



Canadian Nuclear  
Safety Commission

Commission canadienne  
de sûreté nucléaire

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**Written submission from  
Valerie Needham**

**Mémoire de  
Valerie Needham**

In the Matter of the

À l'égard des

**Canadian Nuclear Laboratories**

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

**Les Laboratoires Nucléaires Canadiens**

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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**



December 11, 2017

Mme Louise Levert  
Canadian Nuclear Safety Commission

Via e-mail: [cnscc.interventions.ccsn@canada.ca](mailto:cnscc.interventions.ccsn@canada.ca)

Dear Mme Levert,

**Re: Comments on the Canadian Nuclear Safety Commission's proposed new site license for Chalk River Laboratories (2018 – 2028)**

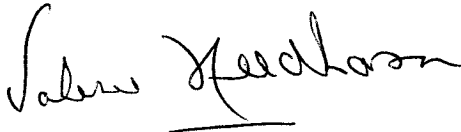
I am writing to express my grave concern and dismay at the proposal to relicense CNL for ten years with significant changes to the regulatory criteria of the license for the following reasons:

1. Changes in the proposal are alarming in the extreme in that previously detailed parameters have been altered significantly and are now neither measurable nor accountable. For example:
  - a. Current license: 6.1 The licensee shall ensure that the defence-in-depth principle is applied in the design of new or modified nuclear facility at the CRL site in order to prevent, or if prevention fails, to mitigate the consequences resulting from radioactive releases.
  - b. Proposed License: 5.1 The licensee shall implement and maintain a design program.In the above example, how does the proposed license provide safeguards that can be enforced? Where does the responsibility lie? Who is accountable in the event of radioactive releases? Who enforces compliance and what are the compliance criteria? Every altered parameter, of which there are many, gives rise to similar questions.
2. It is shocking that large swathes of the current license regulating **SAFETY, SAFETY ANALYSIS, OPERATING PERFORMANCE, PHYSICAL DESIGN, FITNESS FOR SERVICE, ENVIRONMENTAL PROTECTION, EMERGENCY MANAGEMENT, FIRE PROTECTION, WASTE MANAGEMENT AND DECOMMISSIONING** will be either completely removed or truncated in the proposed license, rendering the document toothless. Where is the bite of enforcement? Where is the primacy of safety for the public and the environment enshrined? Where is the overarching value of a safety culture reinforced? Who guards the Guardians?
3. These proposed looser licensing regulations would be applied by CNL at Chalk River, already a source of horror for many individuals and municipalities downstream with the proposal of the Near Surface Disposal Facility within a kilometer of the Ottawa River. In addition, the CNL website invites proposals for building Small Modular Reactors (SMRs) at Chalk River so that they can subsequently market them worldwide. This license proposal would give CNL free reign to do whatever it wishes at Chalk River with few constraints and little or no oversight.

4. There is a lack of transparency around this entire process. Documents needed for informed public engagement are not posted on CNSC's website and must be requested. The wording is intentionally vague, saying that the proposal uses a 'standard format' but does not alert the public to the fact that changes are being proposed to 28 of the 56 license conditions. The issue of the Near Surface Disposal Facility is not mentioned, yet it is of paramount importance.
5. CNSC has the reputation of being a "captured regulator". Despite this reputation, it must retain control of regulation of the nuclear industry in Canada with the power to regulate. It must make regulations more robust, not less stringent. The suggested emasculation of the previous criteria of regulation in this relicensing proposal by CNSC itself will destroy the authority that CNSC currently holds to independently supervise and regulate nuclear power and nuclear waste management and to hold CNL accountable for its practice. Independent oversight by CNSC, supported by robust criteria, is essential, rather than handing this authority over to a consortium that has the interests of its investors in the forefront of its decision making. It is simply shocking that CNSC itself would be complicit in its own emasculation in this proposal and only serves to reinforce the notion that it is, in fact, a "captured regulator".

I implore CNSC to revise these ill-considered changes to CNL's license and re-institute the criteria found in the current license.

Yours truly,

A handwritten signature in black ink, appearing to read "Valerie Needham", with a horizontal line underneath the name.

Valerie Needham