

To: [Consultation \(CNSC/CCSN\)](#)
Subject: Re: Consultation on Draft RegDoc 1.1.5 Licence Application Guide: Small Modular Reactor Facilities
Date: November-20-18 8:56:45 PM
Attachments: [SMR final letter.pdf](#)

Hello,

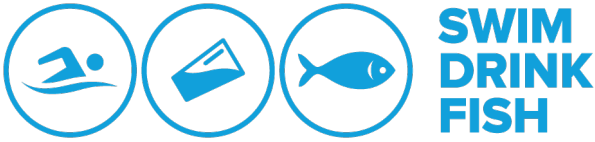
Please find attached comments by Swim Drink Fish Canada concerning the proposed draft RegDoc 1.1.5.

If you could confirm receipt of these comments it would be appreciated.

Thanks,
Pippa

Pippa Feinstein, BA (Hons), JD

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Via email

November 20, 2018

Canadian Nuclear Safety Commission
PO Box 1046, Station B
280 Slater St
Ottawa, ON K1P 5S9
Email: cnscc.consultation.ccsn@canada.ca

To Whom It May Concern,

Re: Consultation on Draft RegDoc 1.1.5 Licence Application Guide: Small Modular Reactor Facilities

Swim Drink Fish Canada advocates for a future where every person can safely touch the water that flows through their community, where that water is pure enough for drinking, and where waters are healthy and wild enough that fish and birds and plants thrive. Swimmable, drinkable, fishable water is necessary for the things people value most in life -- family and friendship, culture, freedom, and opportunity. By blending science, law, education, and storytelling with technology, Swim Drink Fish empowers millions of people to know and safeguard their waters. And when waters are protected, communities can prosper.

Swim Drink Fish has been working for a swimmable, drinkable, fishable future since its launch in 2001, and operates seven initiatives: Great Lakes Challenge, Lake Ontario Waterkeeper, Fraser Riverkeeper, North Saskatchewan Riverkeeper, Swim Guide, Watermark Project, and Great Lakes Guide. Each initiative has a specific mission that contributes to the goal of building a national movement of active, informed, and engaged individuals working to ensure their communities can swim, drink, and fish forever.

Part of this work has involved Swim Drink Fish and several of its initiatives presenting before the Canadian Nuclear Safety Commission (CNSC) during public hearings and meetings, as well as providing comments on draft regulations, as the organization is currently doing in this instance. Through these activities, the organization has developed significant expertise in the area of nuclear regulation and the environmental impacts of the nuclear industry. These submissions draw on this expertise, and the organization thanks the CNSC for the current comment opportunity.

After reviewing the proposed RegDoc 1.1.5, several of its provisions give the organization cause for concern. Addressing each in turn, Swim Drink Fish submits the following:

1. Opportunities for public review must be made available before any preliminary determinations are made by the regulator. A pre-licensing review of SMRs is inconsistent with any conception of meaningful or robust public consultation;
2. SMRs must be subject to independent federal environmental assessments (under the proposed *Impact Assessment Act (IAA)*). Relying only on provisions in the *Nuclear Safety and Control Act* to assess the environmental risks of SMRs would be insufficient as the requirements under that Act are much less rigorous than those under the *IAA*. Further, CNSC-administered environmental assessments run the risk of not being sufficiently independent;
3. SMRs must not be exempted from the *Nuclear Liability and Compensation Act*, as all nuclear power generating facilities must be held accountable should an accident occur. The Act, though imperfect, is an important way in which the public is shielded from certain financial and other risks of facilities' malfunction; and
4. Any application by a proponent seeking to build SMRs must include a comprehensive plan for the long-term management of whatever waste it will generate.

Should you have any questions or concerns regarding these recommendations, please do not hesitate to contact Pippa Feinstein, counsel for Swim Drink Fish.