



Oral Presentation

Exposé oral

**Written submission from
Chaitanya Kalevar**

**Mémoire de
Chaitanya Kalevar**

In the Matter of the

À l'égard de

**BWXT Nuclear Energy Canada Inc.,
Toronto and Peterborough Facilities**

**BWXT Nuclear Energy Canada Inc.,
installations de Toronto et Peterborough**

Application for the renewal of the licence for
Toronto and Peterborough facilities

Demande de renouvellement du permis pour les
installations de Toronto et Peterborough

Commission Public Hearing

Audience publique de la Commission

March 2 to 6, 2020

Du 2 au 6 mars 2020

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Should CNSC relicense BWXT?

Chair & Members of the - CNSC

It is quite a challenging task and responsibility for you to approve the BWXT's License application in such a densely populated area of west end Toronto.

I sincerely hope you use your horse sense and do not approve their License application. The previous CNSC members misjudged when it approved the transfer of the plant from GE to BWXT. **You need not approve again at this site as it is much more densely packed neighborhood NOW.**

Background:

I am an Engineering post-graduate of University of Waterloo & MBA from McMaster. My opposition to Pickering & Darlington & Bruce has a long history. I do not welcome any type of radiation (Alpha, Beta & Gamma) in my home or my neighborhood. I live about a KM from the BWXT's plant. Many of my neighbors live within a stone's throw from the plant. There are even elementary schools in the immediate neighborhoods. I am sure you are aware young children are more sensitive than adults to radiation. And yes, women, especially pregnant women are also more sensitive. As the uterus and the unborn are lot more sensitive to such radiation. Deformed babies are often the result of such early exposures. Yes, OHIP may cover some of these costs, but that does not mean as member of the public I and many of my neighbors approve of Nuclear Industry freeloading on taxpayers through the OHIP window. Not to mention the pain & suffering of the children and their families. Yes, and possible genetic deformities in future generations.

CANADA & NUCLEAR AGE:

For most people in the world, Nuclear Age started with a bang or may be 2: Hiroshima & Nagasaki in 1945. Supposedly ended World War II.

Yes, our constantly war habituated neighbor United States bent on world domination has not stopped its nuclear activities since then.

So, what was Canada's role in this epoch changing events as USA's neighbor with the longest undefended border? How was Canada part of these deadly irreversible events? Could USA have proceeded with Nuclear Age in 1945 without Canada? May be but did not. Canada was the friendly supplier of Uranium. It was Canadian Nuclear Technology & Uranium got the Nuclear Age gave an early start. Where did the Uranium come from? And yes, who approved it & sold it to USA?

Premier Tommy Douglas & Nuclear Age:

In 1940s, when he was Premier of Saskatchewan (1935 – 1961) he counted \$\$ for Saskatchewan treasury by selling Saskatchewan Uranium to Americans for their WWII plans to bomb Japan in Hiroshima & Nagasaki. **Thanks TOMMY!**

Canadians are thankful to Tommy Douglas, (then leader of the New Democratic Party – later in federal politics) for blessing Canadians with Medicare benefits under the minority government of Prime minister Lester B Pearson - Nobel Peace Prize winner in 1957.

In late 1960s & early 70s before Pickering started polluting Lake Ontario with its **regular radioactive releases** I used to ask Ontario Hydro "Why are you building this deadly plants so close to the city?". Their unjustifiable answer to me was "Long distance means more transmission losses" I was not satisfied. For minor transmission losses they were prepared to risk blowing up the city one day. Lucky it has not happened yet, but then neither is Fukushima fixed yet?! Where are all the smart Nuclear Engineers & Scientists? Fukushima is doing a good job of radioactively polluting Pacific. So are **Pickering, Darlington & Bruce** doing it our **planet's [20%] fresh water supply** & yes down St Lawrence Seaway – to the Atlantic & the 7 seas.

So, is Canada a major contributor of radioactive pollution of our only planet? YES!
Did Canada initiate and push for Nuclear Age? YES! Under Colombo Plan under the Commonwealth plan it gifted India with a CANDU reactor located at Trombay – near Bombay – now Mumbai.
Is it still promoting nuclear age and finding markets for its large Uranium deposits? Does that amount to prospective Uranium profits beat the health concerns of neighborhood around this plant at Lansdown & Dupont and many others across Canada & United States?
Why is the neighborhood expendable? Why can the BWXT plant not closed for good? If it has to be kept open for the nuclear blind addicts then let it be far away from any well settled areas like Toronto or Peterborough.

Worse now some ignorant Premiers are promoting the idea of more SMNR [Small Modular Nuclear Reactors] up north for their pet mining projects. As if there are not enough TOXIC TAILING PONDS WHICH LEAD TO ECOCIDE ON SITE.

Native Americans warned against digging up this 'DEATH METAL', but then who listens to them on their unceded land, let alone claimed lands?

CNSC- why are you keeping such deadly information from Canadian public? If not you then who? My requests for a map of all toxic tailing ponds have fallen on deaf ears in Ontario & Canada for decades. Can you make public such information? If not you then who can? Why are all of us kept in dark about the negative risks of careless industrialization?

Pickering & ME:

With Pickering approved by Premier Bill Davis [in spite of Porter Commission conclusion [Professor Porter of Industrial Engineering at University of Toronto] summarily concluding that "Nuclear Power is a good idea except for nuclear waste." Now we have a good idea but have accumulated million tons of nuclear waste on the shores of Lake Ontario & Huron. We still do not know what to do with nuclear waste? If great lakes are contaminated with nuclear waste where will citizens of Hamilton, Toronto, Kingston, Montreal & Quebec city will get their drinking water from?

Now we are stuck with a nuclear risk to the 20% of fresh water of the planet because Ontario wanted cheap electricity for its industrial development & competitiveness with the greatest polluting power in the world our only neighbor UNITED STATES.

In any case, I decided to live in the west end keeping a good distance from the Nuclear risks posed by the Pickering[& later Darlington too]. I bought a home in the west end but did not get very far from the nuclear risks. The BWXT plant is only a KM away from my safe home decision made in 1980. I discovered the quietly polluting plant only when it changed hands from GE to BWXT in the last decade.

Many citizens had requested that we be allowed to have an inspection of the safe plant & our concerns addressed in full sight of the plant. As far as I am aware no citizen requests were entertained. I was specifically denied and I still would like to see the inside of the plant. Why can we not when you confirm that it is safe? Are you misleading us?

As we receive the ill effects of this war technology to end World War II, should we not have a say in its deployment in our neighbourhood?. Why don't the workers and management who make a living by such a safe technology have their management & workers have housing colonies right next to the BWXT plant?

Why should the innocent citizens who were not aware of the risks [like me] should bear the burden of their fat salaries & safe far away homes? DO any of the workers at BWXT work live within a 1/5/10/20/50 KMs of the plant?

Can we have a scatter diagram of the workers associated with the BWXT operations?

WHY NOT?

Are they not willing to expose their long distance upscale homes to this local community suffering from the risks of nuclear age neglect? Why are their NO MONITORING devices outside the plant for Alpha, Beta & Gamma radiation? Is the plant perfectly managed with zero leaks? I doubt it!

Can they not afford radioactivity sensing devices outside the plant? Or is it that CNSC just does not care, because health effects are not immediately apparant?

Let us take the curtain off the nuclear age & let our planet not suffer more from its unwanted radiation and the possible nuclear wars. It is time to STOP NUCLEAR AGE PROGRESS INTO LIVING HELL ON OUR PLANET.

CNSC approval before failed to check the violation of our charter rights under section 7 – of our life, liberty and security of the person.

Let CNSC not violate our neighborhood's section 7 rights by siding with an American WAR MANUFACTURER.

Appendix A: Charter of Rights & Freedoms

Section 7 of Charter is violated by BWXT under careless administration of CNSC.

Canadian Charter of Rights & Responsibilities

Section 7 of the Charter grants us all:

Everyone has the **right to life, liberty and security of the person** and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

I suggest the way CNSC conducts itself it is violating our Section 7 rights under the Charter. **It applies to all persons (citizens or not) but not to the corporations.** Why should it?

I suggest that our fundamental justice principles are being completely ignored by CNSC in running this plant at this location. All levels of governments: Municipal, Provincial & Federal have turned a blind eye to all these concerns so far.

Why is CNSC assuming that it can and has been threatening life liberty and security of the person of all communities wherever they have granted licenses.

It is time to limit its mandate drastically or dismantle CNSC.

I have not and no one in the immediate neighborhood of the BWXT plant has consented to the violation of their Sec 7 charter rights - as far as I know.

Appendix B:
CNSC - CCSN ADMINISTRATION
disappoints citizens

STAFF & PRESENTATIONS:

I was deeply disappointed with the shoddy presentations of the CNSC staff.

1. They could not name the Insurance company with which BWXT plant is insured. WHY? Is it American or Canadian?
2. Why can the homeowners not insure their homes with this very good insurance company, which for some unknown reason cannot be named.
3. Are not all nuclear operations in Canada insured under the Nuclear Liability Act?
4. What is the status of the Nuclear Liability Act since the Charter has come into effect in 1982?
5. Its elaborate one page 2-sided flyer titled "Understanding Radiation" FACT SHEET fails to mention RADIATION DOSES given to my neighbors & children going to neighboring elementary & secondary schools.
6. YES, CNSC did not have staff or budget to do such necessary observations or calculations?
7. What are CNSC administration's priorities?

Appendix C:

Can SNSC confirm if these facts as reported by other citizens accurate?

There's a Uranium Processing Facility located at 1025 Lansdowne Avenue, run by [BWXT](#) Technologies, Inc. is an American Nuclear Component Manufacturer.

This facility bakes 150 Tonnes of Uranium Dioxide every month into pellets to be used in Nuclear Reactors across Canada.

There are 700 Tonnes of Powdered Uranium Dioxide sitting onsite at any given point.

Inhalation of Uranium Dioxide is [toxic](#), particularly over prolonged periods of exposure (e.g. living in the vicinity of the plant).

The facility also houses an above-ground 9000 Gallon tank of [highly-flammable](#) liquid hydrogen next to an active rail line.

Uranium Dioxide is also highly-flammable, even [Pyrophoric](#) – meaning it can ignite upon coming into contact with air.

The BWXT plant is regulated by the [CNSC \(Canadian Nuclear Safety Commission\)](#).

However, a risk assessment focusing on the

hazards of a fire, explosion or any sort of nuclear accident at the facility is not available to the public. There's no safety or evacuation plan available to the public, either.

The CNSC has set [the limit](#) of *9 Metric Tonnes of Uranium* as an allowable amount to be dumped into the sewer, and 760 Grams of Uranium to be deposited into the air each year (a far less dramatic sounding number until you consider that Uranium acts on the body on the micron level).

The CNSC also allows BWXT to "self-report" its own emission levels. What is CNSC doing then? Twiddling its thumbs?

I oppose relicensing BWXT

&

Support Dismantling CNSC

Appendix D:

Carter Vs Canada(AG) decision has changed significance of Charter's Section 7

Text[

Under the heading of "Legal Rights", the section states:

7. Everyone has the right to life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice.

Application[edit]

The wording of section 7 says that it applies to "everyone". This includes all people within Canada, including non-citizens.^[4] It does not, however, apply to corporations.^[5]

Section 7 rights can also be violated by the conduct of a party other than a Canadian government body. The government need only be a participant or complicit in the conduct threatening the right, where the violation must be a reasonably foreseeable consequence of the government actions.^[6]

Section 7 has not been interpreted to convey [positive rights](#) nor has it been interpreted to impose any positive obligations upon the government. However, the Supreme Court of Canada has not ruled out these alternatives.^[7]

Life[edit]

See also: [Right to life](#)

First, there is the right to life, which stands generally as the basic right to be alive. Life has been thoroughly discussed by the Supreme Court in the 1993 case [Rodriguez v British Columbia \(AG\)](#). In that case, the Court denied that the section 7 right to bodily control could trump the right to life and thereby justify [assisted suicide](#). As the Court wrote, it was a common societal belief that "human life is sacred or inviolable", and therefore security of the person itself could not include a right to [suicide](#); suicide would destroy life and thus be inherently harmful.

However, the Supreme Court under Chief Justice [Beverley McLachlin](#) has unanimously reversed this decision in [Carter v Canada \(AG\)](#). The [Criminal Code](#) provision imposing a blanket ban on assisted suicide was struck down for overbreadth, as it also impacted those with the capacity to provide legitimate consent. [Bill C-14](#) was passed in June 2016 in response to this decision.

Let courts [NOT CNCS - CCSN] decide now.