



Revised Notice of Public Hearing and Procedural Guidance for Final Submissions

March 23, 2023

Ref. 2022-H-07
Revision 1

Revised procedural guidance on final submissions regarding Canadian Nuclear Laboratories' application to authorize the construction of a near surface disposal facility

The [Canadian Nuclear Safety Commission](#) (CNSC) held a 2-part public hearing – with Part 1 on February 22, 2022, and Part 2 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. **This revised notice provides clarification on final submissions and specifies that the oral final submissions will be presented using the virtual format that the Commission has used successfully in recent proceedings. This format will allow Indigenous Nations and communities to present their final submissions orally to the Commission from their own communities.**

On June 30, 2022, the Commission [directed](#) that the hearing record be kept open to allow more time to receive additional evidence and information regarding engagement and consultation efforts in respect of Kebaowek First Nation and the Kitigan Zibi Anishinabeg. Accordingly, the Commission invited additional information from Kebaowek First Nation, the Kitigan Zibi Anishinabeg, Atomic Energy of Canada Limited (AECL), CNL, and CNSC staff, to be filed by January 31, 2023.

On December 22, 2022, after considering the requests from [Kebaowek First Nation](#) and the [Kitigan Zibi Anishinabeg](#), which were supported by [CNL and AECL](#), to extend the deadline to submit the additional information, the President of the Commission, as a Panel of the Commission on procedural matters, [decided to extend the deadline](#) from January 31, 2023, to **May 1, 2023**. Per the President's decision, Kebaowek First Nation, the Kitigan Zibi Anishinabeg, AECL, CNL, and CNSC staff must file any additional information with the Commission Registry by May 1, 2023, using the [online form](#), [email](#), or the contact information below. Information that is within the scope of additional evidence and information in respect of engagement and consultation will be accepted into the hearing record. All submissions will be available on the [CNSC website](#) or on request to the Commission Registry.

e-Doc 6981882 (Word)
e-Doc 6990509 (PDF)

The Commission will review the submissions and inform all participants of whether it is satisfied with the additional information in this matter or whether further information is required. If the Commission determines that no further information or additional hearing days are required, it will proceed with the final phase of the proceeding, which will include the final submissions.

Written final submissions

As previously detailed in the [revised notice of public hearing including procedural guidance for questions and written final submissions](#), **intervenorors who made oral submissions during Part 2 of the public hearing** have the option to make written final submissions to the Commission. Written final submissions may briefly summarize the position and/or the opinion of the writer with respect to this matter. Final submissions may reference any material on the record, including the specific additional information on engagement and consultation that is to be filed no later than May 1, 2023, but may not introduce any new evidence or information. Written final submissions shall be limited to a maximum of 5,000 words for registered intervenors and 30,000 words for CNSC staff and CNL. Final submissions that do not follow these instructions will not be accepted.

Subject to any direction to the contrary by the Commission, written final submissions must be filed with the Commission Registry by **May 31, 2023**, using the [online form](#), [email](#), or the contact information below. All submissions will be available on the [CNSC website](#) or on request to the Commission Registry. CNL, as the proponent, must file its written final submission with the Commission Registry by **June 15, 2023**.

Oral hearing for final submissions from Indigenous Nations and communities

In their December 2022 procedural requests, Kebaowek First Nation and the Kitigan Zibi Anishinabeg also requested the opportunity to present their final submissions by way of an oral hearing. The Commission has agreed that, in the spirit of reconciliation and in recognition of the Indigenous oral tradition for sharing knowledge, it will allow Indigenous Nations and communities that made oral interventions during Part 2 of the public hearing to make their final submissions orally, should they so choose. Indigenous Nations and communities that wish to make a final submission must submit one of the following by **May 31, 2023**:

- a final submission to the Commission Registry in writing only
- a final submission to the Commission Registry in writing, including notification of the intent to speak to that submission at the oral hearing, as well as any presentation material to accompany the oral submission
- notification to the Commission Registry, in writing, of the intent to make a final submission by way of oral statement only; as part of this written notification, Indigenous Nations and communities may choose to provide the Commission Registry with a summary of the points they will make at the oral hearing, as well as any presentation material to accompany the oral submission

The purpose of the oral hearing is to allow the Commission to hear final oral statements. Each Indigenous Nation or community that chooses to make a final submission by way of oral

statement will have a maximum of 30 minutes to speak to the Commission. CNL, as the proponent, will have a maximum of 60 minutes to make an oral final submission, should it choose to do so. CNL must file any presentation material to accompany its oral submission with the Commission Registry by **June 15, 2023**.

Subject to any direction to the contrary by the Commission, the hearing details are as follows:

Date: June 27, 2023
Place: **Virtually via Zoom**
Time: As set by the agenda published prior to the hearing date

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, 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

Web: [Participate in a public Commission hearing](#)