

From: Jill Taylor <email address removed>
Sent: June 25, 2017 1:03 PM
To: Deep Geologic Repository Project/ Projet de stockage de déchets radioactifs[CEAA\ACEE]
Cc: <email address removed>
Subject: Re: Questions from SOS Great Lakes Regarding Timeline for CEAA Draft Report

Thank you so very much for your responses to our questions.

Sincerely, Jill Taylor
President SOS Great Lakes

Sent from my iPhone

On Jun 21, 2017, at 11:52 AM, Deep Geologic Repository Project/ Projet de stockage de déchets radioactifs[CEAA\ACEE] <CEAA.DGR.Project-Projet.DGR.ACEE@ceaa-acee.gc.ca> wrote:

June 21, 2017

Dear Ms. Taylor,

Thank you for your correspondence of June 16, 2017 concerning the Deep Geologic Repository Project's environmental assessment process and timeline. Please find below our responses to the questions that you submitted in your electronic letter.

Question 1

- SOS Great Lakes: Will the CEAA issue a response to OPG's Responses on or before June 26, 2017?
- Agency: The response to OPG will be sent out on June 26th at the latest. The exact date of issue for this letter will depend on the time required for drafting and approval of the response within the Agency.

Question 2

- SOS Great Lakes: Will the next response from CEAA constitute the 'CEAA Draft Report'?
- Agency: The response that will be issued by the Agency will not constitute the 'CEAA Draft Report'. The Agency will provide a brief letter to the proponent informing them of the next steps in the environmental assessment process for the Project.

Question 3

- SOS Great Lakes: Approximately when may we expect that the 'CEAA Draft Report' will be available for review?
- Agency: The release of the draft report for review is planned for Summer 2017.

Question 4

- SOS Great Lakes: Approximately when do you expect that the 30 day public comment period will begin?

- Agency: The 30-day public comment period will begin on the day following the date on which the CEAA Draft Report and the Project's potential conditions are made available to the public on the Registry and through the Project Mailbox distribution list which planned for Summer 2017.

Question 5

- SOS Great Lakes: Will the CEAA be preparing its Draft based on the December 2016 OPG Report, plus the answers to all subsequent answers to questions posed to OPG? If not, on what will the CEAA Draft Report be based?
- Agency: The Draft Report will be based on the February 18, 2016 request from the Minister and all exchanges relevant to addressing this request between the Agency (September 7, 2016; January 5, 2017; April 5, 2017) and the proponent (April 15, 2016; December 28, 2016; January 13, 2017; May 26, 2017). The Draft Report will also consider comments received from the public, Indigenous groups, and expert federal authorities. The Draft Report will be supplemental to the Joint Review Panel report issued on May 2015. As such, it will not provide review or analyses for information previously addressed under the Joint Review Panel's mandate, other than referring to it when relevant to the Minister's February 18, 2016 request.

Question 6

- SOS Great Lakes: In a presentation to Saugeen Shores Council by Mr. Fred Kuntz of OPG on June 12, 2017, it was indicated that the Minister's decision on the DGR would be available around December of 2017. Is that a correct assumption? If not, what are the factors that will determine when the Minister's decision will be rendered?
- Agency: The date of December 2017 is a reasonable estimate. It aligns with the timeline the Agency set out to respect as illustrated by Registry record #2884. The factors that determine the date for the Minister's decision are the regulatory time limits provided under CEAA 2012. For more information on timeline calculations under CEAA 2012, you may wish to consult the [Act](#) and the [Operational Policy Statement on Information Requests and Timelines](#). At this time, the Agency is working with 177 calendar days remaining on the regulatory timeline, due to the latest 243-day extension granted by the Governor in Council on December 12, 2016. This 'clock' was paused on April 5th when the Agency issued requests for additional information and will resume on the day after the Agency responds to the proponent, or 30 days following OPG's May 26th response, whichever comes first. Assuming that the 'clock' resumes on June 26th at the latest, the Minister's decision would be due mid-December.

I thank you for your inquiries regarding the Deep Geologic Repository Project's environmental assessment process and timeline. Feel free to reach me and the Project team at CEAA.DGR.Project-Projet.DGR.ACEE@ceaa-acee.gc.ca. We will be glad to address any other questions you might have.

Sincerely,

Robyn-Lynne Virtue
Panel Manager
Deep Geologic Repository Project
Canadian Environmental Assessment Agency / Government of Canada
160 Elgin Street, 22nd Floor/ Ottawa/ ON
CEAA.DGRProject-Projet.DGR.ACEE@ceaa-acee.gc.ca

From: Jill Taylor <email address removed>

Sent: June 16, 2017 5:42 PM

To: Deep Geologic Repository Project/ Projet de stockage de déchets radioactifs[CEAA\ACEE]

Cc: <email address removed>

Subject: Questions from SOS Great Lakes Regarding Timeline for CEAA Draft Report

Dear Ms. Virtue:

Please find attached a letter from Jill Taylor President of SOS Great Lakes regarding the timelines for issue of CEAA Draft Report, and other matters.

Thank You, Jill Taylor

President

SOS Great Lakes On Behalf of the Board of Directors



June 16, 2017

Ms. Robyn-Lynne Virtue
Panel Manager
Canadian Environmental Assessment Agency
Place Bell Canada, 160 Elgin Street, 22nd Floor
Ottawa, Ontario K1A 0H3
Ceea.dgr.project-projet.dgr.acee@ceaa-acee.gc.ca

Re: Deep Geologic Repository (DGR), Kincardine Ontario: Process and Timeline for Public Review of Ontario Power Generation's Information Response of 26 May 2017

Dear Ms. Virtue:

Thank you for your letter of May 24, 2017 outlining the process of Agency review of OPG's responses to the Minister. In the letter you indicated that there was a 30 day period for the Agency to review the OPG Response of May 26, 2017. We have a number of questions that are important to our planning for public input into the next CEAA Draft Response.

1. Will the CEAA issue a response to OPG's Responses on or before June 26, 2017?
2. Will the next response from CEAA constitute the 'CEAA Draft Report' ?
3. Approximately when may we expect that the 'CEAA Draft Report' will be available for review?
4. Approximately when do you expect that the 30 day public comment period will begin?
5. Will the CEAA be preparing its Draft based on the December 2016 OPG Report, plus the answers to all subsequent answers to questions posed to OPG? If not, on what will the CEAA Draft Report be based?
6. In a presentation to Saugeen Shores Council by Mr. Fred Kuntz of OPG on June 12, 2017, it was indicated that the Minister's decision on the DGR would be available around December of 2017. Is that a correct assumption? If not, what are the factors that will determine when the Minister's decision will be rendered?

Thank you for your attention to these questions.

Yours very truly,
<Original signed by>

Jill Taylor, President
SOS Great Lakes,
On Behalf of the Board
of Directors



Canadian Environmental
Assessment Agency

160 Elgin St., 22nd floor
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Agence canadienne
d'évaluation environnementale

160, rue Elgin, 22^e étage
Ottawa ON K1A 0H3

ELECTRONIC MAIL

May 24, 2017

Jill Taylor
President
SOS Great Lakes
P.O. Box 30017
King Street PO
Toronto ON M5V 0A3

Dear Ms. Taylor:

Thank you for your letter of May 23, 2017, concerning Ontario Power Generation's Deep Geologic Repository for Low and Intermediate Level Radioactive Waste Project.

On September 7, 2016, the Minister of Environment and Climate Change informed the proponent that the Agency would undertake the review of the additional information, assisted by federal authorities, in an open and transparent process, including opportunities for participation by the public and Indigenous groups.

In keeping with this direction, the Agency has used a process for the review of the additional information that is reflective of the extensive consultation and analysis completed by the Joint Review Panel and the current standard process for environmental assessments managed by the Agency. This process was outlined in the estimated timeline posted on the registry on January 3, 2017 ([CEAR # 2884](#)).

On April 5, 2017, after taking into consideration the comments received during the technical review and advice from federal departments, the Agency requested further information from the proponent. The responses to the information requests will be submitted by the proponent on May 26, 2017. As stated previously, the Agency is using the current process for environmental assessments by the Agency to manage the Deep Geologic Repository Project, therefore, a 30-day public comment period on the responses to the information requests will not be held.

As outlined in the [Operational Policy Statement for Information Requests and Timelines \(February 2016\)](#), the Agency will have up to 30 days of non-regulatory time to form an opinion on whether the requested information has been provided by the proponent. If the Agency decides that it requires more information, it will ask the proponent for additional material. If, in the Agency's opinion, the responses have answered all the information requests, the Agency will inform the proponent and commence the draft report writing phase of the environmental assessment.

The Agency will finalize its draft report and make it available for a 30-day public comment and consultation with Indigenous groups. At the same time, the Agency will



consult on proposed conditions for the Minister's decision statement, should the Project be allowed to proceed.

Thank you for your input during the review process of the additional information for the Deep Geologic Repository Project.

Please contact me if you require further information, I can be reached at CEAA.DGR.Project-Projet.DGR.ACEE@ceaa-acee.gc.ca.

Yours sincerely,

<Original signed by>

Robyn-Lynne Virtue
Panel Manager



May 23, 2017

Ms. Robyn-Lynne Virtue
Panel Manager
Canadian Environmental Assessment Agency
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Ceea.dgr.project-projet.dgr.acee@ceaa-acee.gc.ca

Re: Deep Geologic Repository (DGR), Kincardine Ontario: Process and Timeline for Public Review of Ontario Power Generation's Information Response Slated for 26 May 2017

Dear Ms. Virtue:

In December 2016, Ontario Power Generation (OPG) presented a deeply flawed addition to its deeply flawed Environmental Impact Statement for the DGR in Kincardine to the Minister of the Environment and Climate Change.

Public commentary on the December 2016 Response was requested by the Canadian Environmental Assessment Agency (the Agency), and SOS Great Lakes provided a detailed commentary dated March 6, 2017. Our commentary is recorded in the Agency Directory as Document 3705.

On April 5, 2017¹ CEAA requested that OPG provide additional information with respect to their proposal to bury radioactive wastes beside Lake Huron in a “deep geologic repository”. On April 13, 2017² OPG advised the Agency that a response would be provided by May 26, 2017.

The Agency previously committed to public engagement in the review and comment on the upcoming OPG additional information, now scheduled for May 26, 2017. To date, there has been no communication from the Agency about when the OPG response will be posted on the Agency website, how public engagement and comment will occur, or the public comment timeline.

¹ CEAR # 3752, dated April 5, 2017, From the Canadian Environmental Assessment Agency to Ontario Power Generation re: Results of the Technical Review of Ontario Power Generation's Response to the Ministerial Request for Additional Information for the Deep Geologic Repository for Low and Intermediate Level Radioactive Waste Project

² CEAR # 3754, dated April 13, 2017, From Ontario Power Generation to the Canadian Environmental Assessment Agency re: Acknowledgement of Information Request Package

In our March 6, 2017 commentary we urged the Minister to reject the OPG DGR EA submission based on its failure to meet the CEAA 2012 and the EIS Terms of Reference; we noted that OPG had demonstrated a chronology of failure to comply that extended over many years of hearings and then post-hearing requests for information. The SOSGL comments highlighted OPG's sloppy workmanship, poor science, poor assessment methodology, incorrect assumptions and distortion of fact.

It has been noted many times, by multiple intervenors and members of the public, that OPG has been provided with many more chances to revise or update their EA than is allowed by the Canadian Environmental Assessment Act. They have continuously failed to meet the standards of the Act, and have been obstructive in answering the Minister's questions. The special consideration afforded to OPG has been well beyond anything allowed by the federal environmental assessment review process, as Ontario Power Generation continues to fail to meet the requirements of the Act.

We have every expectation that the purposes of the Act will be upheld from this point forward, and that the process of meaningful public engagement will follow the issuance of the OPG submission of May 26. We request that public engagement process and its timeline be made available prior to May 26 so that the public will be able to plan for its involvement in the process.

Yours very truly,

<Original signed by>

Jill Taylor, President
SOS Great Lakes
On behalf of the Board of Directors