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# *Notice of Adjournment of Public Hearing*

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June 9, 2023

Ref. 2022-H-07

**Commission announces a change in date for the oral hearing of final submissions regarding Canadian Nuclear Laboratories' application to authorize the construction of a near surface disposal facility. The oral hearing, which was initially scheduled June 27, 2023, will now be held August 10, 2023.**

The [Canadian Nuclear Safety Commission](#) (CNSC) is holding a public hearing process – with Part 1 held on February 22, 2022, and Part 2 held from May 30 to June 3, 2022 – to consider an application from Canadian Nuclear Laboratories Ltd. (CNL) to amend its nuclear research and test establishment operating licence for the [Chalk River Laboratories](#) (CRL) site. The requested amendment would authorize the construction of the proposed [near surface disposal facility](#) for low-level radioactive waste. The CRL site is located in Deep River, Ontario, on the traditional unceded territory of the Algonquin Anishnaabeg peoples.

Intervenors who made oral submissions during Part 2 of the public hearing were given the option to make written final submissions to the Commission. Written final submissions were due by June 6, 2023. CNL, as the proponent, must file its written final submission with the Registry by June 21, 2023.

In the spirit of reconciliation and in recognition of the Indigenous oral tradition for sharing knowledge, Indigenous Nations and communities that made oral interventions during Part 2 of the public hearing can make their final submissions orally if they so choose. Final oral submissions will be heard by the Commission at an oral hearing, originally scheduled for June 27, 2023. Indigenous Nations and communities wishing to make an oral final submission were required to notify the Registry by June 6, 2023. CNL must file any presentation material to accompany its oral submission with the Commission Registry by June 21, 2023. Procedural guidance for oral final submissions was provided in the [Revised Notice of Public Hearing and Procedural Guidance for Final Submissions](#), published May 17, 2023. Participants are reminded that oral final submissions may briefly summarize the position and/or the opinion of the speaker with respect to this matter. **Final submissions may reference any material already on the record but MAY NOT introduce any new evidence.**

On May 29, 2023, the Commission received a [letter](#) from the Kitigan Zibi Anishinabeg requesting to adjourn the oral hearing of final submissions for a period of 6 weeks. The Registrar informed CNL of the adjournment request and received CNL's June 6, 2023 [response](#) to the request. CNL expressed some concerns with respect to adjournment, concluding that it would

support scheduling the oral hearing at the earliest opportunity to ensure a fair, timely and transparent hearing process for all participants – should the Commission decide to adjourn.

In considering the adjournment request and CNL's response, the Commission recognized its responsibility to ensure that Commission proceedings continue as informally and expeditiously as the circumstances and considerations of fairness permit. This includes being open and responsive to certain challenges encountered by participants during the hearing process.

The Commission recognizes that this adjournment may present scheduling challenges. Nevertheless, being responsive means recognizing that unforeseen circumstances may arise and impact the process during a project review. After considering the request and CNL's response, the Commission concludes that on balance, fairness to the participants favours adjournment. The Commission is not satisfied that CNL would suffer prejudice should there be a date change for final oral submissions. The Commission therefore adjourns the hearing of final oral submissions to **August 10, 2023**. With this decision, the Commission also reaffirms its commitment to proceed diligently and to issue its decision in a timely manner after conclusion of the hearing process.

The revised hearing details are as follows:

Date: **August 10, 2023**  
Place: Virtually via Zoom  
Time: As set by the agenda published prior to the hearing date

All submissions will be available for download on the [CNSC website](#) or on request to the Commission Registry.

### **Contact information**

For further information on the public Commission hearing process, or on the licensee or the facility being considered in this matter, or to request documents, please contact:

Senior Tribunal Officer, Commission Registry  
Canadian Nuclear Safety Commission  
280 Slater St  
PO Box 1046 Stn B  
Ottawa ON K1P 5S9

Tel.: 613-858-7651 or 1-800-668-5284  
Fax: 613-995-5086  
Email: [interventions@cnsccsn.gc.ca](mailto:interventions@cnsccsn.gc.ca)  
Web: [Participate in a public Commission hearing](#)

For inquiries to the licensee, please contact:

Canadian Nuclear Laboratories  
286 Plant Road  
Chalk River ON K0J 1J0

Email: [communications@cnl.ca](mailto:communications@cnl.ca)

Web: [CNL NSDF Connect with Us page](#)

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