



Oral presentation

**Submission from
Juan Pedro Unger**

In the Matter of the

Canadian Nuclear Laboratories

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

Commission Public Hearing

January 23-25, 2018

Exposé oral

**Mémoire de
Juan Pedro Unger**

À l'égard des

Les Laboratoires Nucléaires Canadiens

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

Audience publique de la Commission

23-25 janvier 2018

Re: Application from Canadian Nuclear Laboratories (CNL) for renewal of nuclear research and test establishment operating licence for the Chalk River Laboratories (CRL) with a proposed expiry date of April 1, 2028

Att.: Senior Tribunal Officer, Secretariat
Canadian Nuclear Safety Commission
280 Slater Street, - P.O. Box 1046, Station B Ottawa, ON K1P 5S9
Email: cns.interventions.ccsn@canada.ca

Dear Madams, Sirs,

Please find below my submission regarding the above-quoted application, for consideration by the Government of Canada and the CNSC at the **public hearing scheduled for 24 – 25 January 2018**. My detailed **contact information**, including postal and email address and telephone number, are on a separate page **annexed at the end of this submission**, to keep it separate from the actual submission which I understand is to be made available to the public.

I would like **to present these personal thoughts by way of written submission (text included in the pages below) and also by way of an oral presentation in person**.

I have a direct interest in the matter being heard, as I am a Canadian citizen and resident of Ontario, living with my family downstream from the activities that would be licensed, drinking water from the river that would be used to "release" toxic and radioactive substances by the licensees, and who could be seriously impacted by any situations stemming from nuclear activities taking place close to where me and my family live. My knowledge on associated issues comes from being a science journalist by profession and working as an international affairs analyst with a lifelong interest in nuclear affairs. The information I have researched and am putting forward in my submission is of direct relevance to the matter of the hearing in question and the decision that is being considered by our Government.

Sincerely,

Juan Pedro Unger

Submission by Juan Pedro Unger, on the application from Canadian Nuclear Laboratories (CNL) for renewal of nuclear research and test establishment operating licence for the Chalk River Laboratories (CRL) with a proposed expiry date of April 1, 2028:

To preserve the reputation of our Government and protect the health and security of Canadians, the CNSC must reject the application in question, open to public and transparent competition any contracts and licenses associated to operations at Chalk River, and ensure that there is meaningful public and Parliamentary debate and scrutiny of any current and future activities at Chalk River.

It would be **ethically indefensible for the CNSC and our Government to grant a far-reaching licence** involving extensive amounts of public money, public lands and materials **with extremely grave potential implications for public health and security, to a business entity blacklisted globally** by the World Bank for corrupt practices **and facing a number of criminal charges in Canadian courts.**

At this moment the existing licence should be extended for a short period, while other options are opened to Parliamentary and public consideration and scrutiny, and the application in question should be filed and not be considered further -at the very least until criminal court proceedings reportedly pending against CNL's key Canadian partner SNC-Lavalin **have concluded**, and if it is to be considered, that it be only if and when the business entity is cleared of any criminal wrongdoing.

To note, SNC-Lavalin is not the only CNL partner tainted by criminal charges:

The United States Department of Justice has reported in relation to activities at the Hanford nuclear site in Washington State* that "Colorado-based CH2M Hill Hanford Group Inc. (CHG) and its parent company, CH2M Hill Companies Ltd. (CH2M Hill) have agreed that CHG committed federal criminal violations, defrauding the public...", adding that

The global resolution consists of CH2M Hill paying \$16,550,000 to resolve its civil liability under the False Claims Act. In addition, CH2M Hill entered into a Non-Prosecution Agreement with the United States Attorney's Office for the Eastern District of Washington to resolve its criminal liability. Under the terms of that agreement, CH2M Hill will refund an additional \$1.95 million in wrongfully obtained profits..."

The U.S. Department of Justice indicates that the case was initiated thanks to a whistleblower lawsuit filed by a former employee of CH2M Hill in the United States.

Meanwhile, **the U.S. Federal Bureau of Investigation (FBI) reported that "CHG entered into a global civil and criminal settlement and fully admitted that it had criminally conspired with its own employees to defraud the federal government"** and merely two years ago "the last of 12 admitted criminal conspirators in the CH2M Hill Hanford Group Inc. (CHG)... was sentenced for her role in nearly a decade of systemic fraud that took millions from the tax payers. ..." adding that CHG was one of "[t]he other 11 admitted conspirators, including CHG itself...at the Hanford Nuclear Site's Tank Farms".**

There are other troubling issues in which CH2M has reportedly been implicated by investigative journalism organizations such as Accuracy in Media and Pro-Publica, **from exposure of employees to beryllium to a close relationship, lobbying and contributions to key government officials involved in decisions** that would benefit the company.***

And **only a few months ago, it's been reported that CH2M has quickly withdrawn from a huge public contract already awarded to it in the United Kingdom, under threat of investigation in Parliament and legal action** stemming from the public exposure of practices that the company reportedly claimed were "commonplace".****

The very fact that the CNSC has already granted licenses to private businesses with such questionable credentials and is now considering granting a licence that waters down current provisions really **throws into question the integrity of the CNSC itself.**

One has to ask **why are the CNSC and our Government not holding an open competition and inviting companies which have not been engaged in criminal conduct or are not facing criminal charges, to look after radioactive materials and nuclear facilities** next to our nations capital and its drinking water source.

The CNSC, **if it truly stands for integrity and for protecting the safety and security of Canadians, should** grant at most an extension of the current licence for the minimum period required to maintain essential operations at Chalk River and **find potential licencees which Canadians can be reasonably assured are free from involvement in criminal activities.**

In conclusion: To preserve the reputation of our Government and to protect the health and security of Canadians, I urge the CNSC to **reject the application in question, open to public and transparent competition any contracts and licenses associated to operations at Chalk River, and ensure that there is meaningful public and Parliamentary debate and scrutiny of any future activities at Chalk River.**

Referenced reports:

* <https://www.justice.gov/opa/pr/ch2m-hill-hanford-group-inc-admits-criminal-conduct-parent-company-agrees-cooperate-ongoing>

** <https://www.fbi.gov/contact-us/field-offices/seattle/news/press-releases/last-charged-conspirator-sentenced-in-ch2m-hill-time-card-fraud-case-u.s.-totals-nearly-20-million-from-those-responsible>

*** <http://www.aim.org/special-report/the-case-of-ch2m-hill-2-billion-in-crony-stimulation/> and <https://www.propublica.org/article/all-beryllium-stimulus-workers-confront-legacy-of-contamination>

**** <http://www.telegraph.co.uk/business/2017/04/01/hs2-contracts-set-scrutiny-scale-links-contractor-revealed/>