient waste containment and segregation not risk greater worker exposure or environmental release? Was this lapse a short-lived moment, and if so, how short? Or was the waste itself not-harmful? What exactly was this waste? Such information is likely at hand for CNSC staff and its inclusion in the ROR would improve the ROR's transparency.

Recommendation 4: that CNSC staff provide more contextual information to allow the public to better understand non-compliance events (or non-complying practices)

Relating to this point above, NTP is also concerned by the lack of transparency in CNSC staff's discussion in the ROR about CNL's non-compliant sewage releases in 2024, including CNL's handling of public communications surrounding the events. CNSC staff note in the ROR that the Sanitary Sewage Treatment Facility *Fisheries Act* non-compliance "was area of public concern", but do not say more on the matter.[7] In truth, the non-compliance triggered significant public concerns about both the event itself, as well as CNL's lack of transparency in their handling of it. Our understanding of this event is briefly outlined below, with a focus on public communications and associated transparency concerns.

Apparently, failed acute lethality tests were reported to the Spills Action Centre by February 21, 2024, Environment Canada received notice by March 8, and an enforcement officer issued a corrective direction to CNL on April 23.[8] Public notification was only published to the CNL website in late March, over a month after the event occurred. This notification stated "[t]esting indicates that the activated sludge (micro-fauna) that are part

[5] This year's ROR at p11, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M4-ENG.pdf/object
[6] This year's ROR at p19, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M4-ENG.pdf/object
[7] This year's ROR at p74, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M4-ENG.pdf/object
[8] Environmental, Science, & Engineering Magazine, "CNL says failed Chalk River sewage test will be investigated", June 26, 2024, online: https://esemag.com/hazardous-materials/cnl-says-failed-chalk-river-sewage-tests-will-be-investigated/.

of the treatment process have been disrupted".[9] In that notice, CNL did not disclose the date of the event, nor did they provide any description of the actual contaminants released, their concentrations, or volumes. A public update was posted to CNL's webpage in late April noting investigations to understand the event were still ongoing to understand what had happened.[10] Though the notice also stated that one of the research facilities had stopped it effluent releases and staff were receiving more training relating to non-compliant releases. CNL did not name or otherwise describe the implicated research facility nor did it release any further information or data relating to exactly what was released into the Kichi Sibi/Ottawa River. CNL published another update to its website in early May, however, in which the company again failed to provide any further information on the release, instead emphasizing its compliance history before the event and asserting that the non-compliance would not have resulted in any threat to the public or the environment.[11] CNL also stated, it

> "maintains a rigorous public information program that includes public and Indigenous access to information related to routine emissions, and non-routine items or events at Chalk River Laboratories. Local officials, key stakeholders and Indigenous communities were notified through direct contact at the time that events were reported on our external website. CNL is also providing bi-weekly progress reports to Environment and Climate Change Canada until the issue is resolved".

This update reads as more of an attempt to downplay the event than explain what had happened to the public. Its claims to have facilitated information also appear to be exaggerated. Chief Lance Haymond of Kebaowek First Nation expressed concerns at not notified of the event and sought explanation from the then federal Minister of Environment.[12] Ottawa Riverkeeper which has been a long-standing member of CNL's Environmental Stewardship Council was similarly not fully informed of exactly what happened or what had been released to the environment.[13] Subsequent CNL updates in May[14] and June[15] notified the public that no further violations had occurred and that operations were again compliant.

---

[9] Canadian Nuclear Laboratories, "Non-compliance in sewage effluent", March 27, 2024, online: https://www.cnl.ca/public_disclosures/non-compliance-in-sewage-effluent/.
[10] Canadian Nuclear Laboratories, "Update #1: non-compliance in sewage effluent", April 24, 2024, online: https://www.cnl.ca/public_disclosures/update-1-non-compliance-in-sewage-effluent/.
[11] Canadian Nuclear Laboratories, "Additional information on CNL's response to non-compliance in sewage effluent", May 3, 2024, online: https://www.cnl.ca/public_disclosures/additional-information-on-cnls-response-to-non-compliance-in-sewage-effluent/.
[12] See: Brett Forester, CBC News, "Toxic sewage discharged at Chalk River nuclear lab", May 2, 2024, online: https://www.cbc.ca/news/indigenous/toxic-sewage-chalk-river-nuclear-1.7191733 and Brett Forester, CBC News, "Environment minister responds to chief's concerns about toxic sewage spill at Chalk River", June 24, 2024, online: https://www.cbc.ca/news/indigenous/chalk-river-sewage-spill-minister-1.7241692.
[13] Ottawa Riverkeeper, "A report of toxic sewage from Chalk River raises concerns over transparency", May 9, 2024, online: https://ottawariverkeeper.ca/a-report-of-toxic-sewage-from-chalk-river-raises-concerns-over-transparency/.
[14] Canadian Nuclear Laboratories, "Update #2: non-compliance in sewage effluent", May 10, 2024, online: https://www.cnl.ca/public_disclosures/update-2-non-compliance-in-sewage-effluent/.
[15] Canadian Nuclear Laboratories, "Water quality issue at Chalk River Laboratories resolved", June 25, 2024, online: https://www.cnl.ca/public_disclosures/water-quality-issue-at-chalk-river-laboratories-resolved/.

Shockingly, months later, the Canadian press reported on communications between CNL and Atomic Energy of Canada Limited (AECL) communications teams relating to the non-compliance events. The communications were obtained via legislative Freedom of Information processes and revealed communications personnel attempting to draft public communications about the event that they felt were "suitably opaque".[16] According to those sources, company representatives were more concerned with how such an event would impact the image of nuclear industry than they were with notifying people about what was occurring at the site and its potential impacts on local water and biota. Journalists noted that CNL had refused press questions at the time as well[17], effectively denying another avenue by which the company could have informed the public about the event. Just as shockingly, the obtained documents also indicated that CNL was aware of a similar event occurring in 2022 with its cause still unknown by the time it happened again in 2024.[18] NTP was unable to find online any 2022 community bulletins from CNL noting this earlier event. CNSC webpages relating to event reports noted other Chalk River incidents for 2022 but not anything related to non-compliant sewage releases.

To date, no underlying cause for these events has been disclosed by CNL, nor has CNL released any data relating to the exact discharges involved. As investigations have already been conducted and reports long-since submitted to relevant authorities, this information is likely on file internally. This conduct falls short of CNL's own commitments to inform Indigenous communities and the general the public about routine and non-routine events as specified in its own Public Information Plan for its facilities.[19]

After learning about this issue through the press, NTP is particularly concerned with the way in which CNSC staff are also effectively diminishing this event and the licensee's poor communications in a way that fails to meet their own legislated information-sharing requirements.[20] When CNSC staff fail to discuss this episode at all in their ROR, and still find CNL to have responsibly met its public information disclosure requirements, it raises a series of concerns relating to the way staff understand their own duties to ensure transparency as a public regulator.

Since our first ROR submissions, shortly after our founding, NTP has consistently made the following recommendations relating to public notifications of non-compliances. We continue to resubmit these recommendations in our ROR submissions each year as a helpful starting place for future communications.

Recommendation 5: for identified non-compliances, NTP recommends that future RORs include descriptions of the nature of the non-compliance, their cause, explain their

---

[16] See: Brett Forester, CBC News, "Inside the 'suitably opaque' response to a toxic sewage spill at Chalk River nuclear lab", August 20, 2024, online: https://www.cbc.ca/news/indigenous/chalk-river-sewage-foi-documents-1.7299822.
[17] *Ibid.*
[18] *Ibid.*
[19] Canadian Nuclear Laboratories, "Public Information and Disclsoure", section 2, online: https://www.cnl.ca/wp-content/uploads/PIP-rev-10.pdf.
[20] Section 9(b) of the *Nuclear Safety and Control Act*, SC 1997, c9.

significance (with any associated data values in the case of resulting environmental or dose releases), and explain whether or how the non-compliance is resolved.

Recommendation 6: for release events, NTP recommends future RORs share the following information:

a. *The date, time, and duration of the event;*
b. *Location of the event;*
c. *Any measured releases to the environment on- and/or off-site. Here, concentration and/or activity (preferably in sieverts or grays in addition to becquerels) and volumes should be provided. If no measurements are taken, reasons for this should be provided along with estimated release concentrations and volumes;*
d. *Relevant licence limits, i.e. facility-specific action levels, derived release limits as well as applicable regulatory environmental standards or release limits; and*
e. *A description of any mitigation and follow-up monitoring efforts, including any available monitoring data.*

There are several other instances in the ROR, unrelated to non-compliances or event reports, in which more context would be helpful. This applies to how environmental releases are reported. For example, total annual environmental releases from facilities are only noted as percentages of facilities' Derived Release Limits (DRLs). The exact values for these releases are not provided. DRLs can be orders of magnitude greater than Action Levels or actual releases themselves. As such, only expressing releases as percentages of DRLs obscures what is actually occurring at these facilities. This kind of messaging also works to diminish the real and measurable releases from facilities, frustrating public understandings of facilities' impacts on the environment. In another example, the ROR notes that "sewage lagoon effluent was discharged once from Whiteshell Laboratories in 2024"[21] without describing what this effluent contains or in what volumes it was released. Again, without a clear description of what is being released and how much, the public cannot properly understand what is being reported or its significance.

Recommendation 7: that all releases noted in the ROR should clearly explain release volumes, all contaminants released and their concentrations, and provide a location at which the release occurred.

There are two other instances in which more contextual information was required but lacking from this ROR. One relates to CNSC staff's note that "environmental monitoring programs at [the Douglas Point Waste Management Facility are] not required."[22] The ROR does not explain why the facility differs from others in this category of licensee. However, from NTP's past meetings with Bruce Power relating to the Bruce Nuclear Generating Station, we learned that some environmental monitoring at the Bruce site can effectively cover the Douglas Point facility. Perhaps this is a reason for the Douglas Point Waste

[21] This year's ROR at p25, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M4-ENG.pdf/object
[22] This year's ROR at p45, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M4-ENG.pdf/object

Management Facility not needing its own environmental monitoring plan, though it is not specified in the ROR. There may be another reason. Either way, it should be explained to the public. The ROR similarly notes that the Nuclear Power Demonstration facility would not require an environmental monitoring plan. CNSC staff state, "CNL provided rationale for not triggering requirements under CSA N288.4 for NPDWF; thus determining that environmental monitoring programs at these facilities were not required. CNSC staff assessed CNL's information and concluded as such.[23] Here, NTP does not understand this development as the facility still periodically emits contaminants into the environment and is still maintained pending a decision on the nature of its permanent management. Again, CNSC staff should publicly disclose the rationale for this decision.

Recommendation 8: that CNSC staff provide more explanation, including rationales, for exempting facilities from the need to have environmental monitoring plans

Each year in this ROR, we are often surprised to read about new facilities and projects emerging at the Chalk River site. These new projects and facilities tend not to be announced via the "Commission News" public communications emails, nor are they noted or explained on the CNSC website (which maintains webpages for most regulated facilities, including the Chalk River site).

The most recent case of this involves the Unique Integrated Test Facility (UNITY-2), described in the current ROR. The earliest mention of this project we could find online was published by CNL to their website as construction had already begun in mid-late 2025.[24] The project will see CNL "develop, install and operate a fusion fuel cycle test loop and associated support infrastructure at the CRL site" in partnership with Kyoto Fusioneering (KF). This project would require the construction of "fusion reactor fuel cycle components, including a lead-lithium eutectic loop where tritium will be stored, a vacuum sieve tray system for extraction of tritium from the lead-lithium eutectic blanket, tritium handling and processing, as well as cooling and ventilation systems". Once the system is operational, CNSC staff also note that CNL would share the facility with third parties, or "other external organizations" for "component testing".[25] CNSC staff explain that they "determined that the activities associated with the UNITY-2 project were within the current licensing basis and CNL was advised that they could proceed with the expansion and modification of the current Tritium Facility to support the work associated with the UNITY-2 project". CNSC staff continued, "[t]his conclusion was predicated on the fact that the proposed activities are consistent with the operations of the current Tritium Facility, with similar radiation and contamination hazards, and that the proposed project involves tritium levels that fall within the current operational limits and conditions of the facility".

[23] This year's ROR at p63, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M4-ENG.pdf/object
[24] Canadian Nuclear Laboratories, "A sneak peak inside CNL's tritium facility: Raising Unity-2 at Chalk River Laboratories", online: https://www.cnl.ca/a-sneak-peek-inside-cnls-tritium-facility-raising-unity-2-at-chalk-river-laboratories/
[25] This year's ROR at p84, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M4-ENG.pdf/object.

NTP is concerned over the lack of transparency surrounding the emergence of this project as well as the lack of transparency that appears to characterize its future operations. CNSC staff's brief note that the facility will have "similar radiation and contamination hazards" is insufficient to support public understandings of this project and its potential effects. What exactly will be the physical footprint of the facility? How will construction and operation affect on-site environmental components (plant and animal species, wetlands or watercourses, etc.)? While the facility may not directly impact Chalk River's ability to meet its DRLs, would it impact the much lower and protective Action Levels? Exactly what will be emitted by this new facility and in exactly what quantities? How many people will be employed by this new facility, what will their activities be, how will these activities affect are their risks of exposure, and how will they be protected? CNL and CNSC should make this information available to the public as soon as possible. In the future, the public should be better informed and engaged about new facilities proposed for the Chalk River site.

Recommendation 9: that CNL and CNSC staff publicly disclose clearer descriptions of the Unique Integrated Test Facility (UNITY-2) including: associated estimated worker and public dose exposures, estimated environmental releases for all potential contaminants involved in operations; a description of all wastes that will be produced by the facility and how they will be managed; and more detailed descriptions of construction work and timeframes associated with the project.

It also remains unclear from ROR materials and sources online whether Anishinabeg Algonquin communities and leadership were consulted or their permission sought for this and other new facilities and projects on the Chalk River site. NTP supports Indigenous Nations as decision-makers in these matters and we support the application of Indigenous law on these Nations' lands. The ROR should be clearer about this point so that the public and civil society organizations can understand our obligations with relation to developments on the Chalk River site and their impact on Indigenous governance, local lands and waters,

Recommendation 10: that CNSC staff clarify in future RORs the position (including permission or refusal) of Indigenous Nations' on new projects at the Chalk River site.

The final portion of this year's ROR that we will discuss in these submissions relates to fuel transportation from the Gentilly-1 facility to Chalk River. The ROR notes, "In 2024, CNL was notified of CNSC staff's assessment of the G1WF fuel transfer project. CNSC staff determined that the activities associated with the fuel retrieval and storage were within the current licensing basis". However, CNSC staff continue,

> The decision to grant CNL the approval to ship spent fuel was predicated on the fact that there would be minimal impact to the health and safety of workers, the public and the environment, as a result of these activities. CNSC staff also concluded that CNL met all of the regulatory requirements in order to ship the fuel safely. As part of the regulatory approvals required for this project, CNL submitted an updated Facility Authorization (FA), and a Nuclear Safety Note (NSN) for the storage of spent fuel at WMA-G, a safety assessment of the retrieval of the spent fuel from storage at the G1WF, as well as a safety analysis of the transportation

package that would be used to ship the fuel. CNL also applied for a license to transport, submitted a transport security plan, as well as obtained agreement from the IAEA to move the spent fuel from the G1WF to the CRL site."[26]

CNSC staff noted the first shipments of waste from Gentilly began in December 2024 and were completed by July 2025.[27]

NTP obtained and reviewed the licence and Licence Conditions Handbook (LCH) granted to the Getnilly-1 facility by the CNSC Commissioners in 2019. We were able to confirm that the original licensing basis did not include the ability to transport any waste off-site. The LCH indicated that the section relating to transport was not applicable to the license.[28] Amending this portion of the licensing basis would constitute a significant change. However, Appendix E to the ROR does not note any change in the licence or Licence Conditions Handbook for the Gentilly-1 facility.

By CNSC staff's own admission, their approval for transportation required new safety assessments and analyses, new licenses to transport, a transportation security plan and IAEA agreement. The fact that this was all undertaken with no notice to the public or opportunity for public comment is deeply concerning. Significant changes to licensing bases for regulated facilities should be subject to public notification and comment periods. Communities along the transport route should be informed about, and have the opportunity to comment on, the wastes travelling along their local highways and roads. Communities nearby to Chalk River should be informed about, and have the opportunity to comment on, the import of new wastes. The assessments upon which the licence amendments were made should be publicly disclosed.

Recommendation 11: that CNSC staff publicly release the safety assessments and analyses used to permit the transport of wastes from Gentilly-1 to Chalk River.

NTP's review of publicly accessible data for CNL facilities

This year, NTP has continued to audit CNL's proactive online disclosures as well as the ways CNL's facilities and projects are covered on the CNSC website. We have also updated our analysis of National Pollutant Release Inventory (NPRI) data posted for CNL facilities on the Open Government data platform. NTP hopes to publish this work soon, and has discussed preliminary findings with CNSC staff and undertaken to contact licensees in advance to ensure our findings are fair and accurate.

NTP understands that the CNSC is in the process of developing the requisite regulatory and technical infrastructure for wider data disclosure and that this will take time. Our

[26] This year's ROR at p82, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M4-ENG.pdf/object.
[27] This year's ROR at p83, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M4-ENG.pdf/object.
[28] Licence Conditions Handbook, WFDL-LCH-W4-331.00/2034, Prototype Waste Facilities – Waste Facility Decommissioning Licence, Gentilly-1 Waste Facility, Revision 1, July 2019, at p 30.

organization will continue to support this work through recommendations in our interventions as we learn more, and through our involvement in working groups and other regulatory and public consultation fora relating to government open access data.

At this time, NTP resubmits two general recommendations from our previous ROR interventions relating to two immediate improvements that could be made to publicly available environmental data for CNL facilities and projects:

Recommendation 12: that groundwater and stormwater data for all CNL facilities be disclosed via the Open Government Portal.

Recommendation 13: that specific baselines, relevant Derived Release Limits, and Action Levels be posted in separate columns in datasets uploaded to the Open Government Portal so that the public can better contextualize reported release values.

In previous years, we had recommended for all tables in RORs to be made machine readable. Some RORs, including the ROR for CNL facilities, had input their tables as images requiring us to manually upload information to our records in order to make them machine-readable. With the new ROR formats, tables for all RORs are machine-readable, making our review and analysis much easier and less time-consuming. We are grateful for this development and thank CNSC staff.

Last year while conducting our audit of publicly available information relating to CNL facilities, we found several instances of potential noncompliance with CNSC requirements for public disclosures of Environmental Risk Assessments (ERAs). CNSC REGDOC 3.2.1 requires licensees to create and implement specific public information and disclosure programs that structure and delineate requirements for communicating with the public about their operations and activities. This REGDOC is included by reference in Licence Control Handbooks for licensees, making its contents legally mandatory as binding licence terms. Section 2.2.4 of REGDOC 3.2.1 states:

> The public information program shall provide open and transparent means and access for the public to obtain desired operational, environmental and safety information about the licensed facility or activities. As part of this program, if a licensee is required to conduct an environmental risk assessment (ERA) and/or a probabilistic safety assessment (PSA), the ERA and a summary of the PSA must be posted on the licensee's website.[29]

According to our review, a 2018 ERA is posted online by CNL for Chalk River Laboratories, though a 2023 ERA should also have been posted and is not. For Whiteshell Laboratories, a 2024 ERA has been posted online, but a separate for their site's lagoon and landfill has not been posted online. Gentilly-1 and the Douglas Point Waste Management Facility both have their most recent ERAs posted from 2025. However, no ERAs appear available online for the Nuclear Power Demonstration site. CNSC staff have

[29] Canadian Nuclear Safety Commission, REGDOC 3.2.1 Public Information and Disclosure, online: https://www.cnsc-ccsn.gc.ca/eng/acts-and-regulations/regulatory-documents/published/html/regdoc3-2-1/.

not addressed these discrepancies in this year's ROR, despite our recommendation last year that they do this in case the issue persisted for another year.

Recommendation 14: that CNSC staff enforce the regulatory requirement for CNL's ERAs to be proactively publicly disclosed. Should CNL still not upload their ERAs in the next year, CNSC staff should address this non-compliance in future RORs and explain why the issue persists.

NTP's recommendations for future ROR intervention processes

In our first years of ROR submissions, NTP had requested more time to prepare our ROR interventions. During our second and third years of preparing ROR submissions, the CNSC responded by increasing the amount of time between funding decisions, ROR publication, and the final due dates for intervenors' written submissions. This was greatly appreciated and allowed us to allocate more time to our research and drafting. Last year, we expressed our gratitude to the CNSC Registry for maintaining the longer deadlines and continuing to provide consistency between these new timelines from year to year. This year, however, participant funding applications opened months later than they ever had. No public notices or communications accompanied this change. Further, applications were for all five ROR proceedings were included in a single form – a practice differing substantially from all previous years where funding applications were staggered ad only one or two required at a time. Again, no communications acknowledging the change accompanied the funding notice. When NTP received our Contribution Agreement with our funding decision, it was unclear whether a single submission was required for all RORs – something we clarified by mail with the Participant Funding Program staff.

While this change may sound small, it has had significant impacts on our work this year. The uncertainty in funding timeframes, and resulting uncertainty about when submissions may be due to the Commission, made it difficult to ensure contributors' availability to take on this work. Further, grouping all applications and submissions together has in effect significantly shortened the timeframe we have for researching and drafting submissions. This time period also spanned the winter holidays, effectively removing two weeks from the intervention time period where meetings were difficult to schedule and information requests were on hold due to many people traveling and/or balancing family commitments.

Recommendation 15: that timeframes for ROR interventions provide at least 14 weeks between funding decisions and final submission due dates; at least 10-12 weeks between the publication of RORs and final submission due dates; and that these dates for each step of the ROR process remain consistent from year to year.

For three years now, NTP has also requested the ability to present oral submissions at Commission meetings to consider RORs. This used to be an automatic privilege afforded all those who prepared ROR interventions, but in recent years has only been extended to intervenors when RORs coincide with mid-term licensing updates from specific facilities.

With longer licence terms being approved for nuclear facilities over the last few years, and smaller panels of CNSC Commissioners being convened for licence hearings, opportunities for civil society organizations to engage with Commissioners has become increasingly limited. Interacting with Commissioners during meeting and hearing proceedings has the potential to significantly improve the quality of engagement with intervenors' submissions, offering more opportunity for mutual learning and increased familiarity with organizations' advocacy priorities and the CNSC's mandate and approach to related issues. Further, as there are generally few substantive interventions[30] for each ROR, allowing each of them to make oral submissions should not take too much time or prolong meetings significantly.

Recommendation 16: that opportunities to make oral submissions be extended to all intervenors, ensuring more meaningful opportunities to contribute to the public record for these ROR proceedings.

NTP would also recommend that CNSC staff institute a more detailed method to track all intervenors' substantive concerns from year to year. Currently, Appendix F of this year's ROR outlines general areas of concern for all intervenors according to CNSC-identified themes and only Indigenous intervenors' concerns are noted in any detail. Again, the low volume of substantive interventions should not this make more detailed tracking an onerous task. It would also more transparently convey what progress, if any, is made on individual issues raised by intervenors from year to year.

Recommendation 17: that CNSC staff institute a more detailed method to track all substantive interventions from year to year.

Finally, the review of PFP funding criteria is an outstanding item that NTP would again like to propose for the CNSC's consideration. The scoping of ROR interventions by the funding grants and conditions intervenors receive can effectively shape the substantive content of ROR proceedings and impact the public record and any outcomes from Commission meetings. Developing a broader definition of the types of analysis and experts eligible for funding could expand the scope of funded interventions while still remaining consistent with the Commission's mandate.

Recommendation 18: that the CNSC's PFP develop more specific and expansive intervenor funding criteria, in consultation with members of the public and public interest organizations.

[30] Here, we are using the term "substantive interventions" to distinguish them from the letters of support or other types of intervention that do not engage with the specifics of RORs or provide any specific findings or recommendations.

NTP Submissions relating to the Regulatory Oversight Report on Nuclear Generating Facilities in Canada: 2024

NTP's review of this year's ROR

Generally, the ROR for generating facilities has the least amount of data compared to most other RORs, especially when compared against the RORs for uranium and nuclear processing facilities and uranium mines and mills. While NTP recognizes that the volume of environmental data from nuclear generating stations is high, some summary by CNSC staff in their ROR would assist members of the public in their understanding of facilities' operations each year. NTP understands how demanding RORs must be to prepare. The size and complexity of nuclear generating stations must make this a particularly challenging ROR. The more we learn about each generating station, the more we realize how much more there is to understand. However, we still believe the public interest merits more disclosure than is currently provided. We make the following observations and recommendations with a view to how making relatively small changes could make significant improvements in transparency.

Two years ago, NTP recommended that CNSC staff comment on the feasibility and desirability of providing summaries of environmental data in its ROR similar to what is done in RORs for uranium and nuclear substance processing facilities and uranium mines and mills. In their supplemental CMD, CNSC staff noted they "acknowledged the request and would consider its application for future RORs".[31] However, NTP has still not noticed any statement from CNSC staff on the feasibility of summarizing more data in future RORs. Further, we have not noticed a significant increase in information or data included in this year's ROR. As such, we would like to resubmit our recommendation to CNSC staff, asking them to comment on any potential barriers there may be to providing greater data disclosure in future RORs.

Recommendation 1: that CNSC staff identify current barriers they may face preventing them from providing summaries of environmental data in its ROR

There are also several areas in the ROR where information is provided without sufficient explanation or context to facilitate public understanding and transparency. For the last two years, NTP has discussed this in the context of Fitness for Service portions of the ROR. Two years ago, tables were provided for each generating station in that ROR noting the number of maintenance works in different categories, and commenting on whether that number was greater or less than previous years or other facilities. No definitions were

[31] CNSC staff, CMD 23-M36.B, December 6, 2023, online: https://api.cnsc-ccsn.gc.ca/dms/digitalmedias/CMD23-M36-B.pdf/object, at p 6.

provided for the different categories of maintenance work and no descriptions of the relative severity of listed maintenance works were provided either. At that time, we noted that it was impossible to gauge the significance of maintenance works or backlogs based on the information provided and that more explanation and context was required for the table.

Last year, no tables were provided in that ROR, nor were any maintenance categories noted. Instead, general completion ratios for all backlogged maintenance work were given as general percentages. We explained that that was a further step backwards from the year before. Last year's ROR had further frustrated the public's ability to understand the nature of these maintenance activities and what they required, why they had been delayed, and how their completion was ultimately assessed by CNSC staff. We also explained that as Canadian nuclear generation stations are many decades old, operating toward the end of their design lives (if not operating beyond them) maintenance was a particularly significant issue. We recommended more information on this issue in future RORs.

This year, summaries of maintenance work was again provided without tables for the four operational nuclear generating stations: Darlington Nuclear Generating Station (DNGS), Pickering Nuclear Generating Station (PNGS), Point Lepreau Nuclear Generating Station (PLNGS), and Bruce Nuclear Generating Station (BNGS). As shown below, the types of maintenance action noted in the ROR were not explained. Further, there was little consistency between the types of maintenance action noted for each generating station. For some maintenance work, completion ratios were given as percentages, while others were assigned more vague characterizations of "low" and "very low" (with no accompanying definition for what constituted a "low" or "very low" threshold).

- The DNGS's critical corrective maintenance backlog, deficient maintenance backlog, and the number of critical preventive maintenance deferrals were characterized as "low" by CNSC staff. Darlington's "preventive maintenance completion ratio" was 95%, which was deemed acceptable;[32]
- The PNGS's critical corrective maintenance backlog was characterized as "very low", while its average preventive maintenance completion ratio was 98%, which was deemed acceptable;[33]
- PLNGS's critical corrective maintenance backlog and the number of critical preventive maintenance deferrals was characterized as "low". The critical deficient maintenance backlog was characterized as being "above the industry average" but still "significantly reduced" since middle of 2024. The average preventative maintenance completion ratio was approximately 96% with staff noting no significant concerns;[34]

[32] This year's ROR at p33, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.
[33] This year's ROR at p55, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.
[34] This year's ROR at p116, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.

- BNGS's critical corrective maintenance backlog, critical deficient maintenance backlog, and the number of critical preventive maintenance deferrals at BNGS A and B were characterized as "very low". The average preventative maintenance completion ratio was approximately 95% for BNGS A and 89% BNGS B, which was deemed acceptable.[35]

This discussion remains opaque and unconducive to a working public understanding of what kinds of maintenance work is required at these generating stations, what work is undertaken, and what this means for the responsible operation of these facilities. More consistency, context, and explanation is required on this issue in future RORs.

Recommendation 2: that future RORs for nuclear generating facilities include more detailed discussions of maintenance work at regulated facilities including a description of the maintenance work required, why it was delayed, what was done to complete the work and how its completion and quality were assessed by CNSC staff.

Another example of an area in which more information should be included in the ROR, in order to facilitate greater public understanding and transparency, relates to reportable events and instances of licensee non-compliance. Here, we will focus our discussion more specifically on radiation protection and environmental releases. Currently, the ROR notes the numbers of non-compliances according to Safety Control Areas for each licensee, but does not consistently describe these non-compliances, any measured impacts resulting from non-compliance, or corrective measures taken and how they were assessed by CNSC staff. While some of this information may be provided in some instances, other information in other instances, the inconsistencies make these portions of the RORs difficult to understand in real terms. This is also true for Action Level exceedances and unplanned release events, where their descriptions in the ROR are sometimes accompanied by real values (volumes or concentrations) of released materials, while other times they are merely described as "negligible" without any further information provided to support this characterization. Reviewing the Event Initial Reports linked to in the ROR, we have found similar inconsistencies and a lack of accompanying data. This ROR would benefit from more consistency in this area as well.

For the BNGS,

- the ROR notes that in August 2024, a quarterly acute lethality test failed for Active Liquid Waste (ALW) at BNGS-B (part of their Radioactive Liquid Waste Management System). The ROR notes a sample from the effluent returned with an 80% mortality for daphnia magna, exceeding the 50% provincial regulatory limit. The Ministry of Environment, Conservation and Parks (MECP) was informed and CNSC staff received an event report. However, the ROR proceeds to assure the reader that "Bruce Power's response to this event was acceptable".[36] CNSC staff do not explain whether this event involved any harmful discharges to local water,

[35] This year's ROR at p84, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.
[36] This year's ROR at p88, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.

they do not disclose which contaminants were in this wastewater, nor do they describe how the situation was remedied;

- CNSC staff noted "daily composite samples of Total Suspended Solids (TSS) in the Bruce B Water Demineralization Plant effluent exceeded the provincial daily concentration limit for TSS (70 mg/L) outlined in the Bruce B Environmental Compliance Approval; with TSS measured at 75.2 mg/L, 70.8 mg/L, and 72.9 mg/L respectively".[37] But no mention is made of follow-up or corrective actions to address the exceedances.

At the Western Waste Management Facility, two non-compliance were noted briefly in passing that required more explanation: one that CNSC staff only note involved "the integrity of a few legacy waste wooden crates in storage" and another in which an unspecified number of "radioactive packages" had not been labelled.[38] CNSC staff do not disclose exactly what kinds of wastes were contained in these crates and packages, how labeling was corrected, or how the crates were subsequently contained. From the lack of CNSC description and explanation, it is impossible to understand the significance of these two non-compliance events.

Other examples from the DNGS include:

- An inspection relating to drug and alcohol use which the ROR notes "resulted in a total of 7 findings (3 of which were of low safety significance) for which OPG is implementing corrective actions". The ROR states that "CNSC staff are satisfied with OPG's progress to date".[39] But their findings are never described. While three are considered "of low safety significance", that leaves four which CNSC staff may be implying were of higher safety significance. These are highly relative and vague terms and the public should not be left to try to interpret implicit messaging relating to regulatory inspections;
- CNSC staff noted a Unit 1 shutdown system 1 (SDS-1) and shutdown system 2 (SDS-2) were "actuated as a result of a manual valve being incorrectly positioned and not reflected in the plant status software" The ROR noted that CNSC staff conducted a "reactive inspection" including an investigation into the root cause of the event. CNSC staff then confirm that they completed the investigation and that they will "continue to review and monitor the corrective actions", but never disclose what the root cause was nor what corrective actions were required;[40]
- CNSC staff explained that in 2024 they "continued to follow up on [a] Notice of Non-Compliance (NNC) related to online temperature monitoring identified in a type II EQ inspection conducted in 2021)". The ROR noted "OPG has a corrective action plan (CAP) in place to address the issue, with a target completion date of

[37] This year's ROR at p88, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.
[38] This year's ROR at p101, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.
[39] This year's ROR at p28, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.
[40] This year's ROR at p29, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.

June 2025" and that "CNSC staff find that there is no undue risk to safety of the plant systems, structures, or components due to this issue".[41] However, the non-compliance is not described, nor is the action plan for addressing the non-compliance. Further, there is no explanation of why this issue has been ongoing for so many years. With such high-level language and no accompanying descriptions, the public is unable to understand this event at all.

For the PNGS,

- CNSC staff noted a routine radiation surveys not completed at the required frequency but determined this was a non-compliant finding of low safety significance. An inspection had found that "radiation monitoring equipment [had not been] calibrated at the required frequency". No enforcement items were raised for the non-compliance and CNSC staff noted they were satisfied with OPG's corrective actions on the issue."[42] In the event that there are potentially inaccurate measurements being collected on site, how can CNSC staff or the licensee know that there is a low safety significance? More contextual factors such as other nearby ambient measurements, or data collected immediately before and after the poorly calibrated measurements, should be discussed to support any findings of risk in this instance, but no such discussion is provided. environment."[43]

For the PLNGS,

- CNSC staff noted an issue with on-site inspections not being performed properly. The ROR states, "inspection criteria did not reflect previous examinations results, examination results were not compared to previous results, and a review by a qualified professional engineer was not documented." Despite this concerning finding, CNSC staff only considered the non-compliance to be of low-safety significance;[44] and
- Another example relates to "routine surveillance to [the] use of tape for leak mitigation". CNSC staff note this lead them to find "inconsistencies in system classification" causing "uncertainties" that impacted their ability to determine compliance with relevant codes and standards. Bruce Power addressed the inconsistencies, but CNSC staff still made a series of recommendations for improvement.[45] In another inspection relating to the use of tape to mitigate leaks, CNSC staff learned of "inadequate written procedures and instructions" relating to temporary leak repairs.[46] Here the issues are described at such a high level, it is

[41] This year's ROR at p31, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.
[42] This year's ROR at p57, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.
[43] This year's ROR at p24, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.
[44] This year's ROR at p117, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.
[45] This year's ROR at pp112-113, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.
[46] This year's ROR at p116, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.

difficult to discern exactly what is they are referring to or the significance of CNSC staff findings.

For Gentilly-2,

- CNSC staff note that Hydro-Québec "requested the release of [a] large volume of water contained in the main storage pool and auxiliary pools at the Gentilly-2 Facilities". CNSC staff state that they "reviewed the submission and contacted Environment and Climate Change Canada (ECCC) for their input. ECCC staff provided comments, which were forwarded to Hydro-Québec in January 2025."[47] CNSC are silent on potential contaminants in this water (what they are and the concentrations in which they are present) as well as the exact volume of the requested discharge. Further, the discharge location is not specified. Without this information it is difficult to understand the significance of this development.

Recommendation 3: for identified non-compliances, NTP recommends that future RORs include descriptions of the nature of the non-compliance, their cause, explain their significance (with any associated data values in the case of resulting environmental or dose releases), and explain whether or how the non-compliance is resolved.

Recommendation 4: for release events, NTP recommends future RORs share the following information:

f. The date, time, and duration of the event;
g. Location of the event;
h. Any measured releases to the environment on- and/or off-site. Here, concentration and/or activity (preferably in sieverts or grays in addition to becquerels) and volumes should be provided. If no measurements are taken, reasons for this should be provided along with estimated release concentrations and volumes;
i. Relevant licence limits, i.e. facility-specific action levels, derived release limits as well as applicable regulatory environmental standards or release limits; and
j. A description of any mitigation and follow-up monitoring efforts, including any available monitoring data.

Relating to non-compliances, NTP has also noticed that rates of non-compliance during inspections at nuclear generations stations generally seem relatively high: approximately 30% of inspection findings identified instances of non-compliance for the PNGS;[48] a 25% non-compliance rate for inspection findings for the BNGS;[49] a 24% non-compliance rate for inspection findings for the DNGS;[50] and a 22% non-compliance rate for inspection

[47] This year's ROR at p129, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.
[48] This year's ROR at p48, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.
[49] This year's ROR at p73, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.
[50] This year's ROR at pp22-23, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.

findings for the PLNGS.[51] In future RORs, it would be helpful for CNS staff to discuss these non-compliance rates and CNSC staff's approaches to understanding their significance.

Recommendation 5: for CNSC staff to provide some analysis in future RORs of the significance of nuclear generating stations' rates of non-compliance in total inspections each year.

Last year, we noted some concern that hyperlinks to licensees' websites were used as references for the first mentions of those facilities in the ROR. In several cases, the hyperlinked websites were for the licensee themselves and non-facility specific. Hyperlinks to the CNSC webpages for these facilities are only provided a few pages later. NTP submitted that future RORs should only provide hyperlinks to CNSC facility-specific webpages. We argued the practice of linking to the Commission's own webpages for facilities would be more consistent with the Commission's core mandate to disseminate objective information. This recommendation does not appear to have been accepted or implemented in this year's ROR, [52] so NTP would like to resubmit it for consideration at this time.

Recommendation 6: that future RORs prioritize hyperlinking to facility-specific CNSC webpages and not licensee websites.

Finally, CNSC staff note in this year's ROR that they approved Ontario Power Generation's (OPG's) request to decrease the frequency of operation reporting for the Darlington Waste Management Facility from quarterly to annual reporting.[53] NTP is concerned about any implications this may have for the recent neutron exposure issue that was recently discovered by International Atomic Energy Agency (IAEA) officials. While investigations into this issue are ongoing, questions remain about how long this has been an issue and why IAEA officials were able to identify it rather than OPG's monitoring networks or past CNSC inspections. If there was a failing on the part of OPG to detect the neutron exposure, less frequent environmental reporting would not be a reasonable response. If there was no fault, but more frequent monitoring and inspection identified an issue as it began, this would also merit the continuation of more proactive monitoring and reporting. Further, OPG posts quarterly environmental reports to its website for the Darlington site. NTP regularly relies on these and other posted reports for our work. It remains unclear whether a move to annual reporting would also result in fewer public disclosures. Fewer and less frequent public reporting would be a step backwards for transparency.

---

[51] This year's ROR at p104, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.
[52] This year's ROR at pp7 and 8-9, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.
[53] This year's ROR at p42, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M5-ENG.pdf/object.

Recommendation 7: that CNSC further explain and contextualize their approval for OPG to decrease the frequency of its operation reporting for the Darlington Waste Management Facility. It would be especially helpful if CNSC staff could include an assessment of the implications of less frequent reporting for OPG's routine public disclosures.

NTP's review of publicly accessible data for generating facilities

For the last three years, NTP has been making a series of recommendations to improve the breadth of data disclosures. We also continue to advocate for greater standardization of reported data between nuclear generating facilities. In our recent submission to the Commission relating to proposed amendments to REGDOC 3.2.1 as well as our past submission for the midterm licence update for the BNGS, NTP also made recommendations relating to the need for greater transparency and standardization of licensees' interactive online applications ("apps") used to convey environmental monitoring data.[54]

At the Commission meeting for the Bruce Power mid-term licence update, CNSC staff noted they were not "ready yet to regulate applications" nor were they "planning to do that in the near future".[55] Rather, CNSC staff undertook to "work with the licensees, with the applicants and members of the public to make sure that the flow of information is optimized and efficient for the purpose".[56] CNSC staff have also since confirmed that the "CNSC will collaborate with the licensees and members of the public to facilitate the optimized presentation of environmental data that is made publicly available by licensees" with the caveat that this would not extend to licensees' apps, noting "However, CNSC does not plan to regulate the information shared by the licensees in their online applications that share environmental data".[57]

NTP would like to take this moment again to clarify that the regulation of these emerging apps should not significantly differ from the way CNSC staff regulate any other method by which licensees share their monitoring data. Rather, as a nuclear regulator with a mandate to share technical information with the public, we believe that the CNSC should work to verify the accuracy and comprehensiveness of these apps to ensure they do not confuse or mislead the public. We addressed this in more detail in part four of our submissions regarding REGDOC 3.2.1.[58]

As we progress in our audit of publicly available information for Canadian-regulated nuclear facilities, we will generate further recommendations on this and related issues.

---

[54] Nuclear Transparency Project, Written Submission for Bruce Power Mid-Term Update of Licensed Activities, CMD 23-M27.29, August 3, 2023.
[55] Transcripts from September 20, 2023, Commission Meeting to Consider Bruce Power Mid-Term Update of Licensed Activities, at p 165.
[56] *Ibid*
[57] CNSC staff, CMD 23-M36.B, December 6, 2023, online: https://api.cnsc-ccsn.gc.ca/dms/digitalmedias/CMD23-M36-B.pdf/object, at p 7.
[58]

NTP's recommendations for future ROR intervention processes

In our first years of ROR submissions, NTP had requested more time to prepare our ROR interventions. During our second and third years of preparing ROR submissions, the CNSC responded by increasing the amount of time between funding decisions, ROR publication, and the final due dates for intervenors' written submissions. This was greatly appreciated and allowed us to allocate more time to our research and drafting. Last year, we expressed our gratitude to the CNSC Registry for maintaining the longer deadlines and continuing to provide consistency between these new timelines from year to year but expressed concerns that the ROR meetings for nuclear generating stations and uranium mines and mills was pushed several months later than usual. At that time, we asked the Registry about the change and were told it was due to a heavy hearing load at the end of 2024 which pushed those two RORs later into 2025. We understood at that time that ROR meeting schedules would return to their usual timeframes. In last year's submissions we explained how certainty on this issue would be deeply appreciated and assist us with the necessary preparations for those interventions, should we be granted funding to do so at that time.

This year, however, participant funding applications opened months later than they ever had. No public notices or communications accompanied this change. Further, applications were for all five ROR proceedings were included in a single form – a practice differing substantially from all previous years where funding applications were staggered ad only one or two required at a time. Again, no communications acknowledging the change accompanied the funding notice. When NTP received our Contribution Agreement with our funding decision, it was unclear whether a single submission was required for all RORs – something we clarified by mail with the Participant Funding Program staff.

While this change may sound small, it has had significant impacts on our work this year. The uncertainty in funding timeframes, and resulting uncertainty about when submissions may be due to the Commission, made it difficult to ensure contributors' availability to take on this work. Further, grouping all applications and submissions together has in effect significantly shortened the timeframe we have for researching and drafting submissions. This time period also spanned the winter holidays, effectively removing two weeks from the intervention time period where meetings were difficult to schedule and information requests were on hold due to many people traveling and/or balancing family commitments.

Recommendation 8: that timeframes for ROR interventions provide at least 14 weeks between funding decisions and final submission due dates; at least 10-12 weeks between the publication of RORs and final submission due dates; and that these dates for each step of the ROR process remain consistent from year to year.

For three years now, NTP has also requested the ability to present oral submissions at Commission meetings to consider RORs. This used to be an automatic privilege afforded all those who prepared ROR interventions, but in recent years has only been extended to intervenors when RORs coincide with mid-term licensing updates from specific facilities.

With longer licence terms being approved for nuclear facilities over the last few years, and smaller panels of CNSC Commissioners being convened for licence hearings, opportunities for civil society organizations to engage with Commissioners has become increasingly limited. Interacting with Commissioners during meeting and hearing proceedings has the potential to significantly improve the quality of engagement with intervenors' submissions, offering more opportunity for mutual learning and increased familiarity with organizations' advocacy priorities and the CNSC's mandate and approach to related issues. Further, as there are generally few substantive interventions[59] for each ROR, allowing each of them to make oral submissions should not take too much time or prolong meetings significantly.

Recommendation 9: that opportunities to make oral submissions be extended to all intervenors, ensuring more meaningful opportunities to contribute to the public record for these ROR proceedings.

NTP would also recommend that CNSC staff institute a more detailed method to track all intervenors' substantive concerns from year to year. Currently, Appendix D of this year's ROR outlines general areas of concern for all intervenors according to CNSC-identified themes and no specific concerns are noted in any detail. Again, the low volume of substantive interventions should not this make more detailed tracking an onerous task. It would also more transparently convey what progress, if any, is made on individual issues raised by intervenors from year to year.

Recommendation 10: that CNSC staff institute a more detailed method to track all substantive interventions from year to year.

Finally, the review of PFP funding criteria is an outstanding item that NTP would again like to propose for the CNSC's consideration. The scoping of ROR interventions by the funding grants and conditions intervenors receive can effectively shape the substantive content of ROR proceedings and impact the public record and any outcomes from Commission meetings. Developing a broader definition of the types of analysis and experts eligible for funding could expand the scope of funded interventions while still remaining consistent with the Commission's mandate.

Recommendation 11: that the CNSC's PFP develop more specific and expansive intervenor funding criteria, in consultation with members of the public and public interest organizations.

[59] Here, we are using the term "substantive interventions" to distinguish them from the letters of support or other types of intervention that do not engage with the specifics of RORs or provide any specific findings or recommendations.

NTP Submissions relating to the Regulatory Oversight Report on Uranium and Nuclear Substance Processing Facilities in Canada: 2024

NTP's review of this year's ROR

The ROR for processing facilities still has the most data of any RORs. Its appendices are especially helpful, making the report a particularly meaningful and accessible public resource. Last year, we expressed our appreciation for the new standardized format of RORs. This year, we appreciate efforts to bring ROR appendices into alignment. With greater standardization, comparison between RORs is becoming easier.

We also want to express our gratitude to the CNSC staff who draft this ROR and have proactively sent us excel formats of all the tables and charts with data included in this ROR. CNSC staff also provided us with written responses to the comments and recommendations on our ROR submissions from last year. Their time and engagement with us over the years around this ROR has been deeply appreciated. We should note that some of the recommendations below repeat past recommendations that CNSC staff have already noted they would consider. We want to clarify that we are repeating them in these submissions in order to consistently track them over time.

This year, we noticed that the ROR includes hyperlinks to licensees' websites as references for the first mentions of those facilities. In several cases, the hyperlinks went to general licensee websites and were not facility-specific. Hyperlinks to the CNSC webpages for these facilities are only provided a few pages later.[60] NTP submits that future RORs should only provide hyperlinks to CNSC facility-specific webpages. The practice of linking to the Commission's own webpages for facilities would be more consistent with the Commission's core mandate to disseminate objective information.

Recommendation 1: that future RORs prioritize hyperlinking to facility-specific CNSC webpages and not licensee websites.

Event reports in this ROR could be improved by ensuring more information is provided relating to measurable releases. For example, in an event in November 2024 at the SRBT facility, the licensee became aware of an exceedance of an action level associated with gaseous effluent releases of tritium. CNSC staff explained that "SRBT took corrective actions to address this issue, including: conducting a training needs analysis (TNA) with the processes described in SRBT's training program manual and requirements of the Regulatory Reporting Program, reviewing the SAT-based training material associated

[60] This year's ROR at pp 2-3 and 4-5, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M7-ENG.pdf/object.

with tritium processing operations, including a health and safety video on avoiding distractions in the workplace, and reducing the "low alarm" set point to a level that will provide earlier alert of a problem."[61] While this information is good to have on the public record, our understanding of the event would be better supported with more information about what caused the release, how much tritium was released, and over what time period. The lack of this information makes the significance of the release event difficult to discern.

In another example, CNSC note that the Blind River Refinery had five action level exceedances for worker dose, however only two of these exceedance events are described in detail.[62] The disparity in the ROR's treatment of these exceedance events remains opaque.

At this time, we resubmit the following two past recommendations relating to event reports:

Recommendation 2: for identified non-compliances, NTP recommends that future RORs include descriptions of the nature of the non-compliance, their cause, explain their significance (with any associated data values in the case of resulting environmental or dose releases), and explain whether or how the non-compliance is resolved.

Recommendation 3: for release events, NTP recommends future RORs share the following information:

a. *The date, time, and duration of the event;*
b. *Location of the event;*
c. *Any measured releases to the environment on- and/or off-site. Here, concentration and/or activity (preferably in sieverts or grays in addition to becquerels) and volumes should be provided. If no measurements are taken, reasons for this should be provided along with estimated release concentrations and volumes;*
d. *Relevant licence limits, i.e. facility-specific action levels, derived release limits as well as applicable regulatory environmental standards or release limits; and*
e. *A description of any mitigation and follow-up monitoring efforts, including any available monitoring data.*

This past summer, CNSC staff responded to these two recommendations noting this information is disclosed in RORs "when relevant and applicable". Though they also acknowledged "the desire by the public for further clarification/information where applicable".[63] We are resubmitting these recommendations now to underscore our belief that consistently reporting the above information for all events would be a best practice for ensuring transparency.

---

[61] This year's ROR at p19, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M7-ENG.pdf/object.
[62] This year's ROR at p15, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M7-ENG.pdf/object.
[63] CNSC staff correspondence with NTP by email, July 25, 2025.

On a separate note, but still relating to reports of facility operations, we noticed there may be some unexplained variability in uranium urine screening action levels and dose assumptions between facilities. For example, screening frequencies appear to differ between facilities (e.g., weekly/monthly at BWXT Toronto versus quarterly at Peterborough), without explanation about how this may relate to the relative risk calculated for workers at each respective facility. More contextual information in future RORs about this would be welcome.

Further, there may be a discrepancy in discussions in the ROR relating to potential worker doses at different facilities: for the Blind River Refinery, CNSC staff note,

> [t]he action level for bi-weekly urine samples is 65 µg U/L, which is the concentration of uranium in urine that results in a potential dose of 1 mSv and represents the chemical toxicity reference limit of 3 µg U/g kidney tissue, assuming the intake occurred at the mid-point of the sampling period.[64]

While CNSC note that for the Port Hope Conversion Facility,

> [t]he action level for bi-weekly urine samples is 65 µg U/L, which is the concentration of uranium in urine that results in a potential dose of 0.5 mSv and represents the chemical toxicity reference limit of 3 µg U/g kidney tissue, assuming the intake occurred at the mid-point of the sampling period."[65]

CNSC staff may want to clarify why the potential dose is noted as 1mSv for Blind River, and 0.5mSv Port Hope?

This year's ROR also notes an episode in which Cameco failed to report an instance where radiation dose limits appeared to have been exceeded.[66] While the description of the event itself indicates the measured doses were the result of an error and actual doses were likely much lower, it would still be helpful to better understand why the lack of reporting (regardless of actual real world exposure levels) did not concern CNSC staff as a matter of procedure.

We are still in the process of writing up a new series of queries for CNSC staff relating to data reported in Appendix K to this year's ROR. Generally, we noted certain instances in which there appeared to be some inconsistencies in the way environmental data is reported: the use of different measuring units for similar types of discharge between facility, or the use of differing regulatory limits for the release of certain contaminants. Once we submit these to CNSC staff and receive their responses, we will be sure to share these correspondences with the Commission.

Finally, NTP is concerned about the misrepresentations made by Best Theratronics regarding its financial guarantee. We commend CNSC staff for the transparency in their

---

[64] This year's ROR at p 83, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M7-ENG.pdf/object.
[65] This year's ROR at p 86, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M7-ENG.pdf/object.
[66] This year's ROR at p 14, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M7-ENG.pdf/object.

discussion of this issue in the ROR, as well as in hyperlinked orders and hearings.[67] After reviewing this material, we are curious about CNSC staff's lack of awareness of the expiry clause that applied to the company's financial guarantee instruments. Do CNSC staff not have access to the original documents (including associated legal agreements) that form the basis of licenses' financial guarantees? The licensee's conduct in these circumstances is alarming – both as revealed in this matter as well as the ongoing labour dispute and order relating to poor emergency preparedness at the licensee's facility. At the same, links are provided in this year's ROR to all facilities'' annual compliance reports – except for the report for Best Theratronics, which CNSC staff note can be made available upon request to the licensee.[68] Given the many concerns with that facility, why do CNSC staff not require the proactive disclosure of their report to the same extent as all other facilities covered by this ROR?

NTP's review of publicly accessible data for processing facilities

For the last three years, NTP has recommended that groundwater and stormwater data be disclosed via the Open Government data portal. Last year, NTP augmented this recommendation to include a request for the proactive disclosure of sampling results of ambient surface water, ambient air, releases to sewers, soil, and sediment to the Open Government data portal. CNSC staff have since responded to this recommendation in writing, noting they are planning to upload this additional environmental data to the Open Government portal. Staff noted however, that "[d]eveloping these databases will take time because of quality assurance/quality control reviews and formatting the databases to meet the Open Government portal's accessibility and language requirements."[69] Our organization inquired about when we might expect this additional disclosure, but CNSC staff were unable to provide a timeframe for this further disclosure.

Recommendation 4: that CNSC staff explain the challenges they are facing relating to the wider upload of data onto the Open Government portal relating to groundwater, stormwater, ambient surface water, ambient air, releases to sewers, soil, and sediment conditions at uranium and nuclear substance processing facilities.

Last year, we also inquired with CNSC staff about whether additional data could be uploaded to the Open Government portal concerning non-power reactors. CNSC staff noted that they were planning to upload this information to the Open Government portal in the future.[70] Last year we requested a rough timeframe (e.g. months or years) for when CNSC staff hope to upload this data, but CNSC staff noted they were unable to do this.

[67] This year's ROR at pp41-42, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M7-ENG.pdf/object.
[68] This year's ROR at p43, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M7-ENG.pdf/object.
[69] CNSC staff correspondence with NTP by email, March 7, 2024.
[70] *Ibid.*

Recommendation 5: that CNSC staff explain the challenges associated with uploading environmental data to the Open Government portal concerning non-power reactors.

NTP is sensitive to issue of staff time and quality control and would always prioritize data accuracy of speed of disclosure. However, as these discussions have already been spanning at least five years, we would benefit from a better understanding of the challenges the regulator may be experiencing in this area.

NTP's recommendations for future ROR intervention processes

In our first years of ROR submissions, NTP had requested more time to prepare our ROR interventions. During our second and third years of preparing ROR submissions, the CNSC responded by increasing the amount of time between funding decisions, ROR publication, and the final due dates for intervenors' written submissions. This was greatly appreciated and allowed us to allocate more time to our research and drafting. Last year, we expressed our gratitude to the CNSC Registry for maintaining the longer deadlines and continuing to provide consistency between these new timelines from year to year. This year, however, participant funding applications opened months later than they ever had. No public notices or communications accompanied this change. Further, applications were for all five ROR proceedings were included in a single form – a practice differing substantially from all previous years where funding applications were staggered ad only one or two required at a time. Again, no communications acknowledging the change accompanied the funding notice. When NTP received our Contribution Agreement with our funding decision, it was unclear whether a single submission was required for all RORs – something we clarified by mail with the Participant Funding Program staff.

While this change may sound small, it has had significant impacts on our work this year. The uncertainty in funding timeframes, and resulting uncertainty about when submissions may be due to the Commission, made it difficult to ensure contributors' availability to take on this work. Further, grouping all applications and submissions together has in effect significantly shortened the timeframe we have for researching and drafting submissions. This time period also spanned the winter holidays, effectively removing two weeks from the intervention time period where meetings were difficult to schedule and information requests were on hold due to many people traveling and/or balancing family commitments.

Recommendation 6: that timeframes for ROR interventions provide at least 14 weeks between funding decisions and final submission due dates; at least 10-12 weeks between the publication of RORs and final submission due dates; and that these dates for each step of the ROR process remain consistent from year to year.

For three years now, NTP has also requested the ability to present oral submissions at Commission meetings to consider RORs. This used to be an automatic privilege afforded all those who prepared ROR interventions, but in recent years has only been extended to intervenors when RORs coincide with mid-term licensing updates from specific facilities.

With longer licence terms being approved for nuclear facilities over the last few years, and smaller panels of CNSC Commissioners being convened for licence hearings, opportunities for civil society organizations to engage with Commissioners has become increasingly limited. Interacting with Commissioners during meeting and hearing proceedings has the potential to significantly improve the quality of engagement with intervenors' submissions, offering more opportunity for mutual learning and increased familiarity with organizations' advocacy priorities and the CNSC's mandate and approach to related issues. Further, as there are generally few substantive interventions[71] for each ROR, allowing each of them to make oral submissions should not take too much time or prolong meetings significantly.

Recommendation 7: that opportunities to make oral submissions be extended to all intervenors, ensuring more meaningful opportunities to contribute to the public record for these ROR proceedings.

NTP would also recommend that CNSC staff institute a more detailed method to track funded intervenors' concerns from year to year. Currently, Appendix L of this year's ROR outlines general areas of concern for all intervenors according to CNSC-identified themes. As CNSC staff have already undertaken the practice of responding to intervenor information requests and recommendations in writing between ROR meetings, including these interactions or summaries of them on the public record would help Commissioners to understand how CNSC staff address intervenors concerns more specifically. It would also more transparently convey whether any progress is made on individual issues raised by intervenors from year to year.

Recommendation 8: that CNSC staff institute a more detailed method to track intervenors' ROR concerns from year to year.

Finally, the review of PFP funding criteria is an outstanding item that NTP would again like to propose for the CNSC's consideration. The scoping of ROR interventions by the funding grants and conditions intervenors receive can effectively shape the substantive content of ROR proceedings and impact the public record and any outcomes from Commission meetings. Developing a broader definition of the types of analysis and experts eligible for funding could expand the scope of funded interventions while still remaining consistent with the Commission's mandate.

Recommendation 9: that the CNSC's PFP develop more specific and expansive intervenor funding criteria, in consultation with members of the public and public interest organizations.

[71] Here, we are using the term "substantive interventions" to distinguish them from the letters of support or other types of intervention that do not engage with the specifics of RORs or provide any specific findings or recommendations.

NTP Submissions relating to the Regulatory Oversight Report on the Use of Nuclear Substances in Canada: 2024

NTP's review of this year's ROR

NTP would like to start these submissions by expressing gratitude to the CNSC staff responsible for drafting this ROR each year. It is the only ROR that has considered and implemented NTP recommendations over the last three years, the result being that transparency in Commission communications about these categories of licensees has significantly improved over this time. NTP has been able to continue to deepen its own understanding and regulatory engagement over time as well. CNSC staff continue the conversation with us after we submit our ROR comments each year, providing responses in writing to our recommendations and queries. Their proactiveness is heartening and we hope this example can show what may be possible for other ROR categories.

The first page of this year's ROR has a table in which CNSC staff note the changes they have mad to the ROR, compared to the previous year. This was done last year as well, and again this year, like last, NTP agrees these changes have resulted in a more comprehensive and responsive ROR. For example, last year NTP had recommended that more detailed descriptions for each sub-category of licensee covered by this ROR be added as a regular report feature. We noted that ideally this would include lists of substances used or produced by each type of licensee alongside descriptions of the processes that use or produce them. This had been done in the past for medical and industrial licensees, and we explained how the same for all other licensee types would be similarly useful. We were pleased to see these descriptions in Appendix A of last year's ROR.

The only further recommendation we made last year relating to these licensee descriptions concerned waste nuclear substance licence holders. We explained how we had come to understand that these facilities are the only sub-type of licensee covered by this ROR that is required to conduct Environmental Risk Assessments (ERAs) and routinely monitor releases to the environment. As such, we recommended that they be described as a specific sub-type of commercial licensee responsible for conducting environmental monitoring in future RORs. This year we were so pleased to see this recommendation was accepted and implemented in this year's ROR.

This year's ROR also contains a good description of sealed versus non-sealed sources.[72] This may be in response to past NTP submissions over the years, but either way it is helpful for the public to have the distinction explained like it is here.

For the last two years, NTP has also noted last year that certain licensee activities, such as reportable events, were described as 'insignificant' or 'minor', without data being provided to support and contextualize these characterizations. Our organization recommended that wherever assessments of significance are provided, CNSC staff should endeavour to provide the data in the main text of the ROR, or else hyperlink to publicly available data sources, that can speak to how CNSC staff assessments were reached. We explained that members of the public and civil society organizations vary in their science and data literacy. While some prefer to defer to the CNSC for assessments of safety, wellbeing, and regulatory compliance, others have an interest in seeing and understanding how the CNSC comes to such determinations. A robust ROR would ideally cater to these differing needs, interests, and capacities. NTP noted that infrastructure for wider data disclosure could be created fairly simply and contribute to greater public access to information and data in ways that should not be too taxing for licensees or CNSC staff. We would like to resubmit this recommendation for consideration again at this time as it does not seem to have been implemented in this year's ROR.

Recommendation 1: that CNSC staff provide data to accompany any descriptive language for, or assessments of the significance of, environmental releases or doses to workers and the public.

Related to this point above, NTP recognizes that CNSC staff's risk rating system for non-compliances is meant to provide a general sense of different licensee approaches to ensuring compliance. At the same time, the discussion of the recent changes made to this system to account for performance in the medical sub-sector[73] highlights the subjective nature of this exercise in risk classification. When explaining how the severity of risk for non-compliances for these facilities will be adjusted to generally find risk lower for many types of non-compliance, staff argue they are not "changing the goalposts", but rather "improving the accuracy of our evaluations so that they better reflect the true safety performance of licensees".[74] Ultimately, transparency would be best served by a more objective process in which non-compliances are all comprehensively described and disclosed to the public, regardless of risk characterization.

NTP's interventions over the past three years have also noted that while risk-informed and "graded approaches" to oversight and public communications remain a central guiding principle in Canadian nuclear regulation, the CNSC should also recognize other complimentary approaches. Where planned and unplanned releases to the environment

[72] This year's ROR at pp20-21, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M6-ENG.pdf/object.
[73] This year's ROR at p14, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M6-ENG.pdf/object.
[74] *Ibid.*

are known – for example, where sampling results from existing monitoring programs or mitigation efforts are available – this available information and data should be publicly released regardless of predicted risks to environmental or public and worker health.

Two years ago, a release event from a waste nuclear substance licensee was noted in that year's ROR with only CNSC staff assurances that there were no resulting likely adverse effects on the environment. We asked CNSC staff whether any measurements were taken of the release and whether any event reports were provided by the licensee to CNSC staff describing the incident in more detail. CNSC staff responded with some additional information including the estimated volume of the release alongside a more detailed description of the release event. CNSC staff also provided the relevant Action Levels for released substances, noting that actual releases during the event were below these thresholds. Even though CNSC staff still refused to disclose what the actual measured releases were, their response still illustrated that more information was readily available on file than that which was included in the ROR itself.

At that time, NTP also asked CNSC staff for access to the event report from the licensee for the abovementioned event, noting other RORs (such as the RORs for nuclear generating facilities) have introduced a practice of hyper-linking to event reports. CNSC staff in that case instead directed us to file formal access to information requests for event reports. NTP notes that the federal legislated access to information processes are often time and resource extensive: sometimes taking years, and requiring payment for access to requested records. For small organizations such as ours, this process is not often feasible.

Last year, we were left with similar questions relating to a waste nuclear substance facility release event whereby an unplanned release of multiple substances was made to the local municipal sewer system. CNSC staff noted that no discharge limits were exceeded for radiological contaminants and noted one non-radiological substance exceeded applicable discharge limits (providing measured release concentrations for that substance). Again, disclosure of all released substances and their respective Action Levels and discharge limits were denied preventing a fulsome understanding of the nature and extent of the reported event.

When releases are made to the environment, there is an immediate public interest in knowing the quantity and concentration of all released substances. If this information is already on file for nuclear regulators, NTP submits it would be in the public interest to proactively disclose. For this reason, we resubmit our recommendation from previous years that the CNSC institute proactive disclosures of more detailed release event information to the public. That being said, Appendix J to this year's ROR contains some nicely descriptive event reports that provide the public with a good sense of the events and their context. The consistent addition of release data would make these reports exemplary and data disclosure in this case would still be in the public interest.

Recommendation 2: that environmental and dose-related data (whenever known) be released for reported release events regardless of determinations of the risks they pose to environmental or public and worker health

In this year's ROR, CNSC staff note they

> followed up on 14 external complaints that involved 13 different licensees covered by this report. In response to these complaints, where appropriate, inspections were carried out by CNSC staff right away or were added to the inspection plan for a future inspection. Escalated enforcement was used if necessary. Although not all external complaints against licensees resulted in an inspection, each complaint was investigated by CNSC staff. In all cases, where contact details were available, CNSC staff contacted the complainants and performed follow-up to ensure concerns were addressed."[75]

NTP is curious to learn more about the usual process for external complaints – including whether these complaints are generally launched by employees of nuclear facilities or members of host communities? Information could be provided at a high level to ensure the anonymity of complainants remains protected.

Recommendation 3: that next year's ROR include a description of the external complaints process, including how complaints usually come in to the CNSC and what general percentage of complainants are facility employees or community members.

This year's report also has a helpful description of how its compliance-related data differs from other categories of licensee in other RORs. CNSC staff explain that "other RORs essentially average out their compliance-related data over multiple inspections conducted over the year the ROR is reported". They differentiate this from the inspections conducted for facilities covered by this ROR which are less frequent. For this reason, the inspection data in this ROR is "disaggregated and an accurate account for the 'point in time' in which the inspection occurred".[76] NTP has made a note of this to keep in mind for our other ROR interventions as well. It may be that disaggregated 'point in time' reports of incidents would be a more transparent method for reporting in other RORs in order to show the emergence of issues and how they are addressed in subsequent inspections over a given year.

<u>NTP's review of publicly accessible data for facilities covered by the ROR</u>

NTP understands that the CNSC is in the process of developing the requisite regulatory and technical infrastructure for wider data disclosure and that this will take time. Our organization will continue to support this work through recommendations in our interventions as we learn more, and through our involvement in working groups and other fora elsewhere relating to government open access data. That being said, we will continue

[75] This year's ROR at p11, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M6-ENG.pdf/object.
[76] This year's ROR at p13, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M6-ENG.pdf/object.

to recommend some initial steps below to support further development in this area that are specific to this ROR. We also note areas where progress has occurred since we began making these recommendations.

For the last two years, we had recommended that environmental data from all unsealed sources be routinely disclosed to the public. Our communications with CNSC staff indicated there were only a few waste nuclear substance facilities required to monitor environmental releases. Given this limited number, we recommended a pilot project whereby these facilities could begin to publicly share their monitoring data.

This has been done to some extent now with total annual loadings to the air via stacks being reported in machine-readable formats to the Open Government data portal. Data for waste nuclear substance facilities dates from 2022-2024 and adheres to the National Pollutant Release Inventory (NPRI) formats for other facilities covered in other RORS. We would like to take this opportunity to thank CNSC staff for this development and noet we have started to use this data.

NTP contributors have begun a public information audit of all CNSC-regulated nuclear facilities, to gauge relative public disclosures by individual licenses as well as general categories of licensee. From our preliminary research, requiring additional public disclosure from the abovementioned waste nuclear substance facilities would also be consistent with reporting requirements for smaller nuclear substance facilities elsewhere. NTP submits it would be in the public interest for the CNSC to adopt a more consistent approach whereby all facilities that perform environmental monitoring should also share the results of their monitoring programs proactively with the public (including multiple contaminant pathways and public and worker dose data).

Recommendation 4: that CNSC staff consider a pilot project whereby all waste nuclear substance facilities begin to proactively publicly report the results of their human and environmental monitoring programs.

Two years ago, as part of our audit we had noticed that licensees in this ROR were not consistently represented in an interactive map of nuclear facilities posted to the CNSC website.[77] Last year, we recommended that at least all the waste nuclear substance facilities be included on the CNSC's interactive map. CNSC staff indicated that they would consider this, and we have since verified that these facilities are now all present on the CNSC's map of nuclear facilities. We are grateful for this development and to staff for accepting and implementing this recommendation.

NTP is also grateful for CNCSC staff uploading their list of inspections each year onto the Open Government data portal. We have begun to review this data as well. [78]

[77] Canadian Nuclear Safety Commission, online: https://www.cnsc-ccsn.gc.ca/eng/resources/maps-of-nuclear-facilities/.
[78] Noted on P9 ROR and provided in Appendix C to the ROR, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M6-ENG.pdf/object.

This year, NTP learned of several licensees covered by this ROR that are required to submit annual compliance reports to the CNSC and some that are required to submit Environmental Risk Assessments to the CNSC every five years. NTP would like to encourage these facilities to publicly disclose these reports to promote greater transparency around their operations.

Recommendation 5: that facilities that prepare annual compliance reports and/or ERAs proactively public disclose them.

Finally, NTP is grateful that the new ROR formats assist with the machine-readability of tables. This had been a past recommendation of ours and the data's availability has been a significant help to us as we conduct our information audits.

NTP's recommendations for future ROR intervention processes

In our first years of ROR submissions, NTP had requested more time to prepare our ROR interventions. During our second and third years of preparing ROR submissions, the CNSC responded by increasing the amount of time between funding decisions, ROR publication, and the final due dates for intervenors' written submissions. This was greatly appreciated and allowed us to allocate more time to our research and drafting. Last year, we expressed our gratitude to the CNSC Registry for maintaining the longer deadlines and continuing to provide consistency between these new timelines from year to year. This year, however, participant funding applications opened months later than they ever had. No public notices or communications accompanied this change. Further, applications were for all five ROR proceedings were included in a single form – a practice differing substantially from all previous years where funding applications were staggered ad only one or two required at a time. Again, no communications acknowledging the change accompanied the funding notice. When NTP received our Contribution Agreement with our funding decision, it was unclear whether a single submission was required for all RORs – something we clarified by mail with the Participant Funding Program staff.

While this change may sound small, it has had significant impacts on our work this year. The uncertainty in funding timeframes, and resulting uncertainty about when submissions may be due to the Commission, made it difficult to ensure contributors' availability to take on this work. Further, grouping all applications and submissions together has in effect significantly shortened the timeframe we have for researching and drafting submissions. This time period also spanned the winter holidays, effectively removing two weeks from the intervention time period where meetings were difficult to schedule and information requests were on hold due to many people traveling and/or balancing family commitments.

Recommendation 6: that timeframes for ROR interventions provide at least 14 weeks between funding decisions and final submission due dates; at least 10-12 weeks between the publication of RORs and final submission due dates; and that these dates for each step of the ROR process remain consistent from year to year.

For three years now, NTP has also requested the ability to present oral submissions at Commission meetings to consider RORs. This used to be an automatic privilege afforded all those who prepared ROR interventions, but in recent years has only been extended to intervenors when RORs coincide with mid-term licensing updates from specific facilities. With longer licence terms being approved for nuclear facilities over the last few years, and smaller panels of CNSC Commissioners being convened for licence hearings, opportunities for civil society organizations to engage with Commissioners has become increasingly limited. Interacting with Commissioners during meeting and hearing proceedings has the potential to significantly improve the quality of engagement with intervenors' submissions, offering more opportunity for mutual learning and increased familiarity with organizations' advocacy priorities and the CNSC's mandate and approach to related issues. Further, as there are generally few substantive interventions[79] for each ROR, allowing each of them to make oral submissions should not take too much time or prolong meetings significantly.

Recommendation 7: that opportunities to make oral submissions be extended to all intervenors, ensuring more meaningful opportunities to contribute to the public record for these ROR proceedings.

NTP would also recommend that CNSC staff institute a more detailed method to track funded intervenors' concerns from year to year. Currently, Appendix L of this year's ROR outlines general areas of concern for all intervenors according to CNSC-identified themes. As CNSC staff have already undertaken the practice of responding to intervenor information requests and recommendations in writing between ROR meetings, including these interactions or summaries of them on the public record would help Commissioners to understand how CNSC staff address intervenors concerns more specifically. It would also more transparently convey whether any progress is made on individual issues raised by intervenors from year to year.

Recommendation 8: that CNSC staff institute a more detailed method to track intervenors' ROR concerns from year to year.

Finally, the review of PFP funding criteria is an outstanding item that NTP would again like to propose for the CNSC's consideration. The scoping of ROR interventions by the funding grants and conditions intervenors receive can effectively shape the substantive content of ROR proceedings and impact the public record and any outcomes from Commission meetings. Developing a broader definition of the types of analysis and experts eligible for funding could expand the scope of funded interventions while still remaining consistent with the Commission's mandate.

[79] Here, we are using the term "substantive interventions" to distinguish them from the letters of support or other types of intervention that do not engage with the specifics of RORs or provide any specific findings or recommendations.

Recommendation 9: that the CNSC's PFP develop more specific and expansive intervenor funding criteria, in consultation with members of the public and public interest organization.

NTP Submissions relating to the Regulatory Oversight Report for Uranium Mines and Mills: 2024

NTP's review of this year's ROR

Generally, this year's ROR is especially reader-friendly and accessible. This is also assisted by its use of dashboards for each of the facilities it covers. The ROR contains a a nice explanation for how inspection frequency and focus is determined. It also contains a clear description of the type of officers performing inspections at mining and milling operations, as well as how inspections have changed, pre-, during, and post-COVID.[80]

The event reports in this ROR could still disclose more information relating to exact contaminants involved, their volumes and concentrations. NTP has consistently advocated for more detailed public reporting for planned and unplanned events at nuclear facilities in its past ROR submissions. To date, not much progress appears to have been made on this issue.

For example,

- A release at Cigar Lake of pond water to Seru Bay in Waterbury Lake occurred in which CNSC staff stated a "significant volume" of water with "higher molybdenum concentrations than thought" was released. CNSC staff did not disclose the exact volume of water, and only noted molybdenum concentrations exceeded Action Levels for the facility (actual concentrations were withheld).[81] Corrective actions were briefly noted, but the ecological significance of an event like this would merit more discussion and is difficult to discern from the information provided;
- At Key Lake there was an unplanned release of 100m3 of treated effluent which is still being investigated. A drain hose ruptured due to an ice blockage releasing ammonia, Also, in another event at the facility, 150m of industrial treated water was released due to a cracked valve. The exact quantity and concentrations of released contaminants are not provided. Finally, in a third event at the Key Lake operation, 8m^3 of contaminated water from grinding facility sumps were released. Elevated levels of uranium and radium-226 were measured in the local area. CNSC staff explained there could have been an increase in seepage flow rates which could affect groundwater quality.[82] Ultimately, the concentrations of uranium and radium-226 were not provided.

[80] This year's ROR at p6, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M3-ENG.pdf/object.
[81] This year's ROR at p15, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M3-ENG.pdf/object.
[82] This year's ROR at p22, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M3-ENG.pdf/object..

- At the McArthur River operation, 170m3 of industrial water was released to the environment. CNSC staff note that ambient dam water was subsequently tested as it was the receiving water body, and did not display elevated concentrations of relevant contaminants. However, the ROR does not provide much more detail. An argon tank leak was also noticed on site in a different event, but actual volumes associated with that release are not disclosed[83]
- At McClean Lake, $3m^3$ of yellowcake slurry solution spilled into an excavation area. The ROR did not note exact concentrations of any specific released contaminants[84]; and
- At Rabbit Lake, no volumes or concentrations for contaminants are provided for a release event in which the integrity of a mine water pond liner was compromised during vegetation management activities.[85]

The missing information from these event reports frustrates the public's ability to gauge their significance. At this time, NTP would like to resubmit the following two recommendations for concrete ways to improve event reports in future RORs:

Recommendation 1: for identified non-compliances, NTP recommends that future RORs include descriptions of the nature of the non-compliance, their cause, explain their significance (with any associated data values in the case of resulting environmental or dose releases), and explain whether or how the non-compliance is resolved.

Recommendation 2: for release events, NTP recommends future RORs share the following information:

a. *The date, time, and duration of the event;*
b. *Location of the event;*
c. *Any measured releases to the environment on- and/or off-site. Here, concentration and/or activity (preferably in sieverts or grays in addition to becquerels) and volumes should be provided. If no measurements are taken, reasons for this should be provided along with estimated release concentrations and volumes;*
d. *Relevant licence limits, i.e. facility-specific action levels, derived release limits as well as applicable regulatory environmental standards or release limits; and*
e. *A description of any mitigation and follow-up monitoring efforts, including any available monitoring data.*

<u>NTP's review of publicly accessible data for facilities covered by the ROR</u>

In our last three years of interventions for this ROR, we advocated for greater proactive disclosure of environmental data in and outside of annual ROR proceedings. In particular,

[83] This year's ROR at pp27-28, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M3-ENG.pdf/object.
[84] This year's ROR at p34, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M3-ENG.pdf/object.
[85] This year's ROR at p40, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M3-ENG.pdf/object.

we identified the following areas of data as a good starting point for wider disclosure: groundwater, stormwater, and ambient air quality data, as well as results from fish toxicity testing, and disaggregated liquid effluent from tailings management facilities. We resubmit this recommendation at this time.

Recommendation 3: that licensees publicly disclose groundwater, stormwater, and ambient air quality sampling data, as well as results from fish toxicity testing, and disaggregated liquid effluent from tailings management facilities

Over the last three years, NTP has also noted in our interventions that uranium mining and milling operations do not post their Environmental Risk Assessments (ERAs) to their websites, as is required by REGDOC 3.2.1. which states, "if a licensee is required to conduct an environmental risk assessment (ERA) and/or a probabilistic safety assessment (PSA), the ERA and a summary of the PSA must be posted on the licensee's website." [86]

This year, however, we obtained the current licenses for all the mines and mills covered in this ROR. We learned that all operations, except for the McClean Lake mine, appear to be exempted from the REGDOC. 3.2.1 requirement relating to ERAs. The Licence Control Handbook sections that specify this exemption reference a 2020 email from Cameco to the CNSC as the basis for this exemption.[87] We also reviewed the previous versions of facilities' licences for all operations, which were issued between 2020 and 2022. In those licensing documents, Cigar Lake, Key Lake, and Rabbit Lake were all exempted from the REGOC 3.2.1 requirement concerning ERAs, citing the same 2020 email.[88] The licensing documents for McArthur River were silent on the ERA disclosure issue and the licensing documents for McClean Lake referenced REGDOC 3.2.1 requirements without noting any exception. As such, only McClean Lake may be in breach of its licence since at least 2022 for not proactively posting its ERA. The other facilities appear exempt, though the rationale for this remains opaque.

[86] Canadian Nuclear Safety Commission, REGDOC 3.2.1 Public Information and Disclosure, Section 2.2.4, online: https://www.cnsc-ccsn.gc.ca/eng/acts-and-regulations/regulatory-documents/published/html/regdoc3-2-1/.

[87] See: Licence Control Handbook, Rabbit Lake Operation Uranium Mine and Mill Licence, UML-MINEMILL-RABBIT.00/2038.Rev 1, at p 8; Licence Control Handbook, McClean Lake Operation Uranium Mine and Mill Licence, LCH-MINEMILL-McCLEAN.02/2027, Rev 1, at p 8; Licence Control Handbook, McArthur River Operation Uranium Mine Licence, LCH-MINE-MCARTHUR.00/2043, Rev 1, at p 8; Licence Control Handbook, Key Lake Operation Uranium Mill Licence, LCH-MILL-KEY.00/2043, Rev 1 at p8; Licence Control Handbook, Cigar Lake Operation Uranium Mine Licence, LCH-MINE-CIGAR.01/2031, Rev 1, at p 8.

[88] See: Licence Control Handbook, Rabbit Lake Operation Uranium Mine and Mill Licence, UML-MINEMILL-RABBIT.01/2023, Rev 1, at p 8; Licence Control Handbook, McClean Lake Operation Uranium Mine and Mill Licence, LCH-MINEMILL-McCLEAN.02/2027, Rev 1, at p 8; Licence Control Handbook, McArthur River Operation Uranium Mine Licence, UML-MINE-MCARTHUR.01/2023, Rev 1, at p 8; Licence Control Handbook, Key Lake Operation Uranium Mill Licence, LCH-MILL-KEY.01/2023, Rev 1 at p8; Licence Control Handbook, Cigar Lake Operation Uranium Mine Licence, UML-MINE-CIGAR.00/2031, Rev 1, at p 8.

This year's ROR included a brief discussion of ERAs,[89] and contained a table with the dates of the most recently prepared ERAs.[90] None of this discussion addressed any issues relating to the public disclosure of ERAs. Further, according to Table 4.9.3 in the ROR, McClean Lake might not have had its ERA reviewed in almost 10 years.

Last year, aware that NTP would not be able to make oral submissions at the Commission meeting to discuss this ROR, we asked if Commissioners could ask CNSC staff and licensees about ERAs and their publication. After examining the transcripts from last year's ROR meeting, we can see Commissioners declined to do this and that the issue of ERA disclosure did not arise at all. However, we are able to see from the transcripts that ERAs were referenced several times as sources of information and data to support licensees' responses to Indigenous intervenors' concerns about monitoring methodologies at mining and milling operations. This confirms the importance of ERAs as resources to explain how mines and mills effect the local ecosystems of which they are a part – as well as how these effects are studied and managed. Withholding these documents is inconsistent with the public interest and significantly frustrates the transparency of uranium mines and mills.

Recommendation 4: that CNSC staff clarify licensees' ERA disclosure requirements and explain the basis for licensee's exemptions from the requirement to disclosure their ERAs in full.

NTP's recommendations for future ROR intervention processes

In our first years of ROR submissions, NTP had requested more time to prepare our ROR interventions. During our second and third years of preparing ROR submissions, the CNSC responded by increasing the amount of time between funding decisions, ROR publication, and the final due dates for intervenors' written submissions. This was greatly appreciated and allowed us to allocate more time to our research and drafting. Last year, we expressed our gratitude to the CNSC Registry for maintaining the longer deadlines and continuing to provide consistency between these new timelines from year to year but expressed concerns that the ROR meetings for nuclear generating stations and uranium mines and mills was pushed several months later than usual. At that time, we asked the Registry about the change and were told it was due to a heavy hearing load at the end of 2024 which pushed those two RORs later into 2025. We understood at that time that ROR meeting schedules would return to their usual timeframes. In last year's submissions we explained how certainty on this issue would be deeply appreciated and assist us with the necessary preparations for those interventions, should we be granted funding to do so at that time.

[89] This year's ROR at pp58-59, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M3-ENG.pdf/object.
[90] This year's ROR at p59, online: https://api.cnsc-ccsn.gc.ca/dms/digital-medias/CMD26-M3-ENG.pdf/object.

This year, however, participant funding applications opened months later than they ever had. No public notices or communications accompanied this change. Further, applications were for all five ROR proceedings were included in a single form – a practice differing substantially from all previous years where funding applications were staggered ad only one or two required at a time. Again, no communications acknowledging the change accompanied the funding notice. When NTP received our Contribution Agreement with our funding decision, it was unclear whether a single submission was required for all RORs – something we clarified by mail with the Participant Funding Program staff.

While this change may sound small, it has had significant impacts on our work this year. The uncertainty in funding timeframes, and resulting uncertainty about when submissions may be due to the Commission, made it difficult to ensure contributors' availability to take on this work. Further, grouping all applications and submissions together has in effect significantly shortened the timeframe we have for researching and drafting submissions. This time period also spanned the winter holidays, effectively removing two weeks from the intervention time period where meetings were difficult to schedule and information requests were on hold due to many people traveling and/or balancing family commitments.

Recommendation 5: that timeframes for ROR interventions provide at least 14 weeks between funding decisions and final submission due dates; at least 10-12 weeks between the publication of RORs and final submission due dates; and that these dates for each step of the ROR process remain consistent from year to year.

For three years now, NTP has also requested the ability to present oral submissions at Commission meetings to consider RORs. This used to be an automatic privilege afforded all those who prepared ROR interventions, but in recent years has only been extended to intervenors when RORs coincide with mid-term licensing updates from specific facilities. With longer licence terms being approved for nuclear facilities over the last few years, and smaller panels of CNSC Commissioners being convened for licence hearings, opportunities for civil society organizations to engage with Commissioners has become increasingly limited. Interacting with Commissioners during meeting and hearing proceedings has the potential to significantly improve the quality of engagement with intervenors' submissions, offering more opportunity for mutual learning and increased familiarity with organizations' advocacy priorities and the CNSC's mandate and approach to related issues. Further, as there are generally few substantive interventions[91] for each ROR, allowing each of them to make oral submissions should not take too much time or prolong meetings significantly.

Recommendation 6: that opportunities to make oral submissions be extended to all intervenors, ensuring more meaningful opportunities to contribute to the public record for these ROR proceedings.

[91] Here, we are using the term "substantive interventions" to distinguish them from the letters of support or other types of intervention that do not engage with the specifics of RORs or provide any specific findings or recommendations.

NTP would also recommend that CNSC staff institute a more detailed method to track all intervenors' substantive concerns from year to year. Currently, Appendix E of this year's ROR does not discuss non-Indigenous intervenors' areas of concern from last year's ROR submissions. Again, the low volume of substantive interventions should not this make more detailed tracking an onerous task. It would also more transparently convey what progress, if any, is made on individual issues raised by intervenors from year to year.

Recommendation 7: that CNSC staff institute a more detailed method to track all substantive interventions from year to year.

Each year, NTP also writes in support of the Ya'thi Néné Lands and Resources' submissions requesting more time and better translation services for these ROR meetings. As we do not have any contributors from or living in Nuhenéné, when engaging on issues relating to nuclear infrastructure there, we continue to learn about our responsibilities to Nuhenéné and Denesųłiné Nations. It is our privilege and duty to learn from Denesųłiné representatives who are deeply connected to, and have always governed, their homelands. Interventions are not only sources of information or perspectives for CNSC staff and Commissioners. They are also opportunities for the public and civil society organizations, such as our own, to learn and deepen our own understandings of nuclear infrastructures and their contexts.

Recommendation 8: for the Commission to ensure their procedures support Indigenous intervenors to engage as these intervenors choose and require.

Finally, the review of PFP funding criteria is an outstanding item that NTP would again like to propose for the CNSC's consideration. The scoping of ROR interventions by the funding grants and conditions intervenors receive can effectively shape the substantive content of ROR proceedings and impact the public record and any outcomes from Commission meetings. Developing a broader definition of the types of analysis and experts eligible for funding could expand the scope of funded interventions while still remaining consistent with the Commission's mandate.

Recommendation 9: that the CNSC's PFP develop more specific and expansive intervenor funding criteria, in consultation with members of the public and public interest organizations.