



**Oral presentation**

**Exposé oral**

**Written submission from  
Nira Dookeran**

**Mémoire de  
Nira Dookeran**

In the Matter of the

À l'égard des

**Canadian Nuclear Laboratories (CNL)**

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**Laboratoires Nucléaires Canadiens (LNC)**

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

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

**Commission Public Hearing  
Part 2**

**Audience publique de la Commission  
Partie 2**

**May and June 2022**

**Mai et juin 2022**

Thank you for this opportunity to present my thoughts on the proposed NSDF at Chalk River. The focus of my response is the impossibility of reassuring Canadians of the **long-term safety** of the Chalk River NSDF proposal in the context of Canada's **almost complete lack of a comprehensive and evidence-based nuclear waste management and disposal policy**.

In view of the current thin state of Canadian government policy on nuclear waste management and disposal, it is my deep concern that there is relatively little actual science or proven technological expertise upon which decisions are being made regarding the disposal of legacy nuclear waste at Chalk River. Rather, the key criteria by which the process is being determined seem to be business/economic factors and pure political expediency. Neither of which inspires public confidence.

When I say the "thin state" of a comprehensive policy framework, I mean:

- Seriously insufficient evidence regarding the **long-term safety** of the current CNL proposal for the NSDF at Chalk River;
- Significant **lack of alignment** between **current Canadian practice** with respect to nuclear waste management and **IAEA guidelines**;
- An **unsettling, pervasive perception of serious conflicts of interest** with respect to those currently setting the tone and parameters of the discussion regarding the NSDF proposal itself, and the process by which the discussions and decisions are being made.

In November 2020 the Minister of Natural Resources announced Natural Resources Canada (NRCan) would lead a review of Canada's radioactive waste policies. This was in response to a set of recommendations in 2019 from a multinational team of experts from the International Atomic Energy Agency (IAEA) that Canada enhance its existing policy and establish an associated national strategy for the management of radioactive wastes.

Many civil society organizations engaged in the NRCan review. Their main messages included but were not limited to:

- Canada needs **an independent agency, arms-length from government and industry**, to oversee radioactive waste management and decommissioning;
- Radioactive waste should **NOT be abandoned**; policy should direct **perpetual care and monitoring**;
- Government and industry must be **open and transparent** in the management of radioactive waste and its transportation;
- Canadians have a **right** to access information, to engage in decision-making, and to know the risks;
- Policy should **explicitly prohibit the importing of radioactive waste** from other countries;
- **Plutonium extraction** (by reprocessing or pyro-processing) from radioactive fuel waste **must be prohibited**, due to environmental, security and proliferation issues.

A nuclear industry corporation, called the Nuclear Waste Management Organization (NWMO), began to develop an “integrated radioactive waste strategy” at the invitation of the Minister of Natural Resources. (For the most part civil society organizations did not participate in the NWMO exercise.)

The Draft Policy: “Modernizing Canada’s Policy for Radioactive Waste Management and Decommissioning” was released by NRCan for public comment on February 1, 2022.

While the Draft Policy:

- at least nominally recognizes Indigenous peoples and references Canada’s commitment to implementing the United Nations Declaration on the Rights of Indigenous Peoples Act,
- includes transportation as a related activity,
- is more detailed than the 1996 half-page policy it purports to replace,
- acknowledges that Canada has made international commitments it must adhere to,
- and provides a basis for continued policy debate,

**it does NOT**

- establish **independent oversight** for the nuclear industry and nuclear operations;
- **direct a national standard** for the **characterization of radioactive waste** and maintenance of a **verified inventory**.

**It does**

- place the **nuclear industry in charge** of developing waste management strategies, **and identifies no role for the federal government, Indigenous peoples or civil society** with respect to the development and implementation of an “integrated strategy” for radioactive waste;
- indicate that the reprocessing of radioactive wastes would simply be **subject to “policy approval”** rather than **affirming longstanding Canadian policy of disallowing reprocessing**;
- allow for **“exceptions” to a ban on the import of radioactive waste** for disposal in Canada Next Steps.

In other words, this Draft Policy leaves MUCH to be desired.

**We cannot build this plane while we are flying it. The stakes are too high and too many legitimate questions remained unanswered, or unsatisfactorily answered.**

We must proceed with the correct order of operations. And that, to my mind, is:

**First**, create the comprehensive, evidence-based federal policy for the management and disposal of Canada's nuclear legacy waste (and any current and future nuclear waste), aligned with IAEA guidelines, and

**Second**, examine the CNL NSDF proposal rigorously and robustly through the lens of this policy framework to determine if it meets all the priorities of all the relevant stakeholders before granting any further licencing or other permissions by the CNSC to CNL to proceed with a plan that remains fraught with controversy 6 years after I first became aware of this issue. It is an issue that affects the safety of the drinking water of my family, friends, neighbours, and millions of Canadians downriver of the Chalk River Labs. We need to get this right the first time.

Thank you,

Nira Dookeran