



Oral presentation

Written submission from Kathryn Lindsay

In the Matter of the

Canadian Nuclear Laboratories (CNL)

Application from the CNL to amend its Chalk River Laboratories site licence to authorize the construction of a near surface disposal facility

Commission Public Hearing Part 2

May and June 2022

Exposé oral

Mémoire de Kathryn Lindsay

À l'égard des

Laboratoires Nucléaires Canadiens (LNC)

Demande des LNC visant à modifier le permis du site des Laboratoires de Chalk River pour autoriser la construction d'une installation de gestion des déchets près de la surface

Audience publique de la Commission Partie 2

Mai et juin 2022

Filed on April 11, 2022

Submission to CNSC re: CNL's application to allow for the construction of a Near Surface Disposal Facility at Chalk River Laboratories (Ref. 2022-H-07)

From:

Kathryn Lindsay, PhD (Wildlife Ecology '84)

In addition to this written submission, I also request to make an oral presentation at the CNSC public hearing on this matter currently scheduled for May 31, 2022.

The oral presentation would focus on the concerns listed below. **Given the diversity outline, this submission does not easily fall within any one of the topic areas defined for the hearing.**

I am making this submission in the following capacity:

- Concerned member of the public.
- Constituent of Renfrew-Nipissing-Pembroke.
- Sixth generation settler in the Bonnechere River Valley and property owner in Horton Twp. in the County of Renfrew.
- Third generation owner of a cottage property downstream of Chalk River in McNab/Braeside Twp. in the County of Renfrew.
- PhD wildlife ecologist with Environment Canada (retired after 33 years).
- Adjunct Research Professor in Geography and Environmental Studies and Director (emeritus) of the Geomatics and Landscape Ecology Research Lab at Carleton University in Ottawa.
- Chair of the Board, Director, and Program volunteer of the Bonnechere River Watershed Project, a community-based charitable not-for-profit started in 1998. Its mission is to engage with others to promote awareness and inspire stewardship actions for the Bonnechere River and its watershed (a tributary of the Ottawa), and more recently to build collective capacity to take stewardship action for other watersheds as project lead for Freshwater Partners Renfrew County.
- Founding member of the Kitchissippi-Ottawa Valley Chapter of the Council of Canadians but not the lead on that submission.

The current submission draws considerably on the work and resources provided by the Concerned Citizens of Renfrew County & Area (CCRCA) and the Kitchissippi-Ottawa Valley Chapter of the Council of Canadians, both of whose submissions we support.

List of concerns:

- The proposed facility does not comply with international safety standards for the type of waste to be deposited and may not even have the capacity to deal with current and future radioactive and other hazardous waste at CRL, and even less so if more nuclear waste, including commercial/industrial radioactive wastes, continues to be transported to CRL from other sites in Canada, and possibly from abroad (e.g. cobalt-60).
- CNL has not considered other locations (such as the adjacent Department of National Defence property at Garrison Petawawa) for a waste disposal site that is better value for our tax dollars, can deal with more highly radioactive waste, can accommodate greater storage capacity, is exposed to less risk from extreme events due to climate change (e.g. intense precipitation, rapid snow melt, wind microbursts or tornadoes) and seismic activity (e.g. earthquakes), can incorporate natural barriers to mitigate waste migration and human intrusion during operation and following closure, and better conserves significant woodlands/wetlands/grasslands and associated biodiversity including species at risk. This is in contrast to the proposed NSDF at CRL which is on a seismically-active fault line, will result in 30 hectares of mature forest loss and additional loss and/or degradation of terrestrial and wetland habitat including for species at risk, and requires engineered barriers to prevent human intrusion and to mitigate further contamination from leakage and migration of hazardous wastes to adjacent land and ground/surface waters including the Ottawa River itself, Canada's newest Heritage River, and a source of drinking water for millions of Canadians.
- CNSC's refusal to adjourn, postpone or suspend the hearing on the EA and CNL license amendment for the NSDF in response to numerous formal requests for a variety of reasons including from:
 1. Algonquin Anishinaabeg Nation Tribal Council and Kebaowek First Nation (on whose unceded and untreated territory the proposed NSDF would be located) on August 26, 2020 to NRCAN with a c.c. to CNSC on the failure to adequately engage and consult.
 2. Kebaowek First Nation to CNSC on January 31, 2022 again on the basis that CNSC has not discharged the Crown's duty to consult nor undertaken adequate engagement and consultation before deciding to proceed with the

EA, pre-approve the license amendment request and fast-track the licensing hearing for the NSDF.

3. Members of Parliament and 50 environmental and citizen groups on February 15, 2022.
 4. Concerned Citizens of Renfrew County & Area to CNSC on March 14, 2022, given the omission to consider the characteristics and quantities of the radioactive waste at CRL and other federal nuclear research facilities.
 5. The Algonquin Anishinaabeg Nation to CNSC on April 1, 2022 again on the failure to adequately engage and consult, and so that the Ten Principles policy guidelines could be implemented including “Free, Prior and Informed Consent” as a centrepiece of the United Nations’ Declaration of the Rights of Indigenous Peoples, and as they intersect with the social and political priority of Indigenous reconciliation in Canada.
 6. Algonquins of Barriere Lake to CNSC on April 1, 2022 on the basis that CNSC fast tracking the NSDF hearing without fully and meaningfully consulting affected Algonquin Anishinaabeg communities is unreasonable and falls considerably short of fulfilling the Crown’s duty to meaningfully consult.
- In addition, the NSDF hearing should not move forward until the completion of three federal reviews that have implications for radioactive waste disposal in Canada including:
 1. The audit of nuclear waste management by the Office of the Auditor General of Canada which began in the summer of 2021 and report expected later in 2022.
 2. The draft policy on radioactive waste management and decommissioning by NRCAN released on February 1, 2022 for public comment by April 2, 2022.
 3. The comprehensive review started in February 2022 by the parliamentary Standing Committee on the Environment and Sustainable Development on nuclear waste governance in Canada and its impacts on the environment, including the issues raised by the import of these wastes and the trade in medical technologies.

In conclusion, given the concerns articulated above, and by other submissions, the CNSC would be seen as just, **not credible**, but rather a **"captured regulator"**, if it were to render a decision based on the assertion that CNL has made adequate provision for the protection of the environment and the health, safety and security of Canadians, especially in the Ottawa Valley, and proceed with the approval of the EA and CNL license amendment for the proposed NSDF at CRL.

c.c.

Wendy Jocko, Chief, Algonquins of Pikwàkanagàn
Cheryl Gallant, MP, Renfrew-Nipissing-Pembroke
John Yakabuski, MPP, Renfrew-Nipissing-Pembroke
Debbie Robinson, Warden, Renfrew County Council
Suzanne D'Eon, Mayor of Deep River
Glenn Doncaster, Reeve of Deep River
Bob Sweet, Mayor, Town of Petawawa
Mike LeMay, Mayor, City of Pembroke
Michael Moore, Mayor, Twp. Whitewater Region
Cathy Regier, Reeve, Twp. Whitewater Region
David Bennett, Mayor, Twp. Horton
Tom Peckett, Mayor, Twp. McNab/Braeside
Walter Stack, Mayor, Town of Arnprior
Bonnechere River Watershed Project
Freshwater Partners Renfrew County
Concerned Citizens of Renfrew County and Area
Kitchissippi-Ottawa Valley Chapter, Council of Canadians
Ottawa Riverkeeper
Watersheds Canada