



Canadian Nuclear
Safety Commission

Commission canadienne
de sûreté nucléaire

CMD 18-H2.68

File/dossier: 6.01.07

Date: 2017-12-09

Edocs: 5414231

**Written submission from
Judith Maclean Miller**

**Mémoire de
Judith Maclean Miller**

In the Matter of the

À l'égard des

Canadian Nuclear Laboratories

Les Laboratoires Nucléaires Canadiens

Application for the renewal of the Nuclear
Research and Test Establishment Operating
Licence for the Chalk River Laboratories

Demande de renouvellement du permis
d'exploitation d'établissement de recherche
et d'essais nucléaires pour les Laboratoires
de Chalk River

Commission Public Hearing

Audience publique de la Commission

January 23-25, 2018

23-25 janvier 2018

Senior Tribunal Officer, Secretariat
Canadian Nuclear Safety Commission
280 Slater Street, P.O. Box 1046, Station B
Ottawa, Ontario K1P 5S9

December 9, 2017

RE: Canadian Nuclear Laboratories (“CNL”) Site Licence Renewal Application for Chalk River Laboratories (“CRL”): Ref. 2018-H-01

Of Barn Walls and Disappearing Angels

Judith Maclean Miller, PhD

In a classic Canadian story by W. O. Mitchell, some people are required to post notice of a public meeting. They do so by sticking up notices of said meeting in obscure places in the community, like the back walls of cow barns.

The CNSC’s own policy requires wide public notice of--and information about--meetings like those regarding the request for a new licence for the CNL at Chalk River, inviting comment.

The percentage of the community which regularly browses the CNSC website is probably comparable to the number of that fictional community who regularly read the back walls of barns.

Any reasonable person wishing to comment on the CNL’s request for a **10 year** renewal of their licence would need the following six items:

1. the current licence
2. the proposed licence
3. a document clearly comparing the current and proposed licences , highlighting changes, the reasons for them and their implications
4. the current Chalk River Laboratories Licence Conditions Handbook (CRL Handbook)
5. the to-be-revised CRL Handbook
6. a document clearly comparing the current and proposed CRL Handbooks, highlighting changes, the reasons for them and their implications

On the CNSC website, only the following three items appear.

- [Notice of Public Hearing and Participant Funding on the application by the Canadian Nuclear Laboratories for the renewal of the operating licence for the Chalk River Laboratories - Ref. 2018-H-01](#) (Notice)
- **18-H2** Submission from CNSC Staff (Submission)
- ☐ **18-H2.1** Submission from the Canadian Nuclear Laboratories (Submission)

The submissions themselves do not appear when checked. They have to be requested and then emailed or mailed to the reader. After receiving and reading these submissions, I asked, by email, when the other documents would be added to the site. I was sent--promptly--the current licence and was told "You can compare them to see the changes." So I did.

Even a cursory look at the two licences shows the pattern of removing details from the current licence--and of deleting items altogether--creating a clear impression of extensive de-regulation. About half of the current licence conditions have been deleted. And there are extensive changes to the accompanying CRL Handbook.

For instance:

in the current licence-- Management System

The licensee shall implement and maintain a management system, including a written safety policy which places safety paramount within the management system, overriding all other demands, for activities carried out under this licence.

proposed change-- Management System

The licensee shall implement and maintain a management system.

in the current licence-- Operational Experience Program

The licensee shall develop, implement and maintain a program to collect, screen, analyze and document operating experience and events at the CRL site or reported by industry in a systematic way, and to apply the lessons learned to activities at the CRL site.

proposed change-- Delete

The disappearance of this condition concerns me deeply. It is a given in academic and scientific projects that careful records be kept, so as "to apply the lessons learned." Not to do so is unthinkable--especially at the CRL site where research is to be done to develop Small Modular Reactors.

As my grandfather-in-law, a skilful fisherman in the Bay of Fundy sat mending intricate nets, he told me with a twinkle in his eye that "the angels are in the details." One has to wonder where all the angels from the current licence disappeared to in the writing of the proposed licence--and what they think of this steady de-regulation. It seems especially inappropriate to be moving toward de-regulating this site which has had so many problems in the past, where a radioactive waste dump is proposed, and where research into a new generation of reactors is planned.

To make extensive changes to the CRL operating licence--**to last for 10 years**--is ill-advised at this time of unpredictable climate events, unresolved issues at the site, and uncertain plans for a new generation of reactors in an industry which is developing rapidly. An extension of the current licence for up to 18 months would be advisable.

The limited informing of the public about the proposed licence changes makes the whole process to renew/alter the CRL licence invalid.