



CMD 25-H101.9

Date: 2025-05-06

**Written Submission from
Christine Drimmie**

**Mémoire de
Christine Drimmie**

In the matter of

À l'égard d'

Ontario Power Generation Inc.

Application to amend the Pickering Waste Management Facility to authorize construction and operation of the Pickering component storage structure

Ontario Power Generation Inc.

Demande de modification du permis de l'installation de gestion des déchets de Pickering pour autoriser la construction et l'exploitation de la structure de stockage des composants de Pickering

**Public Hearing - Hearing in writing based
on written submissions**

**Audience Publique - Audience par écrit
fondée sur des mémoires**

July 2025

Juillet 2025

May 6, 2025

Tribunal Officer,
Commission Registry,
Canadian Nuclear Safety Commission (CNSC)
Email: interventions@cnsccsn.gc.ca

Re: Hearing in Writing on the Ontario Power Generation (OPG) application to amend the waste facility operating licence for the Pickering Waste Management Facility (PWMF)

Dear Tribunal Officer,

Please find below my comments on and questions about OPG's application. As usual, the fragmented licensing process, the language used and the sheer volume of hearing documents seem designed to thwart public understanding of the rationale and resulting decisions.

OPG's application seeks permission to build a new *structure* at the PWMF site for storage of low and intermediate level radioactive waste that will result from proposed refurbishment of Pickering Units 5 to 8, should that project be approved, and wastes from future decommissioning. This 40,000 square foot storage building would begin operating in 2027.

Among other recommendations, CNSC staff has recommended that the Commission:

2. Amend the PWMF licensing basis to authorize OPG to construct and operate the Pickering Component Storage Structure (PCSS).
5. Determine whether... the CNSC, as an agent of the Crown, has upheld the honour of the Crown and fulfilled its obligations to consult and, where appropriate, accommodate Indigenous peoples, pursuant to section 35 of the Constitution Act, 1982.

A premature decision

CMD 25-H-101 indicates that the current PWMF licence does not authorize activities related to refurbishment, hence the need for the amendment to construct and operate a building related to refurbishment. It also states on p.5 that a CNSC decision on refurbishment in future will not be influenced by a decision on this application to allow the proposed PCSS to be built and operated.

From my perspective, it appears that OPG is gambling that refurbishment will be approved and commission staff is supporting their bet. Advancing this project before the approval process for the refurbishment project has been completed is premature and inconsistent with the CNSC process of separate approvals for separate activities. Stating that building could also support future decommissioning is largely irrelevant as decommissioning would not take place for decades according to OPG's own plans. It

appears that OPG is taking advantage of a lower profile “hearing in writing” to expand both the types and footprint of waste storage at Pickering Nuclear Generating Station (PNGS). Approval of this application would repeat a pattern of avoiding broader discussion of the overall waste strategy for the remaining life cycle of PNGS. That discussion should be part of the refurbishment application process. In other words, what is OPG’s plan for managing refurbishment waste, waste from the extended 30 to 40 years of operation, and from eventual closure? **This premature application further and unnecessarily fragments an already piecemeal licensing process related to radioactive waste at generating stations and should not be supported.**

According to CNSC’s CMD25- H-101, OPG has committed to updating the licensing basis document “Preliminary Decommissioning Plan (PDP) – Pickering Waste Management Facility” and the associated Financial Guarantee (FG) at the next scheduled FG submission in 2027. The PCSS is proposed to be built and operating by then, so again, the application is premature.

In my experience, there is low public understanding of the life cycle of the plant, the ultimate build-out of the site, and the plans for eventual dismantling. **I strongly recommend that the refurbishment licensing process include education for the public and their elected representatives on what to expect from the remaining life cycle of the PNGS including waste storage, dismantling, decommissioning, and removal (or not) of wastes.**

[Lack of consultation with the host communities \(non-Indigenous and Indigenous\) about establishment of significant new waste facilities](#)

The original development of the Pickering NGS predates the environmental assessment (EA) process as we now know it. Pickering, Durham Region and Indigenous rights holders and communities were never formally consulted on, educated about, or asked to consent to, the prospect of indefinite storage of radioactive wastes at the PNGS site.

Historically, applications for additional waste storage at current generating sites are presented to the CNSC on a just-in-time basis, as incremental changes. As such, they don’t meet the threshold for an EA. OPG justifies expanding the waste storage facilities at current generating sites on the basis that no *new* activities will occur that they don’t already competently and safely carry out at this site or another NGS. CNSC approves the storage on that basis without any apparent consideration of the significant new volumes and indefinite time frames involved for the host community. This application follows that pattern.

With respect to this proposed licence amendment, the public consultation section of the application outlines general and routine information programs that OPG offers to the public. The Neighbours Spring Newsletter published in February 2025 contained no reference to the upcoming hearing in writing for the PWMF licence amendment. The brief article only mentioned the end of operations of Unit 4 and the general plan to

refurbish Units 5 to 8. A February 2024 newsletter had a few details but is significantly separated in time from the hearing process.

I could see no indication that OPG offered any information package or session specific to the PCSS application. Of course, the application is posted on the OPG and CNSC websites, but one must know to look for it.

The section of the application that deals with Indigenous consultation lists various meetings dealing with a wide set of topics. There is even a specific waste table mentioned. However, I saw no reference to specific discussions about the amendment to the PWMF licence.

Heather Rambukana, of OPG Nuclear Sustainability Services, provided a presentation on various radioactive waste topics to the Durham Nuclear Health Committee on April 25, 2025. Within that presentation, she noted the opportunity to make a submission to the CNSC on the PWMF amendment by May 6, 2025. However, this information came very late in the process to a small group.

Uncertain fate of the wastes

The application outlines types of waste to be stored in the PCSS including Low Level Waste (LLW). My understanding has been that historically, LLW from Pickering operations routinely has been transferred to the Western Waste Management Facility (WWMF) for processing and “interim” storage.

- Will this practice be changing, how and why?
- Does the scale and quantity of LLW produced from refurbishment activities preclude use of the WWMF? Or are there other reasons?

In 2020, the federal government acknowledged that Canada had no coordinated plan to deal with the Intermediate Level Waste (ILW). Now we have the Integrated Strategy for Radioactive Waste (ISRW) approved in 2023, which directs the Nuclear Waste Management Organization (NWMO) to create a plan for ILW disposal. The ISRW states that NWMO is to find a willing host community and build a second deep geological repository (DGR) for ILW. This facility would be the eventual destination for the ILW that will be housed in the PCSS. The NWMO website (<https://www.nwmo.ca/isrw>) also explains that

“**Low-level waste** will be disposed of in multiple near-surface disposal facilities. Implementation will be managed directly by waste generators and waste owners”.

However, it is not clear how and when OPG plans to site and build a disposal facility for the LLW.

In the meantime, with little consultation and true to the ongoing pattern of no prior informed consent, both Indigenous and non-Indigenous communities of the region will be saddled with yet another large “interim” waste storage facility of indefinite duration.

This is a stigma and burden that few other municipalities have to bear. Judging by the NWMO siting process, I suspect most communities would not voluntarily take on such a facility - not without provision of a significant community benefits agreement, indexed to inflation, for the duration of the storage. But past practice has been that existing host communities are expected to bear the growing burden of waste, without complaint or compensation, on the basis that the added storage activity is not substantially different than what is already occurring. OPG has always done it this way. I suggest that, without being **directed through a licence condition to institute a host community benefits agreement**, OPG will continue to do so, to keep operating costs down.

Poor track record on approving waste sites

Repeating in every CNSC application that “OPG is confident the DGR for used fuel will become operational in the mid-2040s” is meaningless. Optimistically, if the DGR is operational by then, there is no guarantee that the waste from Pickering will be at the front of the queue for DGR storage. The uncertainty around readiness of a DGR for ILW is even greater given that initial planning has only just begun.

After more than 20 years, the NWMO finally has selected a proposed used fuel DGR site. It must still pass a decade of regulatory hurdles and achieve final acceptance from the Wabigoon Lake Ojibway Nation. OPG must know from their past attempt to establish a ILW DGR near Kincardine, that completing an EA process does not guarantee a project will proceed on schedule.

Refurbishment of the PNGS means at least an additional 30+ years’ worth of used fuel and other radioactive wastes will be generated. Most of it will probably remain on site until the plant ceases operation and is dismantled, perhaps into the 2080s. That’s a long time in the life of any community.

As part of the licensing for refurbishment, there must be a comprehensive discussion with the host communities of how that waste will be managed. For the sake of transparency, in the context of decades of continued operation at PNGS, both OPG and the CNSC have an obligation to identify the significant risk that the waste may remain at the PCSS indefinitely.

Language matters

The name Pickering Component Storage Structure is vague and inconsistent with other storage “buildings” and “facilities” included in the PWMF site. The word “structure” could mean a tunnel, an underground vault, or a building. “Component” storage could be a place where spare parts are kept, not necessarily a warehouse containing radioactive waste. While the PWMF is currently under a separate waste facility licence, OPG has stated their intent to seek a consolidated licence for everything on the Pickering site. As part of this broader licence, at minimum, the names of each building should reflect the function and/or risks associated with the activity housed. For consistency, clarity, and transparency, **I suggest alternatives such as “Radioactive Component Waste Storage Building” or “Low and Intermediate Level Waste Storage Building”.**

OPG has always described the waste storage as “interim”, a term not defined in legislation or regulation or by the CNSC or OPG. However, I suspect the average human would understand “interim” as temporary, and likely as a timeframe that would conclude within one’s lifetime.

The undefined use of “interim” is misleading to the public. **I recommend that CNSC create a definition that clearly conveys that “interim storage” is a relative term that compares to final or permanent storage and that it could last for many decades or possibly longer.** At least that way, current and prospective host communities will be better informed.

Final thoughts

A decision to approve the proposed construction and operation of the PCSS is premature, if indeed no physical work of refurbishment will precede project approval. Units 5 to 8 are scheduled to run through 2026, according to OPG news releases.

Piecemealing of waste approvals makes it difficult for host municipalities to find any leverage to negotiate compensation from the generators. In contrast, the site selection process undertaken by the NWMO (an organization of those same generators) offers an intensive engagement process to educate, incentivize and compensate *potential* DGR host communities who will also gradually receive increasing quantities of waste for an indefinite stay. Meanwhile, existing nuclear host communities, that house all the waste from beginning of nuclear generation in Ontario, are provided little or no support (beyond legislated payment of property taxes).

Host municipalities and Indigenous rightsholders have a vested interest in decisions relating to the location and treatment of the radioactive wastes in the interim and long term. The communities affected deserve to be consulted and provide consent, or not, to that storage, in the same way that a new host community would be consulted and given a choice. This would require OPG to truly build local understanding of their operations and maintain community support.

Neither the CNSC or the host communities should have to rely on a vague declaration that the NWMO is executing “Canada’s plan” for long-term storage facilities to be available sometime in the 2040s to 2050s.

Therefore, I ask that the CNSC require more detail about this specific facility on behalf of citizens.

As a Durham resident, I would like to know specifically for PNGS:

- What is the anticipated lifespan of the PCSS?
- What is the predicted volume and planned ultimate footprint or configuration of all waste management buildings at the site?
- In what year and at what rate does OPG estimate that LLW and ILW will be removed from the site?

- Where will Pickering be in the queue of generating sites waiting for the storage solution? (Or how do the NWMO and OPG anticipate allocating space at the planned disposal facilities?)
- How many years will it take to remove all the waste given that Pickering will not be the only nuclear facility requiring DGR storage?

If OPG, the CNSC, and/or the NWMO can't answer these questions at this time then they should have the decency and fortitude to say so. An honest response would build more public trust than a deliberately vague reply that minimizes the challenges ahead.

I expect that CNSC staff is correct in saying that OPG is qualified and competent to safely operate the PCSS. OPG is generally forthcoming about the science and engineering behind their plans. I don't doubt the technical expertise and dedication to safety of either OPG or the CNSC.

But their transparency and credibility with residents and host communities, especially on the issue of radioactive wastes, needs improvement. I hope the commission will ask the affected First Nations directly whether they are satisfied that the duty to consult has been fulfilled.

I sent OPG staff a number of questions relating to this application. They kindly responded quite promptly giving clear answers to several questions about the application. However, I was disappointed by a carefully crafted response to a question about the timing of an ILW DGR and whether there is a plan B. The response reads like a political talking point and says:

"OPG is committed to developing lasting solutions, for the permanent disposal of low and intermediate-level radioactive materials and supports the recommendations outlined in Canada's ISRW".

This may be true but it also exemplifies an evasiveness that undermines OPG's credibility on the waste issue. A commitment to "actively planning waste solutions" should not be an acceptable basis for approving more nuclear generation. It's a bit like relying on unproven carbon capture and storage to solve our GHG emissions problem.

Thank you for your consideration. If the Commission can ask OPG to make clear, understandable answers to these questions available for the public, it would be appreciated.

Christine Drimmie