

---

**From:** Northwatch <northwatch@northwatch.org>  
**Sent:** June 30, 2019 11:56 PM  
**To:** Consultation (CNSC/CCSN)  
**Subject:** Northwatch Comments on Draft REGDOC 2.11.1 Volume 1  
**Attachments:** REGDOC-2.11.1, Waste Management, Volume I - Northwatch.pdf

Please find attached Northwatch Comments on Draft REGDOC 2.11.1 Volume 1.

--

Northwatch  
[www.northwatch.org](http://www.northwatch.org) 705 497 0373

---

This email has been checked for viruses by AVG.  
<https://www.avg.com>

# NORTHWATCH

June 30<sup>th</sup>, 2019

Canadian Nuclear Safety Commission  
P.O. Box 1046, Station B, 280 Slater Street  
Ottawa, Ontario, Canada K1P 5S9

Sent by Email: [cnscconsultation.ccsn@canada.ca](mailto:cnscconsultation.ccsn@canada.ca)

## **NORTHWATCH COMMENTS ON DRAFT REGDOC-2.11.1, WASTE MANAGEMENT, VOLUME I: MANAGEMENT OF RADIOACTIVE WASTE**

On March 29, 2019, the Canadian Nuclear Safety Commission issued a notice that Draft REGDOC-2.11.1, Waste Management, Volume I: Management of Radioactive Waste was available and open for “consultation: until June 30, 2019.

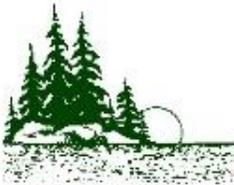
As summarized in the notice, “*REGDOC-2.11.1, Waste Management, Volume I: Management of Radioactive Waste is for CNSC-licensed facilities and activities that are required to have a waste management program. The purpose of this document is to provide requirements and guidance:*

- *on radioactive waste management applicable to different types of CNSC licensees*
- *related to CSA Group standards applicable to radioactive waste management*
- *supplemental to specific topics in radioactive waste management standards”*

As noted in the preface on the first page of the draft REGDOC-2.11.1 Waste Management Volume 1, “*An overview of Canada’s national framework for radioactive waste management is provided in REGDOC-2.11, Framework for Radioactive Waste Management and Decommissioning in Canada.*”

This “Framework” document was published in December 2018 with no consultation and no opportunity for public or other agency comment prior to it being published as a final document:

*REGDOC-2.11, Framework for Radioactive Waste Management and Decommissioning in Canada, provides an overview of the governance and regulatory framework for radioactive waste management and decommissioning in Canada. This overview provides the basis for the other documents in the CNSC’s waste management series of regulatory documents. This regulatory document was not issued for public consultation, nor was it presented to the Commission, since it combines existing information from the CNSC’s website and does not contain any requirements or guidance.<sup>1</sup>*



Box 282, North Bay, ON P1B 8H2 | [northwatch@northwatch.org](mailto:northwatch@northwatch.org)

---

<sup>1</sup> <http://www.nuclearsafety.gc.ca/eng/acts-and-regulations/regulatory-documents/history/regdoc2-11.cfm>

As set out in the CNSC’s listing of regulatory documents,<sup>2</sup> there is a suite of interrelated documents under the category “2.11 Waste management” summarized in the REGDOC listing as “*The internal waste-related programs that form part of the facility's operations up to the point where the waste is removed from the facility to a separate waste management facility. Also covers the planning for decommissioning.*” Setting aside that it is poorly written and difficult to understand, it seems to suggest that this suite of documents is limited to “internal” program facilities, whereas the scope of the suite of documents confirms that the content is much broader, including extending to off-site from the facilities where the waste was generated, and the design and development of “storage” and “disposal” (sic) facilities.

Title	Supersedes	PDF	Status
<b><u>REGDOC-2.11. Framework for Radioactive Waste Management and Decommissioning in Canada</u></b>	Not Stated	<a href="#">PDF, 13 pages, 177 KB</a>	<a href="#">Published December 2018</a>
<b><u>REGDOC-2.11.1, Waste Management, Volume I: Management of Radioactive Waste</u></b>	Not Stated	<a href="#">PDF, 21 pages, 285 KB</a>	<a href="#">Currently under development</a>
<b><u>REGDOC-2.11.1, Waste Management, Volume II: Management of Uranium Mine Waste Rock and Mill Tailings</u></b>	<a href="#">RD/GD-370, Management of Uranium Mine Waste Rock and Mill Tailings   PDF</a>  <a href="#">P-290, Managing Radioactive Waste   PDF</a>	<a href="#">PDF, 16 pages, 276 KB</a>	<a href="#">Published November 2018</a>
<b><u>REGDOC-2.11.1, Waste Management, Volume III: Safety Case for Long-Term Radioactive Waste Management, Version 2</u></b>	<a href="#">REGDOC-2.11.1, Waste Management, Volume III: Assessing the Long-Term Safety of Radioactive Waste Management   (PDF)</a> <a href="#">G-320, Assessing the Long term Safety of Radioactive Waste Management   PDF</a> <a href="#">P-290, Managing Radioactive Waste   PDF</a>	<a href="#">PDF, 39 pages, 418 KB</a>	<a href="#">Currently under development</a>

<sup>2</sup> <http://www.nuclearsafety.gc.ca/eng/acts-and-regulations/regulatory-documents/index.cfm#R19>

Title	Supersedes	PDF	Status
<b>REGDOC-2.11.2, Decommissioning Planning</b>	G-219, Decommissioning Planning for Licensed Activities   PDF	Not yet developed	Not yet developed

**CNSC Consultation Approach**

Northwatch strongly disagrees with the decisions by CNSC staff to prepare, finalize and publish *REGDOC-2.11. Framework for Radioactive Waste Management and Decommissioning in Canada* without any public input and without presenting it to the Commission. If this document is of any value in providing a framework for Canada’s approach and regulatory regime with respect to radioactive waste management and the decommissioning of nuclear facilities, then there is value in engaging both the public and the Commission in its development.

In addition and more specifically:

- Our review of REGDOC-2.11. Framework for Radioactive Waste Management and Decommissioning in Canada identified ample cause for this document being the subject of public and other agency review and comment; for example, as a document that self-describes as being the “basis” for a suite of regulatory documents, some of which will be the subject of a public comment period, the document itself should be subject to public comment
- The “framework” includes statements which are presented as fact but are subjective and interpretive
- At minimum, public review might have reduced the number of typographic errors found in the “final” document

**Northwatch Comments on Draft REGDOC 2.11.1 Volume I**

- The document confuses the role, function and authority of CSA Group standards with CNSC REGDOCs and CNSC’s role, function and authority in sections 1.1 and 1.2 and 2.1
- In titling a section “relevant legislation” but identifying only CNSC’s own regulations this section is misleading and incomplete
- The language and terminology used in several instances is overly vague, subjective, or open to interpretation, such as “undue burden”
- In stipulating that licensees “track the waste inventory under their control” but not setting out requirements for tracking of radioactive wastes as it moves through various control regimes the REGDOC is creating a regulatory regime that lacks rigour and where

radioactive waste materials cannot assume to be tracked or traced; this contrasts sharply with the notion that those who generate the waste are responsible for the waste

- In stipulating that licensees “provide the CNSC with information about the ownership of radioactive waste in their possession” regimes the REGDOC is creating a regulatory regime that lacks rigour and where radioactive waste materials cannot assume to be tracked or traced; this contrasts sharply with the notion that those who generate the waste are responsible for the waste
- The descriptions provided in Section 6 are overly vague and lack definition; what is required is a consistent method and system of categorizing, classifying and characterizing radioactive wastes; the REGDOC fails to provide that direction in sufficient detail or with sufficient explanation and description
- The descriptions of the various waste classes includes in each very brief description a statement about “disposal facilities”, all of them near or sub-surface at various depths, with the depths varied by waste class; this is an unsupported and unsupportable position that has been inserted in what should have been a description of a group of wastes according to its characteristics

**NOTE: No near or subsurface radioactive waste “disposal” facility has been fully designed or licensed in Canada. Is it the CNSC staff’s intent to pre-empt scientific, public and regulatory processes by these unsupported assertions that all radioactive waste “disposal” facilities will be geological repositories?**

- The draft REGDOC does include a requirement that licensees characterize radioactive wastes and maintain detailed records of the characterization performed, but fails to include requirements that these detail records be reported regularly to the CNSC and made available to the public
- The brief section on Waste acceptance criteria does not – but should – include requirements for quality control / quality assurance programs, for tracking and inventory of waste packages from time of generation / receipt onwards, and does not – but should – incorporate requirements for characterization and inventory management noted above
- Problematically, the draft REGDOC states that “In situations where acceptance requirements for disposal are not yet available, the licensee should develop waste acceptance criteria with reasonable assumptions about the anticipated disposal option”; the REGDOC should clarify that no facility should receive wastes from another site, location or facility if it is without the means to contain and manage that waste in isolation from the environment into perpetuity; this management system must be approved and operational, rather than simply theoretical and /or intended
- The REGDOC fails to establish criteria for the transfer off-site of radioactive wastes (comparative to requirements in other jurisdictions that radioactive wastes be managed as close to their point of generation as possible)

- The presentation in the document of requirements for “site characterization for a waste management storage facility” could be taken to infer that site characterization is required only in the case of waste management facilities, rather than it be a requirement of all nuclear facilities; the next draft should clarify this
- The REGDOC should clearly set out the any temporal or other criteria which distinguish a facility as a “disposal” facility versus a “storage” or “management” facility

Northwatch’s comments on Section 10 of this Draft REGDOC will be incorporated into our comments on [REGDOC-2.11.1, Waste Management, Volume III: Assessing the Long-term Safety of Radioactive Waste Management](#)

Submitted by Northwatch, 30 September 2019

- The presentation in the document of requirements for “site characterization for a waste management storage facility” could be taken to infer that site characterization is required only in the case of waste management facilities, rather than it be a requirement of all nuclear facilities; the next draft should clarify this
- The REGDOC should clearly set out the any temporal or other criteria which distinguish a facility as a “disposal” facility versus a “storage” or “management” facility

Northwatch’s comments on Section 10 of this Draft REGDOC will be incorporated into our comments on [REGDOC-2.11.1, Waste Management, Volume III: Assessing the Long-term Safety of Radioactive Waste Management](#)

Submitted by Northwatch, 30 September 2019