

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
<a href="#">Dr. J. R. Walker</a>  (June 15, 2016)	JRW-1	<p>“...Please consider expanding the project description [1] to include the following additions:</p> <ul style="list-style-type: none"> <li>• An explicit commitment to ensure the health and safety of persons and the protection of the environment (HSE), and details of the radiological criteria to be used in the assessment of long-term safety [2, 3];</li> <li>• An explanation that the waste acceptance criteria (WAC) are derived from the safety case to ensure that long-term HSE criteria are met;</li> <li>• Details of the facilities and equipment needed to ensure compliance with the WAC, particularly the anticipated need to restrict the inventory of long-lived radionuclides;</li> <li>• An explanation of how waste that is non-compliant with the WAC will be dispositioned; and</li> <li>• Details of the stepwise approach used in the development of the proposed facility to optimize the site, design, operation, safety, etc [4, 5]...”</li> </ul>	<p>CNSC staff agree that the potential, long-term radiological risks to the environment and human health of the proposed project need to be considered and evaluated and require this assessment as part of the Environmental Assessment (EA) and licensing review process. Information on the long-term safety of the proposed project will be summarized in the Environmental Impact Statement (EIS) and the safety case.</p> <p>Waste volumes, waste inventory, WAC and details on the handling and emplacement of the waste will be addressed in the proponent’s licensing documentation and will be summarized in sufficient detail in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p> <p><b>Completeness of the project description</b>            The <i>Canadian Environmental Assessment Act, 2012</i> (CEAA 2012) requires that the proponent of a designated project, except projects that are regulated by the Canadian Nuclear Safety Commission (CNSC) or the National Energy Board, submit a project description to the Canadian Environmental Assessment Agency (the Agency). The <i>Prescribed Information for the Description of a Designated Project Regulations</i> (SOR/2012-148) set out the information that must be included in a project description. The Agency then uses the information in the project description during a ‘screening’ phase to inform a decision on whether an EA of the designated project is required.</p> <p>Although not required for designated projects regulated by CNSC, the CNSC has adopted within its EA process the requirement to submit a project description, as outlined in appendix A of <a href="#">REGDOC-2.9.1: Environmental Protection: Environmental Principles, Assessments and Protection Measures</a>. The purpose of the project description is for CNSC staff to determine if a project proposal meets</p>

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			<p>the definition of “designated project” such that CEAA 2012 would apply. To this end, proponents are referred to the <i>Prescribed Information for the Description of a Designated Project Regulations</i> (SOR/2012-148) for the information that should be submitted within their project description.</p> <p>CNSC staff reviewed Canadian Nuclear Laboratories’ (CNL) project description, and determined that sufficient information was provided to:</p> <ul style="list-style-type: none"> <li>• meet the <i>Prescribed Information for the Description of a Designated Project Regulations</i> (SOR/2012-148) such that the project description is deemed complete and need not be revised</li> <li>• make a determination on the applicability of CEAA 2012</li> </ul> <p>CNSC staff determined that CEAA 2012 applies to the proposed project, as it is considered a “designated project” in accordance with paragraph 37(b) of the <i>Regulations Designating Project Activities</i>.</p> <p>Following CNSC staff’s EA determination, public comments were sought on the project description to inform the conduct of the EA.</p> <p>Taking into account the public comments received related to scope and CNSC staff’s recommendations, the Commission, as indicated in the Commission’s Record of Decision dated March 8, 2017, has determined that the scope of the factors for this EA include the factors mandated in paragraphs 19(1)(a) to (h) of CEAA 2012, with no additional factors requiring consideration. That is, the Commission did not require, under its discretion in paragraph 19(1)(j) of CEAA 2012, to include any other matters relevant to the EA.</p>
<a href="#">Dr. J. R. Walker</a>  (November)	JRW-2	“Further to the last point, above, the revised project description [1] states that it is planned to co-dispose both low level wastes and intermediate level wastes in the proposed facility. Given that near surface disposal is not considered	As outlined in subsection 4.2 (Alternative means of carrying out the project) of the CNSC’s <a href="#">Generic Guidelines for the Preparation of an Environmental Assessment pursuant to the Canadian Environmental Assessment Act, 2012</a> (the Guidelines), CNSC staff require that the

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14, 2016)		<p>appropriate for the disposal of intermediate level wastes [6], the proponent (Canadian Nuclear Laboratories) and its funding agencies (Atomic Energy of Canada Limited and Natural Resources Canada) may wish to consider alternative disposal concepts that could have a higher probability of success.”</p>	<p>proponent’s EIS assess all potential environmental effects of the proposed project and of each alternative mean of carrying out the project.</p> <p>Waste volumes, waste inventory, WAC and details on the handling and emplacement of the waste will be addressed in the proponent’s licensing documentation and will be summarized in sufficient detail in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p> <p><b>CNSC’s regulatory framework</b></p> <p>CNSC staff will assess CNL’s proposed project, in accordance with the CNSC’s regulatory framework, with safety being the overriding factor. As part of the EA and licensing review process, the proposed project’s design, long-term safety and potential effects to the public and the environment will be assessed against all applicable and relevant requirements and guidance, as follows:</p> <ul style="list-style-type: none"> <li>• CNSC licensing and regulatory requirements and guidance (i.e., <i>Nuclear Safety and Control Act</i> (NSCA), current CRL licence and its associated Licence Condition Handbook (LCH), CNSC REGDOC G-320, P-290, CSA standards, etc.)</li> <li>• federal and provincial environmental regulatory requirements and environmental policies, guidelines and standards</li> </ul> <p>Consideration will be given to international guidance and best practice.</p> <p>Information on the long-term safety of the proposed project will be summarized in the EIS and the safety case. Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting documentation during the EA process – a public comment period is anticipated between March and May 2017 – and through future CNSC public engagement</p>

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			<p>sessions.</p> <p><b>CNSC's decision-making responsibilities</b>            The CNSC's Commission Tribunal (the Commission) is a quasi-judicial administrative tribunal. The Commission is a credible and expert decision-making authority that remains independent from government, licensees and staff.</p> <p>The Commission is the CNSC's decision-making body that makes EA and licensing decisions for all major nuclear projects. Decisions made by the Commission are not subject to any governmental or political review, nor may they be overturned by the Government of Canada. Only the Federal Court or the Supreme Court of Canada may review and overrule a decision made by the Commission.</p> <p>Prior to making a decision, sufficient information is required for CNSC staff to evaluate and make scientifically defensible recommendations to inform evidence-based Commission decisions as well as to ensure regulatory requirements for safety, security and the environment are met.</p> <p>In making an EA decision, the Commission will take into consideration the proponent's EIS, CNSC staff's EA Report and supporting documentation, as well as public comments, to determine if the project is likely to cause significant adverse environmental effects, taking into consideration the implementation of mitigation measures. The Commission will require sufficient information to make a science-based EA decision.</p> <p>If there is a positive EA decision (i.e., project is not likely to cause significant adverse environmental effects, taking into consideration the implementation of mitigation measures), the Commission can then proceed with the licensing decision under the NSCA. In making its licensing decision, the Commission will determine whether the proponent is qualified and will make adequate provision for the</p>

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			<p>protection of the environment, the health and safety of persons, the maintenance of national security and the measures required to implement international obligations to which Canada has agreed. Under the NSCA, no approval is granted/no licence is issued unless the proponent is qualified and makes adequate provision for the protection of the environment and health and safety of persons.</p>
<a href="#">Michael Stephens</a>  (June 12, 2016)	MS-1	<p><b>General Comments</b>            “Good practice in developed countries for disposing of Low-Level Waste (LLW) involves emplacing it in surface or near-surface vaults (e.g., France, Japan, Spain, UK) or in rock cavities (e.g., Sweden, Finland)  <a href="http://www.iaea.org/inis/collection/NCLCollectionStore/_Public/43/084/43084406.pdf">http://www.iaea.org/inis/collection/NCLCollectionStore/_Public/43/084/43084406.pdf</a>. Did the proponent consider adopting any of these other concepts to deal with its LLW? Why was the proposed near-surface engineered mound concept selected instead?”</p>	<p>CNSC staff agree that the EIS will need to include a sound alternative means assessment. As outlined in subsection 4.2 (Alternative means of carrying out the project) of the <a href="#">Guidelines</a>. CNSC staff require that the proponent’s EIS assess all potential environmental effects of the proposed approach and of each alternative mean of carrying out the project. .</p> <p><b>CNSC’s regulatory framework</b>            CNSC staff will assess CNL’s proposed project, in accordance with the CNSC’s regulatory framework, with safety being the overriding factor. As part of the EA and licensing review process, the proposed project’s design, long-term safety and potential effects to the public and the environment will be assessed against all applicable and relevant requirements and guidance, as follows:</p> <ul style="list-style-type: none"> <li>• CNSC licensing and regulatory requirements and guidance (i.e., NSCA, current CRL licence and its associated LCH, CNSC REGDOC G-320, P-290, CSA standards, etc.)</li> <li>• federal and provincial environmental regulatory requirements and environmental policies, guidelines and standards</li> </ul> <p>Consideration will be given to international guidance and best practice.</p> <p>Information on the long-term safety of the proposed project will be summarized in the EIS and the safety case. Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting documentation during</p>

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			<p>the EA process – a public comment period is anticipated between March and May 2017 – and through future CNSC public engagement sessions.</p> <p><b>CNSC’s decision-making responsibilities</b>            The CNSC’s Commission Tribunal (the Commission) is a quasi-judicial administrative tribunal. The Commission is a credible and expert decision-making authority that remains independent from government, licensees and staff.</p> <p>The Commission is the CNSC’s decision-making body that makes EA and licensing decisions for all major nuclear projects. Decisions made by the Commission are not subject to any governmental or political review, nor may they be overturned by the Government of Canada. Only the Federal Court or the Supreme Court of Canada may review and overrule a decision made by the Commission.</p> <p>Prior to making a decision, sufficient information is required for CNSC staff to evaluate and make scientifically defensible recommendations to inform evidence-based Commission decisions as well as to ensure regulatory requirements for safety, security and the environment are met.</p> <p>In making an EA decision, the Commission will take into consideration the proponent’s EIS, CNSC staff’s EA Report and supporting documentation, as well as public comments, to determine if the project is likely to cause significant adverse environmental effects, taking into consideration the implementation of mitigation measures. The Commission will require sufficient information to make a science-based EA decision.</p> <p>If there is a positive EA decision (i.e., project is not likely to cause significant adverse environmental effects, taking into consideration the implementation of mitigation measures), the Commission can</p>

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			<p>then proceed with the licensing decision under the NSCA. In making its licensing decision, the Commission will determine whether the proponent is qualified and will make adequate provision for the protection of the environment, the health and safety of persons, the maintenance of national security and the measures required to implement international obligations to which Canada has agreed. Under the NSCA, no approval is granted/no licence is issued unless the proponent is qualified and makes adequate provision for the protection of the environment and health and safety of persons.</p>
Michael Stephens	MS-2	<p><b>General Comments</b>            “The NSDF will be a disposal facility, so the proponent will need to conduct an assessment of the long-term safety of the closed facility following CNSC Regulatory Guidance document G-320: <i>Assessing the Long Term Safety of Radioactive Waste Management</i>. That assessment will be critical in assessing the potential long-term safety and risks to the environment and public. That assessment should be completed, show that no unacceptable risks will remain on the site, and be discussed with the public <u>before</u> this project is allowed to proceed.”</p>	<p>Yes, CNSC staff require the proponent to follow the guidance provided in CNSC Regulatory Guide G-320, in accordance with the CNSC’s regulatory framework for this proposed project, as outlined in response to MS-1 above.</p> <p>CNSC staff agree that the potential, long-term radiological risks to the environment and human health of the proposed project need to be considered and evaluated and require this assessment as part of the EA and licensing review process. Information on the long-term safety of the proposed project will be summarized in the EIS and the safety case.</p> <p>With respect to the <b>CNSC’s decision-making responsibilities</b>, please see the response to MS-1 above.</p>
Michael Stephens	MS-3	<p><b>Detailed Comments</b>            “Section 2.3 – It is indicated that during 2015 September to December, communication activities by CNL have provided “a brief overview of the proposed NSDF within the context of a larger vision of the company” to various groups of local elected officials and industry groups.</p> <p>There is no mention of any information provided directly to the members of the public. I do not recall any previous proactive substantive notification and information provided by the proponent, nor any invitation to comment on the proposed approach, the alternatives to it, and the rationale for adopting</p>	<p><b>Public participation</b>            CNSC staff encourage early engagement by the proponent. CNSC staff require that CNL engage with those members of the public who have expressed an interest in participating during their preparation of the EIS.</p> <p>As outlined in section 6 (Public and stakeholder consultation) of the <a href="#">Guidelines</a>, the proponent’s EIS will describe participation activities in accordance with the CNSC’s <a href="#">RD/GD-99.3, Public Information and Disclosure</a>.</p> <p>Furthermore, the CNSC welcomes public involvement in regulatory matters and has a robust public participation program including a</p>

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		<p>the proposed approach.”</p> <p>“Section 2.4 – [...] Will the proponent soon begin direct, open, detailed, two-way communications with members of the public? It is now rather late in the process of defining the project. The proponent risks being perceived as having adopted a “Decide-Announce-Defend” approach to public consultation.”</p>	<p>public hearing process and a Participant Funding Program. CNSC staff has been providing opportunities for public participation at various stages during the EA process and will continue to do so. Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting documentation during the EA process – a public comment period is anticipated between March and May 2017 – and through future CNSC public engagement sessions. Future public participation opportunities also include the review of CNSC staff’s EA Report and Commission member documentation, as well as participation in the EA and licensing public hearings.</p>
Michael Stephens	MS-4	<p><b>Detailed Comments</b></p> <p>“Section 3.1.2 –Is planned final closure of the CRL site is less than 50 years in the future? The currently unspecified Waste Acceptance Criteria (WAC) are critical to assessing the long-term performance of the facility. During the operational phase, is it planned to place temporary covers over open cells so that they do not collect large quantities of precipitation that will need to be treated? Detailed designs of the base liner and final cover systems are not available for comment...”</p>	<p>As outlined in section 4.3 (Scope of project) of the <a href="#">Guidelines</a>, CNSC staff require that the proponent describe and assess in the EIS the potential environmental effects for all phases of the project and their associated activities, including the decommissioning of the facility. The other facilities and activities on the CRL site are not associated with this project and as such, are not within the scope of this EA.</p> <p>However, CNL is required to notify CNSC of any future decommissioning plans as per the current operating site licence. Any future decommissioning plans for the rest of the CRL site will be subject to the CNSC’s regulatory framework as outlined in the response to WT-1 above.</p> <p>Waste volumes, waste inventory, WAC and details on the handling and emplacement of the waste will be addressed in the proponent’s licensing documentation and will be summarized in sufficient detail in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p> <p>In addition, detailed information on the design and longevity of the base liner and final cover systems will be provided in the long-term safety analysis and summarized in sufficient detail in the EIS and the</p>

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			safety case.
Michael Stephens	MS-5	<b>Detailed Comments</b> “Section 3.4 – The third phase of the Project, “Post-closure and monitoring”, will nominally last from 2070 to 2400, some 330 years. ...AECL and the federal government must therefore also firmly underwrite this proposition. If the waste were better treated and emplaced in a better containment this commitment would be much less problematic to propose and meet.”	As indicated in the response to MS-1 above, CNSC staff require the EIS to describe and assess the alternative means of carrying out the project. As outlined in subsection 4.2 (Alternative means of carrying out the project) of the <a href="#">Guidelines</a> , technically and economically feasible criteria are to be developed and used to evaluate each alternative means and their potential environmental effects.  <b>Institutional control</b> With respect to institutional control, CNSC staff require that information regarding the lifecycle of the project, including the form, length, and requirements of the institutional control period and post-closure monitoring activities, be addressed in the proponent’s licensing documentation and summarized in sufficient detail in the EIS and the safety case. The length of institutional control will need to be approved by the Commission.
Michael Stephens	MS-6	<b>Detailed Comments</b> “Section 4.1 – Figure 4-1 indicates that whichever site is chosen, the facility will cover approximately 30 ha (i.e., about 42 soccer fields). Heavy disruption of this enormous area will certainly have a large effect on the existing local surface and subsurface environments.”	Both proposed sites are located on the Chalk River Laboratories (CRL) property, which is an existing CNSC licensed site.  As per sections 9 (Effects assessment) and 10 (Mitigation) of the <a href="#">Guidelines</a> , the proponent’s EIS will have to identify and assess all potential environmental effects of the project and propose mitigation measures to undertake to avoid or minimize any adverse environmental effects of the project.
Michael Stephens	MS-7	<b>Detailed Comments</b> “Section 5 – It is noted that CNSC licences to construct and operate may be required. Will further CNSC licences be required to decommission the interim surface facilities, and to close (and eventually to “abandon”) the disposal facility itself in the third phase of the project?...”	CNL’s proposal to construct and operate the NSDF will require approval by the Commission and will be considered as part of the licence renewal application process for the operating licence (CRL Nuclear Research and Test Establishment Operating Licence, NRTEOL 01.00/2018) of the CRL site. The CRL site operating licence expires on March 31, 2018.  Under the current regulatory framework, approval from the CNSC is

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			<p>required to perform decommissioning and post-closure activities. However, any further licences, and which types, will be determined by the CNSC as the project moves through the CNSC's lifecycle licensing process, in accordance with the applicable regulatory framework.</p>
<a href="#">William Turner</a>  (June 14, 2016)	WT-1	<p><b>General Concerns</b></p> <p>“It appears that CNL is applying the “Decide-Announce-Defend” approach to public engagement. This is somewhat surprising since Canadian, US and international experience (of which CNL must be fully aware) suggests this approach will not bode well. Having decided on and announced the NSDF, CNL is now in the unenviable position of having to defend its choice.</p> <p>[...]</p> <p><b>1. “It’s proven technology”</b></p> <p>Although CNL provides several examples where the technology has been implemented, none of these can be cited as proof of the technology. As of today those that are operational, have only operated for a couple of decades or so. In other words, none of the facilities have been shown to last even 50 years, let alone the 300 years projected for the NSDF...”</p>	<p><b>CNSC’s regulatory framework</b></p> <p>CNSC staff will assess CNL’s proposed project, in accordance with the CNSC’s regulatory framework, with safety being the overriding factor. As part of the EA and licensing review process, the proposed project’s design, long-term safety and potential effects to the public and the environment will be assessed against all applicable and relevant requirements and guidance, as follows:</p> <ul style="list-style-type: none"> <li>• CNSC licensing and regulatory requirements and guidance (i.e., NSCA, current CRL licence and its associated LCH, CNSC REGDOC G-320, P-290, CSA standards, etc.)</li> <li>• federal and provincial environmental regulatory requirements and environmental policies, guidelines and standards</li> </ul> <p>Consideration will be given to international guidance and best practice.</p> <p>Information on the long-term safety of the proposed project will be summarized in the EIS and the safety case. Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting documentation during the EA process – a public comment period is anticipated between March and May 2017 – and through future CNSC public engagement sessions.</p> <p>As outlined in subsection 4.2 (Alternative means of carrying out the project) of the <a href="#">Guidelines</a>, CNSC staff require that the proponent’s EIS assess all potential environmental effects of the proposed approach and of each alternative mean of carrying out the project.</p>

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			<p><b>CNSC's decision-making responsibilities</b></p> <p>The CNSC's Commission Tribunal (the Commission) is a quasi-judicial administrative tribunal. The Commission is a credible and expert decision-making authority that remains independent from government, licensees and staff.</p> <p>The Commission is the CNSC's decision-making body that makes EA and licensing decisions for all major nuclear projects. Decisions made by the Commission are not subject to any governmental or political review, nor may they be overturned by the Government of Canada. Only the Federal Court or the Supreme Court of Canada may review and overrule a decision made by the Commission.</p> <p>Prior to making a decision, sufficient information is required for CNSC staff to evaluate and make scientifically defensible recommendations to inform evidence-based Commission decisions as well as to ensure regulatory requirements for safety, security and the environment are met.</p> <p>In making an EA decision, the Commission will take into consideration the proponent's EIS, CNSC staff's EA Report and supporting documentation, as well as public comments, to determine if the project is likely to cause significant adverse environmental effects, taking into consideration the implementation of mitigation measures. The Commission will require sufficient information to make a science-based EA decision.</p> <p>If there is a positive EA decision (i.e., project is not likely to cause significant adverse environmental effects, taking into consideration the implementation of mitigation measures), the Commission can then proceed with the licensing decision under the NSCA. In making its licensing decision, the Commission will determine whether the proponent is qualified and will make adequate provision for the protection of the environment, the health and safety of persons, the</p>

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			<p>maintenance of national security and the measures required to implement international obligations to which Canada has agreed. Under the NSCA, no approval is granted/no licence is issued unless the proponent is qualified and makes adequate provision for the protection of the environment and health and safety of persons.</p> <p><b>Public participation</b>            CNSC staff encourage early engagement by the proponent. CNSC staff require that CNL engages with those members of the public who have expressed an interest in participating during their preparation of the EIS.</p> <p>As outlined in section 6 (Public and stakeholder consultation) of the <a href="#">Guidelines</a>, the proponent's EIS will describe participation activities in accordance with the CNSC's <a href="#">RD/GD-99.3, Public Information and Disclosure</a>.</p> <p>Furthermore, the CNSC welcomes public involvement in regulatory matters and has a robust public participation program including a public hearing process and a Participant Funding Program. CNSC staff has been providing opportunities for public participation at various stages during the EA process and will continue to do so. Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting documentation during the EA process – a public comment period is anticipated between March and May 2017 – and through future CNSC public engagement sessions. Future public participation opportunities also include the review of CNSC staff's EA Report and Commission member documentation, as well as participation in the EA and licensing public hearings.</p>
William Turner	WT-2	<p><b>General Concerns (1)</b>            "...Let us look at each of the examples cited by CNL.            (A) <b>Fernald Preserve, Hamilton, Ohio, USA</b>. [...] Since uranium processing to produce high-purity uranium never occurred at the CRL site, any comparison between wastes</p>	<p>CNSC staff agree that the EIS will need to include a sound alternative means assessment. As outlined in subsection 4.2 (Alternative means of carrying out the project) of the <a href="#">Guidelines</a>, CNSC staff require that the proponent's EIS assess all potential environmental effects of the proposed approach and of each</p>

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		<p>that are now emplaced in the Fernald facility and those envisioned for the NSDF is not valid. Therefore, providing this as an example of what is being proposed is somewhat misleading.”</p>	<p>alternative mean of carrying out the project.</p> <p>With respect to the <b>CNSC’s regulatory framework</b> for the assessment of the proposed project, please see the response to WT-1 above.</p> <p>In addition, waste volumes, waste inventory, WAC and details on the handling and emplacement of the waste will be addressed in the proponent’s licensing documentation and will be summarized in sufficient detail in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p>
William Turner	WT-3	<p><b>General Concerns (1)</b>            (B) “<b><u>Integrated Disposal Facility, in Richland, Washington, USA</u></b>. What are the characteristics of the area in which this facility is located? [...] Therefore, providing this as an example of what is being proposed is also misleading.”</p>	<p>Please see the response to WT-2 above.</p>
William Turner	WT-4	<p><b>General Concerns (1)</b>            (C) “<b><u>Low Level Waste Repository in Cumbria, UK</u></b>. [...] Since CNL provides minimal information about the wastes to be managed in the NSDF, it is not clear whether pre-treatment facilities would be required. If they are, then the scope of the NSDF is totally inadequate since it does not address these prerequisites. Therefore, providing this as an example of what is being proposed is also misleading.”</p>	<p>Please see the response to WT-2 above.</p>
William Turner	WT-5	<p><b>General Concerns (1)</b>            (D) “<b><u>Centre de L’Aube, France</u></b>. Are the radioactive wastes that this facility is designed to manage similar to those for the NSDF? [...] Although the volume of the wastes for the French facility is the same as that for the NSDF, the characteristics of that waste do now appear comparable.</p>	<p>Please see the response to WT-2 above.</p>

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		CNL provides no commitment that their proposed wastes will be packaged or that the radiological nuclides will be short-lived. Therefore, providing this as an example of what is being proposed is also misleading.”	
William Turner	WT-6	<b>General Concerns (1)</b> (E) “ <b>Rokkasho, Japan</b> . [...] Again, CNL does not provide information about acceptable waste forms for the NSDF. Therefore providing this as an example of what is being proposed is also misleading.”	Please see the response to WT-2 above.
William Turner	WT-7	<b>General Concerns</b> <b>2. “It’s environmentally sound”</b> “Unless one predetermines the outcome of an environmental assessment (EA), CNL cannot assert that the proposed undertaking is “environmentally sound”. An assertion like this, before the EA is even started, presupposes the conclusion and suggests an unacceptable bias on the part of CNL. What will CNL do if the conclusion of the EA process determines the environmental impacts are unacceptable?  From a brief review of the project description, the project will be covering an area of about 30 ha with impermeable liners and covers. At first glance, this is a significant and adverse environmental impact. Until the EA is completed, I cannot say whether that impact would be acceptable, but somehow I doubt it.”	Both the EA and licensing decisions related to this project rests with the Commission, as the regulatory decision-maker, not with CNL.  As indicated in the response to WT-1 above with respect to the <b>CNSC’s decision-making responsibilities</b> , in making an EA decision, the Commission will take into consideration the proponent’s EIS, CNSC staff’s EA Report and supporting documentation, as well as public comments, to determine if the project is likely to cause significant adverse environmental effects, taking into consideration the implementation of mitigation measures. The Commission will require sufficient information to make a science-based EA decision.  If there is a positive EA decision (i.e., project is not likely to cause significant adverse environmental effects, taking into consideration the implementation of mitigation measures), the Commission can then proceed with the licensing decision under the NSCA. In making its licensing decision, the Commission will determine whether the proponent is qualified and will make adequate provision for the protection of the environment, the health and safety of persons, the maintenance of national security and the measures required to implement international obligations to which Canada has agreed. Under the NSCA, no approval is granted/no licence is issued unless the proponent is qualified and makes adequate provision for the protection of the environment and health and safety of persons.

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
William Turner	WT-8	<p><b>General Concerns</b></p> <p><b>3. “It’s safe”</b></p> <p>“While I agree that construction activities can be conducted to ensure little risk to the public or the environment, I see no evidence that this would apply to the operational activities or could be guaranteed after the facility is closed and put under institutional control for 300 years. There is no evidence that CNL has done an analysis in accordance with the CNSC Regulatory Guide, G-320, <i>Assessing the Long Term Safety of Radioactive Waste Management</i>. Thus an assertion like this, before the safety case is even started, presupposes the conclusion and suggests an unacceptable bias on the part of CNL. What will CNL do if the conclusion of the safety assessment determines the facility, over its 300 year plus lifetime, cannot be operated safely?”</p>	<p>Information on the long-term safety of the proposed project will be summarized in the EIS and the safety case. Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting documentation during the EA process – a public comment period is anticipated between March and May 2017 – and through future CNSC public engagement sessions.</p> <p>CNSC staff require the proponent to follow the guidance provided in CNSC Regulatory Guide G-320, in accordance with the CNSC’s regulatory framework for this proposed project, as outlined in response to WT-1 above.</p> <p>In addition, prior to making a decision, sufficient information is required for CNSC staff to evaluate and make scientifically defensible recommendations to inform evidence-based Commission decisions as well as to ensure regulatory requirements for safety, security and the environment are met. Under the NSCA, no approval is granted/no licence is issued unless the proponent is qualified and makes adequate provision for the protection of the environment and health and safety of persons.</p> <p><b>Completeness of the project description</b></p> <p>CEAA 2012 requires that the proponent of a designated project, except projects that are regulated by the CNSC or the National Energy Board, submit a project description to the Agency. The <i>Prescribed Information for the Description of a Designated Project Regulations (SOR/2012-148)</i> set out the information that must be included in a project description. The Agency then uses the information in the project description during a ‘screening’ phase to inform a decision on whether an EA of the designated project is required.</p> <p>Although not required for designated projects regulated by CNSC,</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			<p>the CNSC has adopted within its EA process the requirement to submit a project description, as outlined in appendix A of <a href="#">REGDOC-2.9.1: Environmental Protection: Environmental Principles, Assessments and Protection Measures</a>. The purpose of the project description is for CNSC staff to determine if a project proposal meets the definition of “designated project” such that CEAA 2012 would apply. To this end, proponents are referred to the <i>Prescribed Information for the Description of a Designated Project Regulations</i> (SOR/2012-148) for the information that should be submitted within their project description.</p> <p>CNSC staff reviewed CNL’s project description, and determined that sufficient information was provided to:</p> <ul style="list-style-type: none"> <li>• meet the <i>Prescribed Information for the Description of a Designated Project Regulations</i> (SOR/2012-148) such that the project description is deemed complete and need not be revised</li> <li>• make a determination on the applicability of CEAA 2012</li> </ul> <p>CNSC staff determined that CEAA 2012 applies to the proposed project, as it is considered a “designated project” in accordance with paragraph 37(b) of the <i>Regulations Designating Project Activities</i>.</p> <p>Following CNSC staff’s EA determination, public comments were sought on the project description to inform the conduct of the EA. Taking into account the public comments received related to scope and CNSC staff’s recommendations, the Commission, as indicated in the Commission’s Record of Decision dated March 8, 2017, has determined that the scope of the factors for this EA include the factors mandated in paragraphs 19(1)(a) to (h) of CEAA 2012, with no additional factors requiring consideration. That is, the Commission did not require, under its discretion in paragraph 19(1)(j) of CEAA 2012, to include any other matters relevant to the EA.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
William Turner	WT-9	<p><b>General Concerns</b></p> <p><b>4. “A solution for CNL’s legacy obligations”</b></p> <p>“While I agree that the NSDF is a solution, I am not sure what the problem is for which this is the answer. CNL needs provide a clear definition of the problem that needs to be solved. Since the facility is supposedly being designed for a “<i>variety of waste materials</i>”, it will not be designed for all of “<i>CNL’s legacy obligations</i>”. Because no description of the “<i>variety of waste materials</i>” is postulated, it is not clear that what is being proposed is even the appropriate solution for this “<i>variety of wastes</i>”. Again, an assertion is given without any supporting evidence.</p> <p>In addition, under this heading CNL also asserts that the NSDF will “...<i>reduce the footprint of the built up area on the CRL site...</i>” While it may be true that over 100 buildings will be removed, the actual footprint will not be reduced. This is especially true, since in the next clause CNL asserts the facility will “... <i>create the appropriate conditions for a clean and revitalized science and technology campus.</i>” I suggest that this campus will be situated on the current “... <i>footprint of the built-up area...</i>” If it isn’t, then the footprint will be expanded. Therefore there will be no footprint reduction.”</p>	<p><b>Project justification/objectives</b></p> <p>As indicated in the project description (section 3.1.2), the objective of the proposed project is to design, licence, construct and commission the NSDF for operation and to have the NSDF operational and ready to accept waste by March 2020.</p> <p>A problem definition is not a requirement for a CEAA 2012 EA. Rather, as outlined in subsection 4.1 (Purpose of the project) of the <a href="#">Guidelines</a>, the proponent’s EIS will have to document in sufficient detail the justification and rationale for the project. Sufficient information is required for CNSC staff to evaluate and make scientifically defensible recommendations to inform evidence-based Commission decisions.</p> <p>In addition, waste volumes, waste inventory, WAC and details on the handling and emplacement of the waste will be addressed in the proponent’s licensing documentation and will be summarized in sufficient detail in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p>
William Turner	WT-10	<p><b>General Comments (1)</b></p> <p>“Note: disposal is forever. The proponent will need to demonstrate that the project meets the requirements of the CNSC Regulatory Guide, <i>G-320, Assessing the Long Term Safety of Radioactive Waste Management</i>. Since the description document makes no reference to this guideline, it is not clear whether the proponent understands the importance of this guidance.”</p>	Please see the response to WT-8 above.

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William Turner	WT-11	<p><b>General Comments (2)</b></p> <p>“Since disposal is forever, public engagement in the decision process is critical. From public engagement activities identified in this document (Sections 2.3 and 2.4), the proponent appears to have given little opportunity for the public to seriously participate in process. These sections appear to address only the activities associated with the announcement of the project. Given the nature of the stakeholder groups listed in Table 2-1, the proponent appears to have deliberately limited the opportunity for public feedback.</p> <p>[...]</p> <p>The proponent must revise its communication process to ensure the public is given a meaningful opportunity to participate in the planning process.”</p>	<p>With respect to <b>public participation</b>, please see the response to WT-1 above.</p>
William Turner	WT-12	<p><b>General Comments (3)</b></p> <p>“It is my understanding that the <i>Nuclear Safety and Control Act</i> makes no provision for a “disposal” licence. The word does not appear under Prohibitions, Section 26 of the Act...”</p>	<p>CNL’s proposal to construct and operate the NSDF will require approval by the Commission and will be considered as part of the licence renewal application process for the operating licence (CRL Nuclear Research and Test Establishment Operating Licence, NRTEOL 01.00/2018) of the CRL site. The CRL site operating licence expires on March 31, 2018.</p> <p>Under the current regulatory framework, approval from the CNSC is required to perform decommissioning and post-closure activities. However, any further licences, and which types, will be determined by the CNSC as the project moves through the CNSC’s lifecycle licensing process, in accordance with the applicable regulatory framework.</p>
William Turner	WT-13	<p><b>General Comments (3)</b></p> <p>“...Since hazardous materials, or mixed waste are to be emplaced in this facility, the proponent will also need to demonstrate that after the licence to abandon is issued by the</p>	<p><b>Institutional control</b></p> <p>CNSC staff require that information regarding the lifecycle of the project, including the form, length, and requirements of the institutional control period and post-closure monitoring activities, be</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
		<p>CNSC, the site will meet the requirements for the closure of a hazardous waste management facility under provincial regulations.</p> <p>Please provide an estimate of the timeline at which the radioactivity of the closed disposal site will meet the clearance levels required for abandonment. In this estimate, the proponent needs to address any timelines associated with any provincial closure regulations.”</p>	<p>addressed in the proponent’s licensing documentation and summarized in sufficient detail in the EIS and the safety case. The length of institutional control will need to be approved by the Commission.</p> <p><b>Licence to Abandon</b>            Following the end of institutional control, the applicant may submit an application for a Licence to Abandon. The requirements for the application of a Licence to Abandon are identified in section 8 of the <i>Class I Nuclear Facilities Regulations</i>. At the time the applicant will apply for a Licence to Abandon, CNSC staff will assess the application based on the CNSC’s regulatory framework.</p> <p>Before issuing a Licence to Abandon, the Commission must be satisfied that the applicant meets all the regulatory requirements related to this type of licence, and has made adequate provision to protect the environment, the health and safety of persons, and the maintenance of national security and measures required to implement international obligations to which Canada has agreed.</p>
William Turner	WT-14	<p><b>General Comments (4)</b>            “The proponent appears to advocate implementation of a short-term solution to a long-term problem. However, I cannot see that the proposed solution is justified since there is no clear definition of the problem. In Section 3.1.1, the proponent asserts that there is an “<i>immediate requirement for a new facility ... for the disposal of large quantities of LLW ...</i>” but provides no justification for this assertion. Why is the need “immediate”?...”</p>	<p>With respect to <b>project justification / objectives</b>, please see the response to WT-9 above.</p>
William Turner	WT-15	<p><b>General Comments (5)</b>            “This project description does not identify or consider “<i>alternative means of carrying out the project</i>”.</p> <p>[...]</p>	<p>As outlined in subsection 4.2 (Alternative means of carrying out the project) of the <a href="#">Guidelines</a>, CNSC staff require that the proponent’s EIS assess all potential environmental effects, as defined under section 5 of CEAA 2012, of the proposed project and of each alternative means of carrying out the project.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
		<p>The lack of a discussion of “<i>alternative means of carrying out the project</i>” suggests that the proponent has predetermined the solution, thus risks being out of compliance with clause 19(1) (g) of the CEAA (2012).</p> <p>Please include a description of the alternative means, along with criteria used to select the NSDF as the best option.”</p>	<p>As indicated in the response to WT-8 above, the Commission, taking into account the public comments received related to scope and CNSC staff’s recommendations, has determined that the scope of the factors for this EA include the factors mandated in paragraphs 19(1)(a) to (h) of the CEAA 2012 and no additional factors. That is, the paragraph 19(1)(g) factor of alternative means of carrying out the project and the environmental effects of these alternative means is required to be assessed and described in this EA.</p>
William Turner	WT-16	<p><b>General Comments (6)</b></p> <p>“I note that this project only addresses the LLW from CRL (with some provision to handle the wastes from the NPD and Whiteshell sites). However, all CNL sites contain wastes other than LLW. How is this project integrated into the overall strategy to manage all wastes at CNL sites? What are the other CNL waste projects either underway or planned?</p> <p>[...]</p> <p>Without knowing the nature of these current and future projects, it is not clear that the proponent has adequately addressed the evaluation of cumulative effects. Further, I suggest that the proponent has not provided an adequate description of the context of the project.”</p>	<p>Waste volumes, waste inventory, WAC and details on the handling and emplacement of the waste will be addressed in the proponent’s licensing documentation and will be summarized in sufficient detail in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p> <p>In addition, CNL is required to notify CNSC of any future decommissioning plans as per the current operating site licence. Any future decommissioning plans will be subject to the CNSC’s regulatory framework as outlined in the response to WT-1 above.</p> <p>With respect to cumulative effects, the consideration of cumulative effects in an EA is a requirement of CEAA 2012 as outlined in paragraph (a) of subsection 19(1), factors to be considered. As per section 9.4 (Cumulative effects) of the <a href="#">Guidelines</a>, CNSC require the proponent to identify and assess the project’s potential environmental effects, including cumulative effects, in the EIS. Cumulative effects are those environmental effects that are likely to result from the proposed project in combination with the environmental effects of other physical activities that have been or will be carried out. In particular, the Agency’s Operational Policy Statement: <i>Assessing Cumulative Environmental Effects under the Canadian Environmental Assessment Act, 2012</i>, indicates the cumulative effects assessment must include future physical activities</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			<p>that are certain and should generally include physical activities that are reasonably foreseeable. In accordance with this Operational Policy Statement, CNSC require the proponent's cumulative effects assessment to include existing physical activities and reasonably foreseeable and certain future physical activities.</p>
William Turner	WT-17	<p><b>General Comments (7)</b></p> <p>“What is the potential impact to the environment from either of the sites selected? The proponent states that the area of each of the two potential sites is about 30 ha. To put this into perspective, it is my understanding that the built-up area occupies about 70 ha. Essentially an expanse equivalent to 43% of the built-up zone will be directly impacted by the installation of the impermeable liners and covers.</p> <p>What is the result of the installation of these engineered barriers? Clearly the whole local groundwater and surface water discharge regimes will change. As a result, the hydrology under the facility and, by extension, the surrounds will be altered. These transformations will impact the local ecosystem resulting in adverse effects to the existing flora and fauna both inside and outside the actual facility footprint.</p> <p>Just from the size of the facility alone (approximately 30 ha) that is to be covered by impermeable liners and covers, one can predict that these effects will be significant and adverse. I am disappointed that the proponent has not identified these obvious impacts...”</p>	<p>As outlined in subsection 4.2 (Alternative means of carrying out the project) of the <a href="#">Guidelines</a>, CNSC staff require that the proponent's EIS assess all potential environmental effects, including potential impacts as a result of the installation of engineered barriers, of the proposed project and of each alternative mean of carrying out the project.</p> <p>As indicated in the response to WT-1 above, sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p>
William Turner	WT-18	<p><b>Specific Comments</b></p> <p><b>(1) Section 1.1 – Project Proponent (First paragraph)</b></p> <p><i>“[AECL]...fulfils this mandate through a long-term contractual arrangement with Canadian Nuclear Laboratories (CNL)...”</i></p> <p><i>“...It is my understanding that the contract with CNL is for 6</i></p>	<p>With respect to contractual arrangements, this comment is outside the scope of this EA and outside the CNSC's mandate.</p> <p><b>Proponent of the project</b></p> <p>Although AECL owns the assets and liabilities of the site, CNL is the</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
		<p>years with the option to renew for a further 4 years. This timeframe does not meet what I would consider “long-term”. Please revise, a 10 year contract is not long-term</p> <p>I am concerned that at the end of this contract, the government will be left with a problem for which the contractor cannot be held responsible. As such, I suggest that for a project whose lifetime extends beyond the current contract, the proponent cannot be CNL. With a project lifetime up to the year 2400 (see Section 3.4), either the government itself (i.e., through NRCan) or AECL must be the proponent.”</p>	<p>legal entity that is managing the site and that has responsibility for complying with the CNSC's regulatory framework. Consequently, it is CNL that is the current licensee and is proposing the project; therefore, it is appropriate that CNL is the proponent.</p> <p>Furthermore, CNL meets the definition of "proponent", as per section 2 of CEAA 2012, which means the person, body, federal authority or government that proposes the project. The CNSC's licensing decision considers whether an applicant is qualified to undertake the proposed activities.</p>
William Turner	WT-19	<p><b>Specific Comments</b>  <b>(2) Section 1.1 – Project Proponent (Second paragraph)</b>            “...From the CNL website it is stated: “<i>CNL is Canada's premier nuclear science and technology laboratory managed by Canadian National Energy Alliance</i>”. Apparently, CNL is not actually a company but a “Laboratory”. Management of this entity is by a consortium of several private companies, entitles, <i>Canadian National Energy Alliance (CNEA)</i>. Please confirm. If it is not a single company please revise this statement and identify which of the companies within the CNEA is responsible for this proposal.”</p>	<p>CNL is a company that is incorporated under the <i>Canada Business Corporations Act</i>. CNL is the licence holder of the CRL site licence. (CRL Nuclear Research and Test Establishment Operating Licence (NRTEOL 01.00/2018)). CNL is the legal entity that is managing the site and that has responsibility for complying with the CNSC's regulatory framework. Consequently, it is CNL that is the current licensee and is proposing the project. The Canadian National Energy Alliance Ltd. (CNEA) is CNL's sole shareholder and is responsible for corporate oversight of CNL.</p>
William Turner	WT-20	<p><b>Specific Comments</b>  <b>(3) Section 2.1 - Project's Name, Nature and Proposed Location (Last paragraph on Page 2-2)</b>            “...Please provide a summary of the criteria used for the site selection process. Please include a summary of the results of the evaluation.</p> <p>Was the potential impact from the installation of impermeable liners and covers over the very large area (30 ha) considered in the selection process? If not, please provide a justification.”</p>	<p>As outlined in subsection 4.2 (Alternative means of carrying out the project) of the <a href="#">Guidelines</a>, CNSC staff require that the proponent's EIS assess all potential environmental effects, including potential impacts as a result of the installation of engineered barriers, of the proposed project and of each alternative means of carrying out the project. In addition, the <a href="#">Guidelines</a> require the proponent's alternative means assessment to include the identification of technically and economically feasible criteria for the evaluation of each alternative means and their potential environmental effects.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
William Turner	WT-21	<b>Specific Comments</b> <b>(4) Section 2.3 – Description of Consultation Activities</b> “Please provide a copy of the “...a brief overview of the proposed NSDF within the context of a larger vision of the company.” Without the information it is not clear that the “overview” included a description of “...the risks to public health, safety and security, and the environment posed by the facility or activity ...” as required by the CNSC document, RD/GD-99.3, <i>Public Information and Disclosure</i> , March 2012, page 3.”	As indicated in the response to WT-1 above, CNSC staff require that the proponent’s EIS describe, in sufficient detail, public engagement activities in accordance with the CNSC’s <a href="#">RD/GD-99.3, Public Information and Disclosure</a> .
William Turner	WT-22	<b>Specific Comments</b> <b>(5) Section 2.3.1 – Future Engagement Activities</b> “This section does not meet the requirements of Section 2.2.2 <i>Target audience(s)</i> of the CNSC document, RD/GD-99.3, <i>Public Information and Disclosure</i> , March 2012. To quote the first sentence in that section, “ <i>The public information program shall define the target audiences, and the rationale utilized for inclusion.</i> ” Although a target audience is identified for these future engagement activities, please summarize the rationale used to determine their inclusion.”	As indicated in the response to WT-1 above, CNSC staff require that the proponent’s EIS describe, in sufficient detail, public engagement activities in accordance with the CNSC’s <a href="#">RD/GD-99.3, Public Information and Disclosure</a> .
William Turner	WT-23	<b>Specific Comments</b> <b>(6) Section 2.3.1 – Future Engagement Activities</b> “The list of activities provided in this section are all related to announcing the project. There does not appear to be any effort to engage the population of the local communities in any of the decisions related to this project.  [...]  Please ensure the public is engaged in any decisions related to this project. Two Canadian examples come to mind, both of which are located in the Port Hope area of Ontario. One of these, Port Granby, is cited as a design example in Section	With respect to <b>public participation</b> , please see the response to WT-1 above.

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	CNSC response
		3.3.  The proponent should follow the precedent set by AECL in the implantation of the Port Hope Area Initiative. From the initial identification of the problem early 1970s to the formation of the Low-Level Radioactive Waste Management Office (1982) to the implementation of the Port Hope Area Initiative (2001) the public have been engaged. Since AECL has the appropriate experience in public engagement, the proponent can nether claim ignorance nor an inability to implement the process.”	
William Turner	WT-24	<b>Specific Comments</b> <b>(7) Section 3.1.1 – Project Context (First paragraph)</b> “...Please provide the evidence to support the assertion that this need is immediate. See <i>General Comments</i> above.  What were the alternative means that were considered that would address this immediate need?”	As indicated in the response to WT-1 above, CNSC staff require the proponent to provide a project justification and assessment of potential project environmental and health effects, including the end-state and alternative means of carrying out the project, in its EIS.  With respect to <b>project justification / objectives</b> , please see the response to WT-9 above.
William Turner	WT-25	<b>Specific Comments</b> <b>(8) Section 3.1.1 – Project Context (2<sup>nd</sup> Paragraph)</b> “...Please summarize the risks that require substantial reduction. As far as I am aware, there are no substantial risks associated with CRL waste management operations as identified by the regulator, (CNSC, <i>CNSC Staff Report on the Performance of CNL’s Nuclear Sites and Projects: 2013</i> , March 2015, Ottawa.)  With respect to the liabilities and operational costs, please provide the cost estimates such that the current costs can be compared to the costs of this project (over its complete life cycle, including post closure). See <i>General Comments</i> above.  Please provide the evidence to support the risk reduction assertion. Again, what are the alternative means that can	As indicated in the response to WT-1 above, CNSC staff require the proponent to provide a project justification and assessment of potential project environmental and health effects, including the end-state and alternative means of carrying out the project, in its EIS.  With respect to liabilities and operational costs, this comment is outside the scope of this EA, as cost information is not a requirement under CEAA 2012 and is not within the CNSC’s mandate.

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
		address these substantial risks?”	
William Turner	WT-26	<p><b>Specific Comments</b>  <b>(9) Section 3.1.1 - Project Context (2<sup>nd</sup> Paragraph)</b>            “...The statement that the NSDF will dispose of LLW from the closure of the WL and NPD reactors appears to be inconsistent with the EA Project Descriptions for those projects. Neither of those closure projects identify the NSDF as a potential waste disposal site. This is somewhat surprising since CNL is the proponent for all three projects, this one, and the closure of the two reactors. Further, all three projects are being brought forward at the same time.</p> <p>Please confirm that the scope of the wastes to be emplaced in the NSDF includes wastes from the closure of the two reactor sites.”</p>	<p>CNSC staff require that the EIS identify and assess all types of wastes to be potentially emplaced in the NSDF. All waste to be emplaced in the NSDF will be required to meet the WAC. Details on the WAC for the NSDF will be addressed in the proponent’s licensing documentation and will be summarized in sufficient detail in the EIS and the safety case.</p> <p>In addition, the current CRL Operating Licence, CRL Nuclear Research and Test Establishment Operating Licence (NRTEOL 01.00/2018), authorizes CNL to accept waste from outside clients (off site) for which there is an identified and approved treatment, storage or disposal facility.</p>
William Turner	WT-27	<p><b>Specific Comments</b>  <b>(10) Section 3.1.2 – Project Objectives (First Paragraph)</b>            “The objective for the project is stated as: “...to design, licence, construct and commission the NSDF for operation.” This is a list of project outcomes, and cannot be considered project objectives. This statement implies that once the NSDF is commissioned there is no longer a need for the project. I doubt that this is what the proponent intends.</p> <p>Please revise the list to address the actual objectives of the project. In other words, please answer the question, what is the problem this project will be designed to solve? From a clear problem definition, the proponent can then develop appropriate project objectives...”</p>	<p>With respect to <b>project justification / objectives</b>, please see the response to WT-9 above.</p> <p>With respect to the <b>completeness of the project description</b>, please see the response to WT-8 above.</p>
William Turner	WT-28	<p><b>Specific Comments</b>  <b>(11) Section 3.1.2 – Project Objectives (Second Paragraph)</b>            “I note that the last sentence in bullet c) states that the future wastes will include “...the remediation of soils from the <b><i>final closure of the CRL site</i></b> [emphasis added]” and the first</p>	<p>As outlined in section 4.3 (Scope of project) of the <a href="#">Guidelines</a>, CNSC staff require that the proponent describe and assess in the EIS the potential environmental effects for all phases of the project and their associated activities, including the decommissioning of the facility. The other facilities and activities on the CRL site are not</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
		<p>sentence of this paragraph states “<i>The facility is expected to be operational for approximately 50 years.</i>” This implies that the CRL site will be closed within 50 years.</p> <p>Please confirm that the CRL site will be closed within 50 years.”</p>	<p>associated with this project and as such, are not within the scope of this EA.</p> <p>However, CNL is required to notify CNSC of any future decommissioning plans as per the current operating site licence. Any future decommissioning plans for the rest of the CRL site will be subject to the CNSC’s regulatory framework as outlined in the response to WT-1 above.</p>
William Turner	WT-29	<p><b>Specific Comments</b>  <b>(12) Section 3.1.2 – Project Objectives (Second Paragraph)</b>            ““<i>The NSDF will be sized to hold 1 000 000 m<sup>3</sup> of LLW</i>”            Please provide a summary of the calculations (estimates) used to determine the proposed capacity. Without appropriate evidence, this volume assertion is meaningless.</p> <p>The doubts about the capacity estimate extend to the assertion that 50% of the wastes will be expected from current activities and 50% from future activities.</p> <p>Please provide the basis for these estimates.”</p>	<p>The NSDF capacity of 1 million m<sup>3</sup> was based on a waste forecasting study performed by CNL. As the design progresses, the waste volumes, waste inventory, the WAC and other facility design aspects and details will be addressed in the proponent’s licensing documentation and will be summarized in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p>
William Turner	WT-30	<p><b>Specific Comments</b>  <b>(13) Section 3.1.2 – Project Objectives (Second Paragraph)</b>            “I note that the type of wastes to be emplaced in this facilities include decommissioning wastes, contaminated lands and soils.</p> <p>Please provide a summary of the characteristics of these wastes including waste forms.</p> <p>What is the proposed waste form for the contaminated soils? Will it be in containers? Please provide a description of these containers.</p> <p>[...]</p>	<p><b>Waste</b>            Waste volumes, waste inventory, WAC and details on the handling and emplacement of the waste will be addressed in the proponent’s licensing documentation and will be summarized in sufficient detail in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	CNSC response
		<p>I note that the figures depicting the conceptual design of the facility that include a cross-section of the wastes (Figures 3-1 and 3-2) do not show the use of waste packages. I take this to mean that the acceptable waste forms will not include any packaging. Please confirm. If packaging is acceptable, what is the nature of that package?</p> <p>Please provide a summary of the activities associated with the waste emplacement process. Will the emplaced wastes be compacted? If the intent is to compact, then packaging cannot be acceptable waste form.</p> <p>If the liner is breached during emplacement activities, what are proposed mitigation measures?"</p>	
William Turner	WT-31	<p><b>Specific Comments</b>  <b>(14) Section 3.1.2 – Project Objectives (top of page 3-2)</b>            "...Please provide the WAC used to design this facility.</p> <p>A clear problem definition that includes a description of the wastes to be emplaced will help to identify the appropriate solution. That description must include a summary of the types, acceptable characteristics (including radiological, non-radiological hazards content), size and packaging for the wastes. In other words, the problem statement must include the WAC.</p> <p>The clear problem definition will allow for the identification of alternative means as required in CEEA (2012)."</p>	<p>With respect to <b>project justification / objectives</b>, please see the response to WT-9 above.</p> <p>With respect to <b>waste</b>, please see the response to WT-30 above.</p>
William Turner	WT-32	<p><b>Specific Comments</b>  <b>(15) Section 3.3 – Physical Works Related to the Project (First paragraph)</b>            "This paragraph describes the designing of the facility. It should be noted that design is not a physical work. Please revise. "</p>	<p>Noted. CNSC staff note that CNL mentioned the design work in this section of the project description to indicate that the description of the physical works was not yet finalized in detail, since the design work which is underway, informs the list of physical works.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			<p>As outlined in section 4.3 (Scope of project) of the <a href="#">Guidelines</a>, CNSC staff require that the proponent describe and assess in the EIS the potential environmental effects for all phases of the project and their associated activities, including clear descriptions of the project activities and project-environment interactions.</p> <p>With respect to the <b>completeness of the project description</b>, please see the response to WT-8 above.</p>
William Turner	WT-33	<p><b>Specific Comments</b>  <b>(16) Section 3.3 – Physical Works Related to the Project (first paragraph)</b>            “The sites listed as examples... are all licenced under US regulations. To demonstrate that these are appropriate examples to use for the design of NSDF, the proponent needs to provide suitable evidence that the US regulatory regime will meet Canadian legislation requirements. In this case, the minimum would be the CNSC Regulatory Guide, G-320 along with other applicable CNSC REGDOCs and guidelines.</p> <p>In addition, a summary of the WACs for each of these facilities (including the Port Hope area sites) would help to establish whether or not these examples are appropriate when considering the NSDF design.</p> <p>I note that wastes emplaced in the Fernald site are from the “... former Feed Materials Production Center, a uranium processing facility that produced high-purity uranium ...”. Since no uranium processing occurred at the CRL site, this is not an appropriate example to use here... Please remove this site as an example.”</p>	<p>With respect to the <b>CNSC’s regulatory framework</b> for the assessment of the proposed project, please see the response to WT-1 above.</p> <p>With respect to the <b>completeness of the project description</b>, please see the response to WT-8 above.</p>
William Turner	WT-34	<p><b>Specific Comments</b>  <b>(17) Section 3.5 – Project Activities (Post-closure and monitoring activities)</b>            “The proponent does not provide any information with respect</p>	<p>Information regarding the engineered barrier will be addressed in the proponent’s licensing documentation and summarized in sufficient detail in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
		to “ <i>The assumed performance time frames of engineered barriers and the evolution of their safety function with time ...</i> ” (CNSC G-320, Section 7.4 <i>Assessment Time Frames</i> ). Therefore it is not possible to evaluate whether the engineered barriers are adequate to meet the requirements of G-320. ...”	recommendations which inform evidence-based Commission decisions.  Furthermore, CNSC staff require the proponent to follow the guidance provided in CNSC Regulatory Guide G-320, in accordance with the CNSC’s regulatory framework for this proposed project, as described in the response to WT-1 above.
William Turner	WT-35	<p><b>Specific Comments</b>  <b>(18) Section 4.1 – Project Location</b>            “...there is no information as to the site selection criteria, therefore the proponent has provided no basis on which to decide whether or not either site on the CRL property is appropriate for this undertaking.</p> <p>For example, are the geology, hydrology, soil, bedrock, groundwater, and biota characteristics of the CRL site suitable for this type of facility? How do these CRL site characteristics compare with those for the sites cited as examples? Are the total foot print areas of the example sites similar to those for the CRL facility (estimated to be 30 ha)?</p> <p>Apparently there are archeological issues associated with at least one of the sites. How were these archeological issues weighed against the other site selection criteria?</p> <p>Since this area is subject to periodic earthquakes, what are the seismic issues associated with this proposed facility?            Since the impacts from the size of the facility alone (approximately 30 ha) will likely affect the whole local ecosystem, were ecosystem effects incorporated into the site selection criteria? (see also Comment 21) below”</p>	With respect to the <b>completeness of the project description</b> , please see the response to WT-8 above.

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
William Turner	WT-36	<b>Specific Comments</b> <b>(19) Section 4.2 – Project Proximity to Residences</b> “This section describes the current residences in the area. However, this proposed undertaking is a disposal facility which implies that the effects of the project will extend far into the future (possibly forever). As such, the proponent should provide a reasoned discussion of the implications to future residents in the area.”	<p>CNSC staff agree that the potential, long-term radiological risks to the environment and human health of the proposed project need to be considered and evaluated and require this assessment as part of the EA and licensing review process. Information on the long-term safety of the proposed project will be summarized in the EIS and the safety case.</p> <p>In addition, information regarding the evaluation of future land use will be provided in the long-term safety case and summarized in sufficient detail in the EIS and safety case.</p> <p>With respect to the <b>completeness of the project description</b>, please see the response to WT-8 above.</p>
William Turner	WT-37	<b>Specific Comments</b> <b>(20) Section 4.3 Project - Proximity to Reserves, Traditional Territories and Land/Resources by Aboriginal Peoples (Third paragraph) and Section - 6.5.4 Effects on Aboriginal People</b> “Engagement with aboriginal groups is a critical part of the requirements of the CEEA and is identified in Clause 5 (1) (c), of the Act (quoted below)... There appears to be a discrepancy between what the proponent intends to do with respect to aboriginal groups and what is in the Act. This is especially true since one of the selected sites, “ <i>The EMR Site has high archaeological potential</i> ” and the other “... warrants further study ...” (see Page 6-8).  Please revise to ensure that the aboriginal groups are truly engaged in the project decisions and not just informed (see Table 2-1).”	<p>The CNSC ensures that all of its EA and licensing decisions under CEEA 2012 and the NSCA uphold the honour of the Crown and consider Aboriginal peoples’ potential or established Aboriginal and/or treaty rights pursuant to section 35 of the <i>Constitution Act</i>, 1982.</p> <p>CNSC staff have identified First Nation and Métis groups who may have an interest in the project and provided each identified group with a notice of the commencement of the EA, the opportunity to apply for participant funding and a copy of the project description for comment. CNSC staff have also offered to meet with interested Aboriginal groups to discuss initial concerns regarding the project.</p> <p>CNSC staff will continue to provide interested Aboriginal groups with timely project updates and information at key points during the EA process including the review of CNL’s EIS, CNSC staff’s EA Report, and CNSC staff’s and CNL’s Commission member documentation and related public Commission hearings.</p> <p>As per the requirements and guidance of the CNSC’s <a href="#">REGDOC-3.2.2, Aboriginal Engagement</a>, CNSC staff expect that CNL will be</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			<p>engaging with Aboriginal groups to identify potential concerns related to impacts on Aboriginal and/or treaty rights as a result of the proposed project, including impacts to any archaeological resources identified, and working collaboratively with the identified communities on addressing these concerns, where appropriate. CNL is required to report to the CNSC regarding their engagement activities and it is expected that further details will be provided in the EIS.</p>
William Turner	WT-38	<p><b>Specific Comments</b>  <b>(21) Figure 6-2 Physical and Natural Features of the Two Candidate Sites for the NSDF</b>            “As stated in Section 4.1, the approximate areas for these sites is about 30 ha. This compares to the approximately 70 ha occupied by the built-up area (currently the campus). In and of itself, this area comparison should give the proponent pause to consider the potential impacts of this facility. They are unlikely to be minor.</p> <p>[...]</p> <p>From this short evaluation, I suggest that the potential adverse impact to the environment would preclude the selection of either site. In fact, if one was to apply this simple analysis to the rest of the CRL site, the whole site would likely be disqualified as a potential location for the disposal facility. The site is too wet.”</p>	<p>As per sections 9 (Effects assessment) and 10 (Mitigation) of the <a href="#">Guidelines</a>, the proponent’s EIS will have to identify and assess all potential environmental effects of the project and propose mitigation measures to undertake to avoid or minimize any adverse environmental effects of the project.</p>
William Turner	WT-39	<p><b>Specific Comments</b>  <b>(22) Section 6.5.1 – Fish, Fish Habitat and Aquatic Species (Last paragraph)</b>            “<i>Impact to fish or fish habitat ... and on aquatic species ... will be evaluated as the design of the facility proceeds.</i>”</p> <p>From the short evaluation given in the previous comment, the proponent should recognize that the anticipated impacts to fish</p>	<p>As per sections 9 (Effects assessment) and 10 (Mitigation) of the <a href="#">Guidelines</a>, the proponent’s EIS will have to identify and assess all potential environmental effects, as defined under section 5 of CEAA 2012 (which includes fish and fish habitat), of the project and propose mitigation measures to undertake to avoid or minimize any adverse environmental effects of the project.</p>

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		<p>and fish habitat maybe unacceptable. That said, any potential adverse impacts on the ecosystem must be included in the criteria for the site selection and cannot be left to the design phase.</p> <p>Please revise to address Comment 21) above.”</p>	<p>In particular, CNSC staff require that for all phases of the lifecycle for the facility or activity, the proponent describe the effects of the project on aquatic flora and fauna, including a full accounting of effects on species of natural conservation status and their habitat. This evaluation should be based on results of field monitoring studies or predictions from an ecological risk assessment.</p> <p>With respect to the <b>completeness of the project description</b>, please see the response to WT-8 above.</p>
William Turner	WT-40	<p><b>Specific Comments</b>  <b>(23) Section – 6.5.2 Migratory Birds</b>            “This paragraph is totally inadequate as it assumes the effects will only occur during the site preparation phase. Given the size of the proposed facility and its potential impact on groundwater and surface water flows, wetlands, lakes and streams, any impact to migratory species will not be limited to their breeding season. The facility is likely to impact their complete life cycle.</p> <p>Please revise and ensure a realistic evaluation of the potential impacts is provided.”</p>	<p>The consideration of potential adverse environmental effects on migratory birds in an EA is a requirement of CEAA 2012 as outlined in section 5(1), factors to be considered. As per subsection 5.1 (Factors to be considered) of the <a href="#">Guidelines</a>, CNSC staff require the proponent to identify and assess the project’s potential environmental effects, including impacts on migratory birds, in the EIS.</p> <p>In addition, licence applicants are required to meet the requirements of all applicable federal legislation, including the <i>Migratory Birds Convention Act</i>.</p> <p>With respect to the <b>completeness of the project description</b>, please see the response to WT-8 above.</p>
<p><a href="#">William Turner</a>  (November 17, 2016)</p> <p>Note: New comments from this submission have been captured in WT-41 to WT-65.</p>	WT-41	<p><b>1.1 CNL Public Engagement is Low Priority</b>            “To meet the deadline for submission of comments on the previous Project Description of June 24th, I submitted my comments (below) on June 14th. I subsequently attended a Public Information Session held in Deep River on June 21<sup>st</sup>...I was somewhat concerned that these information sessions were being held just before and after the June 24th submission deadline. I took this as evidence that CNL really did not want to engage the public, but went along anyway.</p> <p>[...]</p>	<p>With respect to <b>public participation</b>, please see the response to WT-1 above.</p>

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Updates to original submission comments are addressed in the responses above.		I can no longer condone this haphazard approach to public engagement. As stated above, I have raised this issue with both CNL and AECL staff at several Public Information Sessions that I have attended. Since public communication is a critical aspect of the environmental assessment process, CNL cannot continue with its current approach.”	
William Turner	WT-42	<p><b>1.2 Penalties and Incentives confirm CNL’s interests are short-term.</b></p> <p>“...Assuming they have the NSDF operational by 2020 (the target date given in the Project Description), CNL will have only operated the facility for 5 years (contract end is 2025). Yet the facility is supposed to operate until 2070. Thus for the majority of its operational life, CNL has no responsibility for any “... health and safety incidents, environmental incidents ...”</p> <p>Although CNL has cited several examples to demonstrate their chosen technology is proven, upon examination, none of those examples are appropriate for the local environment, or the types of wastes (including ILW) identified by CNL for waste emplacement. In other words, the NSDF is a first of its kind. As such, there are too many uncertainties to assert anything about the long-term integrity of the NSDF.</p> <p>[...]</p> <p>For a long-term radioactive waste disposal project, this short-term vision is <b>NOT</b> acceptable. Recall, disposal is forever.”</p>	<p>As indicated in the response to WT-1 above, information on the long-term safety of the NSDF will be summarized in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p> <p>With respect to <b>waste</b>, please see the response to WT-30 above.</p>
William Turner	WT-43	<p><b>1.3 Where do the wastes from the removal of reactors go?</b></p> <p>“...Their strategy has identified only one disposal option, the Near Surface Disposal Facility (and, from a review of their project description, even that is questionable). We already</p>	<p>With respect to <b>waste</b>, please see the response to WT-30 above.</p> <p>While the removal of these other wastes is not within the scope of the NSDF project, CNSC staff note the purpose of CNL’s Integrated</p>

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		<p>know (from international and Canadian experience) that a near surface facility is not adequate to address all the wastes (both non-radioactive and radioactive) that have been or will be generated within the 10-year timeframe of CNL's "Integrated Strategy".</p> <p>How does CNL propose to address these other wastes? Since CNL has not identified any other "disposal" option, the only conclusion is that CNL plans these to manage all wastes generated from their decommissioning, site remediation, and ongoing operational activities in the NSDF.</p> <p>[...]</p> <p>CNL must revise its "Integrated Strategy" to include addressing all the wastes generated from decommissioning and site remediation activities, and ongoing operations. At present, their strategy only addresses their short-term goals (apparently defined by their 6 to 10-year contract.)."</p>	<p>Strategy is to define waste routes for all CNL waste generation to final disposition based on waste inventory and forecast data, identify challenges and gaps in the pathways (cradle to grave) captured in an Action Plan, and to make best use of waste management capabilities. CNSC staff encourage the reviewer to contact CNL for any further information on the Integrated Strategy.</p>
William Turner	WT-44	<p><b>1.4 What are the contingencies to the CNL "Integrated Strategy"?</b></p> <p>"...with respect to engagement CNL's engagement has been limited to essentially making announcements. Changing its current communication strategy from a focus on announcing to actually engaging all its stakeholders (not just the CNSC) will require a significant investment in time and resources."</p> <p>[...]</p> <p>"...Several items not addressed by Mr. Kehler's caveat are those identified above, such as, the design, construction, and operation of facilities to characterize, segregate and/or to pre-treat the wastes. Recall that several of the buildings to be removed include facilities that could be used to characterize the wastes, thus will not be available when required. Since these facilities are critical to the operation of the NSDF, they must be included within the scope of project and thus the Environmental Assessment."</p>	<p>As outlined in section 4.3 (Scope of project) of the <a href="#">Guidelines</a>, CNSC staff require that the proponent describe and assess in the EIS the potential environmental effects for all phases of the project and their associated activities. The other facilities and activities on the CRL site are not associated with this project and as such, are not within the scope of this EA.</p> <p>However, CNL is required to notify CNSC of any future decommissioning plans as per the current operating site licence. Any future decommissioning plans for the rest of the CRL site will be subject to the CNSC's regulatory framework as outlined in the response to WT-1 above.</p> <p>With respect to <b>public participation</b>, please see the response to WT-1 above.</p> <p>With respect to <b>waste</b>, please see the response to WT-30 above.</p>

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William Turner	WT-45	<p><b>1.5 Has CNL actually finalized the scope of the NSDF Project?</b></p> <p>“...These omissions provide more evidence that the biggest issue with this whole undertaking is a lack of a clear problem definition. Since I identified this deficiency in my comments on the previous project description, I would have expected that CNL would have at least attempted to develop a better problem definition. However, in their rush to complete the removal of the 122 buildings by 2026, adequately defining the problem or identifying alternatives is not a priority.</p> <p>Therefore, my answer to this question is; CNL has yet to finalize the scope of the NSDF project.”</p>	<p>With respect to <b>project justification / objectives</b>, please see the response to WT-9 above.</p> <p>With respect to the <b>completeness of the project description</b>, please see the response to WT-8 above. Taking into account the public comments received related to scope and CNSC staff’s recommendations, the Commission, as indicated in the Commission’s Record of Decision dated March 8, 2017, has determined that the scope of the factors for this EA include the factors mandated in paragraphs 19(1)(a) to (h) of CEAA 2012, with no additional factors requiring consideration. That is, the Commission did not require, under its discretion in paragraph 19(1)(j) of CEAA 2012, to include any other matters relevant to the EA.</p>
William Turner	WT-46	<p><b>1.6 CNL only responds to Regulator Requests</b></p> <p>“...Only after the CNSC made the request (5), did CNL actually change the scope of the Project Description. However, the changes made were limited to addressing the modification to the project scope identified by the CNSC. None of the comments received (and posted on the Agency Registry website) were addressed (see Comment 2.1 - This revision does not address the comments on the previous version below).</p> <p>CNL does not appear to be open about its intentions. Although their NSDF webpage has been revised, that site has yet to include a statement to the effect that project scope has been changed. Their fact sheet includes the following statement: “Near Surface Disposal Facility (NSDF) to be located at the Chalk River site and used for the management of CNL’s low-level radioactive waste and other suitable waste streams.” (6) This statement is somewhat misleading since it does not refer to Intermediate level wastes.</p>	<p>The CNSC made the project descriptions available on the CNSC’s EA project Web pages and on the Canadian Environmental Assessment Registry for 30 days to seek public comments on the project description, to inform the conduct of the EA. The comments received by members of the public and Aboriginal groups were posted on the Canadian Environmental Assessment Registry website.</p> <p>Given the CNSC invited comments on the project descriptions, and consistent with current practice, it is the CNSC’s responsibility to provide detailed responses to the comments received, and not CNL.</p> <p>Following the Commission’s decision on the scope of the factors of these EAs, CNSC staff’s detailed responses to all comments received and the Record of Decision have been distributed to each commenter as well as to CNL. CNSC staff require that comments raised about omissions, errors and inconsistencies be addressed in the EIS, as well as in all future public communication and engagement materials.</p> <p>With respect to <b>public participation</b>, see response WT-1 above.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	CNSC response
		<p>Much to my regret, I must rely on the CNSC to compel CNL to be more upfront (honest) about its intentions. It appears that the CNSC has to ensure the public is seriously engaged in its planning for the Chalk River site and any other AECL site within its mandate. My faith in CNL has been severely challenged. Much more oversight and diligence is essential.”</p>	
William Turner	WT-47	<p><b>1.7 What is CNL’s highest priority?</b>            “...Conclusion, safety is a priority because of its cost and compliance implications.</p> <p>What is missing from this response is that considering the longer-term implications could be a priority. For example, effects to the environment are more likely to occur “<i>a few years or years after</i>”. Since this undertaking is for a disposal site, the short-term industrial safety and compliance considerations cannot be the highest priority. Disposal is “forever”. Environmental issues must be given appropriate priority (at least as high as if not higher than safety and compliance). Adverse environmental consequences occurring at some later date will be much more costly to correct.”</p>	<p>CNSC staff agree that the potential, long-term radiological risks to the environment and human health of the proposed project need to be considered and evaluated and require this assessment as part of the EA and licensing review process. Information on the long-term safety of the proposed project will be summarized in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations which inform evidence-based Commission decisions.</p> <p>With respect to costs, this comment is outside the scope of this EA, as cost information is not a requirement under CEAA 2012 and is not within the CNSC’s mandate.</p> <p>However, the CNSC requires that all of its licensees establish sufficient funds for the decommissioning of their nuclear facilities. In particular, the CRL site licence requires that a financial guarantee is established to secure all nuclear activities at the CRL site. AECL and the Government of Canada have provided a financial guarantee to the CNSC for all of AECL’s liabilities.</p>
William Turner	WT-48	<p><b>1.8 Has CNL any experience in the design, construction, operation, maintenance and closure of a radioactive waste disposal site?</b>            “Since CNL has provided no such evidence, I am uncomfortable about whether they can actually complete the design and construction of this facility in a safe and environmentally sustainable manner. This is especially true given their aggressive schedule. Sure, you can subcontract this work, but unless you are an “intelligent customer”, you are at</p>	<p>Prior to making a decision, sufficient information is required for CNSC staff to evaluate and make scientifically defensible recommendations to inform evidence-based Commission decisions as well as to ensure regulatory requirements for safety, security and the environment are met. CNSC staff will take the time required to be assured that there is sufficient scientifically-based evidence that the proposed project meets both the requirements of CEAA 2012 (i.e., the project is not likely to cause significant adverse environmental effects, taking into consideration the implementation</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
		<p>a significant disadvantage...”</p> <p>In their presentation to the CNSC, CNL personnel continually refer to their experience in accelerating the decommissioning of nuclear sites around the world. However, in all the cases which they cite as demonstrating that their chosen technology is proven, none were designed, constructed, operated, maintained or closed by CNL. This is somewhat worrying given that their proposed facility is to last forever. Certainly the information provided in their project description seems to confirm this lack of this experience.</p>	<p>of mitigation measures) and the NSCA (i.e., the proponent is qualified and will make adequate provision for the protection of the environment, the health and safety of persons).</p> <p>In addition, CNSC staff will maintain continuous regulatory oversight of activities at the Chalk River Laboratories site, including inspections of CNL’s management system and procurement processes. These compliance activities will inform CNSC staff’s assessment of the proposed project, in accordance with the CNSC’s regulatory framework.</p>
William Turner	WT-49	<p><b>1.9 Does international best practice inform CNL?</b></p> <p>“...I regret that the evidence provided here contradicts this assertion. How can CNL claim that international best practice informs their decisions when:</p> <ul style="list-style-type: none"> <li>• the definition of ILW (by both the IAEA and the CSA) precludes its emplacement in a near surface disposal facility?</li> <li>• the international examples cited as “proven technology” are not appropriate to the proposed facility?</li> </ul> <p>Therefore, my answer to this question is a categorical <b>NO</b>. There is no evidence that international best practice informs CNL.”</p>	<p>As indicated in the response to WT-1 above, CNSC staff will assess CNL’s proposed project, in accordance with the <b>CNSC’s regulatory framework</b>. Consideration will be given to international guidance and best practice. Sufficient information is required for CNSC staff to make scientifically defensible recommendations which inform evidence-based Commission decisions.</p>
William Turner	WT-50	<p><b>1.10 Inconsistencies between the Project Description and the NSDF Posters</b></p> <p>“...Although they may not be large, the discrepancies between the figures in the Project Description and those from Poster 5 are easy to find. It makes one wonder why the changes to the posters were not included in the revised Project Description. That said, easy to find inconsistencies such as these raises the question, “What other irregularities are there?” This leads to my next concern.”</p>	<p>Noted. CNSC staff require that comments raised about omissions, errors or inconsistencies be addressed in the EIS, as well as in all future public communication and engagement materials.</p> <p>With respect to the reviewer’s mention of their next concern, this concern is captured and addressed in WT-51 below.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
William Turner	WT-51	<p><b>1.11 Has CNL providing sufficient time for the community or the regulator to adequately absorb and evaluate the proposal?</b></p> <p>“...<b>Conclusion:</b> in order to meet its aggressive schedule, CNL has made it virtually impossible for “...<i>the community and the regulator to [adequately] absorb and evaluate a lot of information ...</i>” This is especially true since CNL is proceeding with simultaneous licencing initiatives.</p> <p>To quote Mr. Kehler:  “... <i>we are coordinating the Near Surface Disposal Facility environmental assessment and the site relicensing together.</i>”  <sup>(3)</sup></p> <p>The community and the regulator now have to “...absorb and evaluate ...” the information for two licencing initiatives at the CRL site, those activities associated with the NPD Closure, and those associated with Whiteshell site relicensing and the entombment of WR-1.”</p>	<p>Although CEAA 2012 does not set regulated timelines for EAs conducted by the CNSC (because it was recognized that the CNSC’s timelines are covered under its respective statute), the CNSC has committed to completing all EA processes within the 24-month federal timeline for a licensing decision (pursuant to the <i>Class I Nuclear Facilities Regulations</i> and the <i>Uranium Mines and Mills Regulations</i>). Adherence to this schedule depends on the completeness of information received from applicants. Insufficient and incomplete information may prolong the timeline. CNSC staff will ensure that the requirements of the NSCA and CEAA 2012 are met for this proposed project within this regulatory review time frame.</p> <p>CNSC staff will never compromise safety and require sufficient information to make scientifically defensible recommendations which inform evidence-based Commission decisions to ensure the protection of the environment and health and safety of persons. The robustness and rigor of the CNSC’s EA and licensing review process will not be diminished. All key steps in the EA process – such as public participation opportunities – will be carried out.</p> <p>The following measures have been put in place to ensure an efficient, robust and coordinated EA and licensing review process, in accordance with the CNSC’s regulatory framework:</p> <ol style="list-style-type: none"> <li>1) A regulatory program, with a dedicated team, was established for the management of the regulatory activities related exclusively to the three CNL projects (Nuclear Power Demonstration Project, Near Surface Disposal Facility, and the <i>In Situ</i> Decommissioning of the WR-1 reactor). The objective of the program is to ensure an efficient, controlled, collaborative and technically integrated manner to ensure quality and appropriate EAs, licensing technical assessments, regulatory oversight programs and Aboriginal consultation activities have</li> </ol>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			<p>been conducted, commensurate with the complexity of each of the projects and in accordance with the regulatory framework of the CNSC.</p> <p>2) A federal review team led by CNSC staff have also been established – including Natural Resources Canada, Environment and Climate Change Canada, Parks Canada and Health Canada – to participate and provide specialist expertise in the EA and licensing review process of the proposed project and ensure a coordinated regulatory approach.</p> <p>3) An Administrative Protocol between the CNSC and CNL was signed by both parties in July 2016 and is available to the public on the <a href="#">CEAA website</a>. The purpose of this protocol is to outline the administrative framework, milestones and service standards for the EA and licensing activities for the proposed NSDF, including CNL’s submission of the technical information in support of the application for Commission approval to construct and the CNSC review of this technical information. This protocol aims to provide efficient project management for the regulatory review of information submitted by CNL in support of the NSDF.</p>
William Turner	WT-52	<p><b>1.12 Problems with the Site Selection Criteria</b>            “Although the Project Description provides very little detail as the criteria for site selection, Poster 6 on the NSDF project does depict a scoring regime. <sup>(7)</sup></p> <p>With respect to that scoring, the size of a circle shown on the poster represents the results from the comparison between the two locations. However, there is no information to judge the criteria against each other. It is not appropriate to compare only locations, and not the criteria themselves. Therefore, in evaluating the EMR site, the criterion, “<i>Proximity to roads and services required to operate the NSDF</i>” has a larger circle</p>	<p>CNSC staff will evaluate CNL’s alternative means assessment in the EIS against the requirements and guidance in section 4.2 (Alternative means of carrying out the project) of the <a href="#">Guidelines</a> and the Canadian Environmental Assessment Agency’s Operational Policy Statement, <i>Addressing “Purpose of” and “Alternative Means”</i> under the <i>Canadian Environmental Assessment Act, 2012</i>”. In particular, CNSC staff’s assessment will include evaluating the criteria developed to determine the technical and economic feasibility of the alternative means.</p> <p>Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
		<p>than “<i>Archeological significance and presence of artifacts of cultural value</i>”. So which is more important in selecting a site, “<i>Proximity to roads</i>” or “<i>Archeological significance</i>”? From the summary given, it is “<i>Proximity to roads</i>”.</p> <p>Then there is the difficulty in the actual criteria used for site selection. Three are related to the costs (primarily short-term), thus are double counting. Since this is a disposal facility, the short-term costs are irrelevant. In selecting a disposal site, it is the long-term impacts that are critical.”</p>	<p>documentation during the EA process – a public comment period is anticipated between March and May 2017 – and through future CNSC public engagement sessions.</p>
William Turner	WT-53	<p><b>1.13 The proposed NSDF is essentially a municipal waste dump</b>            “...My conclusion is that CNL has yet to devote the level of analysis required for a radioactive waste disposal facility. An enhanced municipal waste dump, while simple, is <b><u>completely inadequate</u></b>.”</p>	<p>As indicated in the response to WT-1 above, CNSC staff will assess CNL’s proposed project, in accordance with the <b>CNSC’s regulatory framework</b>. Consideration will be given to international guidance and best practice. Sufficient information is required for CNSC staff to make scientifically defensible recommendations which inform evidence-based Commission decisions.</p>
William Turner	WT-54	<p><b>1.14 To meet its aggressive schedule, CNL is not compliant with the <i>Canadian Environmental Assessment Act</i></b>            “...In his presentation to the CNSC, Mr. Kehler stated:  <i>Our decommissioning work at CRL has already commenced. I am pleased to report that since we arrived a year ago we have safely decommissioned and removed 19 buildings with no lost time accidents.</i><sup>(3)</sup></p> <p><b>Questions:</b></p> <ul style="list-style-type: none"> <li>• Since the NSDF has yet to be approved, where are these wastes being held until the NSDF becomes available? I suspect CNL is using some sort of temporary storage for the time between now (2016) and target date of 2020 (four years from now) when the NSDF becomes operational.</li> <li>• What is the nature of this temporary storage?</li> <li>• Are these wastes being prepared for their eventual emplacement into NSDF? Is so, what are those</li> </ul>	<p>As indicated in the response to WT-51 above, the EA for this project is in compliance with the relevant regulatory timelines.</p> <p>As outlined in section 4.3 (Scope of project) of the <a href="#">Guidelines</a>, CNSC staff require that the proponent describe and assess in the EIS the potential environmental effects for all phases of the project and their associated activities.</p> <p>The decommissioning of existing facilities (i.e., nuclear facilities and non-nuclear facilities such as administration buildings) and current operation of waste management areas on the CRL site is not associated with this project. Such activities are currently authorized under the existing operating licence (CRL Nuclear Research and Test Establishment Operating Licence, NRTEOL 01.00/2018) of the CRL site. As such, these existing facilities and activities are not within the scope of this EA.</p> <p>However, CNL is required to notify CNSC of any future</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
		<p>preparative criteria? Since CNL has yet to define its WAC, I suspect there are none.</p> <ul style="list-style-type: none"> <li>• What is the contingency for these wastes if they do not meet the yet to be defined WAC? Will they remain in temporary storage?</li> </ul> <p>I suggest that all these are physical activities that are “incidental” to the project. As such, by CEAA definition, they are within the scope of the NSDF project. Therefore, until the EA is complete and the proposed undertaking is approved, CNL must cease decommissioning buildings and emplacing the resulting wastes in temporary storage.</p> <p>In summary, to meet its tight deadline to remove the 122 buildings on the CRL site by 2025, CNL’s current decommissioning activities are in contravention of the CEAA.”</p>	<p>decommissioning plans as per the current operating site licence. Any future decommissioning plans for other existing facilities at the CRL site will be subject to the CNSC’s regulatory framework as outlined in the response to WT-1 above. In addition, for any activities carried out that are outside the scope of this proposed project EA (i.e., any activities that are not related to this proposed project, but that are on the licensed site), CNL would conduct an “Environmental Effects Review” (EER). The term EER is used internally by CNL to represent an environmental review of a project carried out under section 67 of CEAA 2012, that is a physical activity to be carried out on federal lands.</p>
William Turner	WT-55	<p><b>1.15 Will this set the precedent for the disposal of Canada’s radioactive wastes?</b></p> <p>“Although CNL does not explicitly state that there are currently no facilities in Canada to dispose of radioactive wastes, this fact forms the basis for the design, construction and operation of the NSDF. Otherwise, why would CNL devote this amount of effort to make this a reality?</p> <p>The downside of not having appropriate facilities in Canada is that the first one to be operational becomes the precedent for any subsequent radioactive waste disposal initiative. All the evidence presented here, support the conclusion that the NSDF is not appropriate.</p> <p>Thus approving this initiative as currently envisioned is a very scary thought.”</p>	<p>As indicated in the response to WT-1 above, CNSC staff will assess CNL’s proposed project, in accordance with the <b>CNSC’s regulatory framework</b>. Consideration will be given to international guidance and best practice. Sufficient information is required for CNSC staff to make scientifically defensible recommendations which inform evidence-based Commission decisions.</p> <p>CNSC staff require that the potential, long-term radiological and hazardous risks to the environment and human health of the proposed project be identified and evaluated as part of the EA and licensing review process. Information on the long-term safety of the proposed project will be summarized in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations which inform evidence-based Commission decisions.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
William Turner	WT-56	<p><b>2.1 This revision does not address the comments on the previous version</b>                      "...Since CNL had to revise the document anyway, I can see no reason why the new revision could not address the comments they had already received. (Where is document QA?) Those comments have been available on the Agency Registry since June. Further CNL had collected comments at the various June/July Public Information Sessions. I am very disappointed that CNL chose not to address any of them in this revision (<sup>8</sup>).</p> <p>Apparently, the Proponent only responds to the Regulator (see Observation 1.6 above). In other words, if the CNSC does not make a specific request, CNL believes it has no obligation to respond to any other interested party. This leads me to wonder whether Proponent is serious about consulting the public. They certainly are not proactive, open or transparent."</p>	<p>Please see the response to WT-46 above.</p>
William Turner	WT-57	<p><b>2.2 Expansion of the project scope to include "some intermediate level wastes"</b>  <b><u>2.2.1 What is meant by "a very small amount"?</u></b></p> <p><b><u>2.2.2 International and Canadian Guidance precludes emplacement of ILW in a Near Surface Facility</u></b></p> <p><b><u>2.2.3 Proponent needs to provide examples of Near Surface Facilities that are appropriate for the disposal of ILW</u></b></p> <p><b><u>2.2.4 Proponent needs to provide criteria to clarify what is meant by "some intermediate level wastes"</u></b></p> <p><b><u>2.2.5 If "some" ILW is to be emplaced in the NSDF then the Proponent needs to expand the project scope to include a Waste Characterization Facility</u></b></p>	<p>As indicated in the response to WT-1 above, CNSC staff will assess CNL's proposed project, in accordance with the <b>CNSC's regulatory framework</b>. Consideration will be given to international guidance and best practice. Sufficient information is required for CNSC staff to make scientifically defensible recommendations which inform evidence-based Commission decisions.</p> <p>With respect to <b>waste</b>, see the response to WT-30 above.</p> <p>Taking into account the public comments received related to scope and CNSC staff's recommendations, the Commission, as indicated in the Commission's Record of Decision dated March 8, 2017, has determined that the scope of the factors for this EA include the factors mandated in paragraphs 19(1)(a) to (h) of CEAA 2012, with no additional factors requiring consideration. That is, the Commission did not require, under its discretion in paragraph 19(1)(j) of CEAA 2012, to include any other matters relevant to the</p>

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			EA.
William Turner	WT-58	<p><b>2.3 The results of the studies conducted during the Spring and Summer of 2016 do not inform CNL’s site selection</b>            “...My only conclusion is that CNL has selected the site without any regard for the results of these studies, the long term impacts and/or any serious public consultation (°).”</p>	<p>CNSC staff note that to finalize the site selection, CNL has indicated it will consider supplementary data from subsurface, biodiversity and archaeological studies conducted in 2016, as well as views expressed by members of the public. This information will be presented in sufficient detail in the EIS.</p> <p>CNSC staff require that the potential, long-term radiological and hazardous risks to the environment and human health of the proposed project be identified and evaluated as part of the EA and licensing review process. Information on the long-term safety of the proposed project will be summarized in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations which inform evidence-based Commission decisions.</p> <p>With respect to the <b>CNSC’s regulatory framework and public participation</b>, see the response to WT-1 above.</p>
William Turner	WT-59	<p><b>2.4 What is meant by “Consultation”</b>            “...With respect to achieving some semblance of genuine public engagement, I expect that CNL would provide links to the Agency Registry on the webpages for their three “disposal” projects. The Registry is where all stakeholder comments received are posted, as required by the Canadian Environmental Assessment Act. Providing such links is a simple and easy approach for CNL to demonstrate that it has some commitment to “... communicating in a timely manner and exchanging information ...” with its stakeholders. As of this writing, I regret that CNL has chosen not to provide those links.</p> <p>I expect that this will change during the preparation of the Environmental Impact Statement, and CNL will make a</p>	<p>With respect to <b>public participation</b>, see the response to WT-1 above.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
		genuine effort to engage all its stakeholders.”	
William Turner	WT-60	<p><b>2.5 Public Consultations (Table 2-1)</b>            “...If this is all CNL has done to address its public communication obligations, then this is more evidence that CNL has yet to take these responsibilities seriously. Public consultation is not just a matter of presenting a project overview with a question and answer session. Certainly, at the Public Information Sessions I have attended, the Proponent does gather feedback. However, I have yet to see any evidence that the feedback received has been addressed.<sup>(11)</sup></p> <p>CNL must ensure that Public Consultation activities are designed to guarantee that views are <b>exchanged with the goal of reaching a decision</b> (see definition above). “Define-Announce-Defend” is NOT an appropriate communication strategy for radioactive waste disposal projects.”</p>	With respect to <b>public participation</b> , see the response to WT-1 above.
William Turner	WT-61	<p><b>2.6 What “alternative means” have been considered by CNL?</b>            “...I expect to see CNL identify at least one “alternative means” before proceeding with the EA process. Since CNL has characterised the current state as being unacceptable, “status quo” cannot be deemed an “alternative means”. This is especially true since CNL has expanded the project scope to include ILW, which by definition “<i>requires a higher level of containment and isolation than can be provided in near-surface repositories</i>”. Given this definition, what were the “alternative means” CNL considered for the IL waste class that led to their conclusion that the NSDF was the appropriate option?</p>	<p>CNSC staff agree that the EIS will need to include a sound alternative means assessment. As outlined in subsection 4.2 (Alternative means of carrying out the project) of the <a href="#">Guidelines</a>, CNSC staff require that the proponent’s EIS assess all potential environmental effects of the proposed approach and of each alternative mean of carrying out the project.</p> <p>With respect to <b>public participation</b>, see the response to WT-1 above.</p> <p>With respect to the <b>completeness of the project description</b>, please see the response to WT-8 above.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	CNSC response
		<p>Further, CNL must update its communication program to address “alternative means”. This would include updating the CNL website, all relevant documentation (including the Project Description) and all future public information sessions.”</p>	
William Turner	WT-62	<p><b>2.7 CNL must clarify the scope of the NSDF Project to address its “Integrated Strategy for Decommissioning and Waste Management”</b></p> <p>“As discussed (see Observation 1.3 above), CNL’s <i>Integrated Strategy for Decommissioning and Waste Management</i>” does not address all the wastes that would be generated from the decommissioning and removal of over 120 buildings. That <i>Strategy</i> does not present or discuss any alternatives to the NSDF, leading to the conclusion that CNL plans to emplace all these wastes in the NSDF (a very disturbing prospect).</p> <p>Unless CNL provides an “alternative means” to the NSDF, CNL must expand the project scope to include all wastes as identified in their <i>Integrated Strategy</i>.”</p>	<p>As outlined in section 4.3 (Scope of project) of the <a href="#">Guidelines</a>, “the scope of project for the purposes of the EA includes all the phases, components, activities and federal decisions proposed by the proponent as described in the project description that has been determined to meet the requirements of the <i>Prescribed Information for the Description of a Designated Project Regulations</i>. The CNSC’s Commission may also determine that other components and/or activities in relation to the project are to be included in the project scope.” As indicated in the response to WT-8 above, CNSC staff have determined that the project description meets the requirements of the <i>Prescribed Information for the Description of a Designated Project Regulations</i>.</p> <p>Taking into account the public comments received related to scope and CNSC staff’s recommendations, the Commission, as indicated in the Commission’s Record of Decision dated March 8, 2017, has determined that the scope of the factors for this EA include the factors mandated in paragraphs 19(1)(a) to (h) of CEAA 2012, with no additional factors requiring consideration. That is, the Commission did not require, under its discretion in paragraph 19(1)(j) of CEAA 2012, to include any other matters relevant to the EA. The Commission did not determine that any other components or activities in relation to the project be include in the project scope.</p> <p>In addition, the decommissioning of existing facilities on the CRL site and removal of waste associated with such activities is not within the scope of this project, and as such, not within the scope of this EA. However, CNL is required to notify CNSC of any future decommissioning plans as per the current operating site licence. Any</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			future decommissioning plans for other existing facilities at the CRL site will be subject to the CNSC's regulatory framework.
William Turner	WT-63	<p><b>2.8 CNL must include waste characterization facilities in the Scope of the NSDF Project</b></p> <p>“As with any waste disposal facility, the facility owner must maintain an inventory of the emplaced wastes. For a radioactive waste disposal facility (such as the NSDF), the inventory has to categorise and quantify the specific radionuclides, and hazardous substances. However, as noted above, CNL intends to remove the over 120 buildings by 2026 that include several hot-cell facilities and analytical capabilities that could be used to characterize the wastes that will be generated by such removal...”</p>	See the response to WT-62 above.
William Turner	WT-64	<p><b>2.9 CNL must include pre-treatment facilities in the Scope of the NSDF Project</b></p> <p>“One example cited by CNL (on their website, but not in their project description) as an example of “proven technology” is the <i>Low Level Waste Repository, in Cumbria, UK</i>. As described in my previous comments (see Comment 3.1.1.1 below), this repository requires that the wastes be pre-treated to reduce the total waste volume that will be emplaced. These include pre-treating the super-compactable, combustible, and metallic wastes.</p> <p>[...]</p> <p>As far as I am aware, none of the waste volume reducing technologies (the super-compact, the incinerator or the metal melt facility) exists on the CRL site.</p> <p>Since these facilities are integral to the operation of the NSDF, the scope of the project must be expanded to include these “infrastructure” components.</p>	See the response to WT-62 above.

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
		If CNL does not wish to build these pre-treatment facilities, then the scope of the NSDF must clearly identify these wastes as unacceptable for emplacement, even before developing their WAC.”	
William Turner	WT-65	<p><b>2.10 CNL must clarify the timeline in the Project scope</b></p> <p>“I note that the timeline given in Section 3.4 of the Project Description is:  <i>“Project development: 2016 - 2020</i>  <i>Operations and future expansion: 2020 - 2070</i>  <i>Post-closure and monitoring: 2070 – 2400”</i></p> <p>Poster 5 of the Public Information Session posters for the NSDF project states:  <i>“The design life of the NSDF is 550 years.”<sup>(7)</sup></i></p> <p>So, which is it, the year 2400, or 2570? I take this to mean that the site will be abandoned at the end of its “design life” (either in the year 2400 or 2570). However, the half-life of most radionuclides in intermediate level wastes extends far beyond the year 2570. It is not clear to me that the levels of radioactivity will meet clearance levels at that time. Therefore, abandonment will not be an option.</p> <p>CNL must ensure its communication activities are consistent and clarify its proposed timeline in the Project Description, including an estimate as to timeline for the abandonment of the site <sup>(12)</sup>.”</p>	<p>As outlined in section 4.3 (Scope of project) of the <a href="#">Guidelines</a>, CNSC staff require the proponent to describe all phases of the project and their associated activities in the EIS. Further details on the schedule for all phases of the project will be provided in the EIS.</p> <p>With respect to the <b>completeness of the project description</b>, see the response to WT-8 above.</p> <p>With respect to <b>institutional control</b> and <b>Licence to Abandon</b>, see the response to WT-13 above.</p> <p>With respect to project scope, see the response to WT-62 above.</p>
<a href="#">Curve Lake First Nation</a>  (June 30, 2016)	CLFN-1	<p>“As you may be aware, the area in which your project is proposed is situated within the Traditional Territory of Curve Lake First Nation. Our First Nation’s Territory is incorporated within the Williams Treaties Territory and is the subject of a claim under Canada’s Specific Claims Policy.”</p> <p>[The reviewer then suggests that a copy of the proposal be provided to other First Nations of the Williams Treaties].</p>	<p>The CNSC ensures that all of its licensing and EA decisions under CEAA 2012 and the NSCA uphold the honour of the Crown and consider Aboriginal peoples’ potential or established Aboriginal and/or treaty rights pursuant to section 35 of the <i>Constitution Act</i>, 1982.</p> <p>CNSC staff have identified First Nation and Métis groups who may have an interest in the project and provided each identified group</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			<p>with a notice of the commencement of the EA, the opportunity to apply for participant funding and a copy of the project description for comment.</p> <p>CNSC staff have offered to meet to discuss Curve Lake First Nation's initial concerns regarding the project. Curve Lake First Nation has not requested a meeting with CNSC staff to date. However, CNSC staff are open to meeting with Curve Lake First Nation should they request a meeting. CNSC staff will be working collaboratively with Curve Lake First Nation in order to ensure that they are meaningfully involved in the EA and licensing review process.</p> <p>CNSC staff will continue to provide interested Aboriginal groups, including all of the Williams Treaties First Nations, with timely project updates and information at key points during the EA process including the review of CNL's EIS, CNSC staff's EA Report, and CNSC staff's and CNL's Commission member documentation and related public Commission hearings.</p> <p>As per the requirements and guidance of the CNSC's <a href="#">REGDOC-3.2.2, Aboriginal Engagement</a>, CNSC staff expect that CNL will be engaging with Curve Lake First Nation and other identified Aboriginal groups to identify potential concerns related to impacts on Aboriginal and/or treaty rights as a result of the proposed project and working collaboratively with the identified communities on addressing these concerns, where appropriate. CNL is required to report to the CNSC regarding their engagement activities and it is expected that further details will be provided in the EIS.</p> <p>CNSC staff have communicated this omission to CNL and expect inclusion of this reference in their Aboriginal engagement report and the EIS.</p> <p>CNL has committed to work with identified First Nation and Métis groups to establish working relationships and to develop engagement</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			<p>work plans. To this end, CNL has offered to meet with interested Aboriginal groups, including Curve Lake First Nation, to discuss the project.</p>
Curve Lake First Nation	CLFN-2	<p>“The First Nation respects the need to safely store the contaminated materials from the former generating station into a secure location and that any anomalies within these projects will be properly addressed. Curve Lake First Nation has a deep respect for the water and surrounding environment and need to ensure that our natural resources are protected for all future generations. It is expected that all efforts will be taken to protect the natural resources by the Canadian Nuclear Safety Commission.”</p>	<p>As per sections 9 (Effects assessment) and 10 (Mitigation) of the <a href="#">Guidelines</a>, the proponent’s EIS will have to identify and assess all potential environmental effects of the project and propose mitigation measures to undertake to avoid or minimize any adverse environmental effects of the project.</p> <p><b>CNSC’s decision-making responsibilities</b>            The CNSC’s Commission Tribunal (the Commission) is a quasi-judicial administrative tribunal. The Commission is a credible and expert decision-making authority that remains independent from government, licensees and staff.</p> <p>The Commission is the CNSC’s decision-making body that makes EA and licensing decisions for all major nuclear projects. Decisions made by the Commission are not subject to any governmental or political review, nor may they be overturned by the Government of Canada. Only the Federal Court or the Supreme Court of Canada may review and overrule a decision made by the Commission.</p> <p>Prior to making a decision, sufficient information is required for CNSC staff to evaluate and make scientifically defensible recommendations to inform evidence-based Commission decisions as well as to ensure regulatory requirements for safety, security and the environment are met.</p> <p>In making an EA decision, the Commission will take into consideration the proponent’s EIS, CNSC staff’s EA Report and supporting documentation, as well as public comments, to determine if the project is likely to cause significant adverse environmental effects, taking into consideration the implementation of mitigation</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			<p>measures. The Commission will require sufficient information to make a science-based EA decision.</p> <p>If there is a positive EA decision (i.e., project is not likely to cause significant adverse environmental effects, taking into consideration the implementation of mitigation measures), the Commission can then proceed with the licensing decision under the NSCA. In making its licensing decision, the Commission will determine whether the proponent is qualified and will make adequate provision for the protection of the environment, the health and safety of persons, the maintenance of national security and the measures required to implement international obligations to which Canada has agreed. Under the NSCA, no approval is granted/no licence is issued unless the proponent is qualified and makes adequate provision for the protection of the environment and health and safety of persons.</p>
Curve Lake First Nation	CLFN-3	<p>“Please note that we have particular concern for the remains of our ancestors. Should excavation unearth bones, remains or other such evidence of a native burial site or any Archaeological findings, we must be notified without delay. In the case of a burial site, Council reminds you of your obligations under the Cemeteries Act to notify the nearest First Nation Government or other community of Aboriginal people which is willing to act as a representative and whose members have a close cultural affinity to the interred person. As I am sure you are aware, the regulations further state that the representative is needed before the remains and associated artifacts can be removed. Should such a find occur, we request that you contact our First Nation immediately.”</p>	<p>As per the requirements and guidance of the CNSC’s <a href="#">REGDOC-3.2.2, Aboriginal Engagement</a>, CNSC staff expect that CNL will be engaging with Curve Lake First Nation and other identified Aboriginal groups to identify potential concerns related to impacts on Aboriginal and/or treaty rights, including impacts to any archaeological resources identified, as a result of the proposed project. CNSC staff also expect that CNL will be working collaboratively with the identified communities on addressing these concerns, where appropriate. CNL is required to report to the CNSC regarding their engagement activities and it is expected that further details will be provided in the EIS.</p> <p>Furthermore, CNSC staff require that CNL adheres to relevant requirements and policy of the Government of Canada’s Archaeological Heritage Policy Framework, the <i>Ontario Heritage Act</i>, and the <i>Ontario Cemeteries Act</i> with respect to notification and engagement of Aboriginal groups.</p> <p>CNSC staff note that CNL has committed to providing the requested archaeological assessment to Curve Lake First Nation.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
Curve Lake First Nation	CLFN-4	<p>“Curve Lake First Nation also has available, trained Archaeological and Environmental Liaisons who are able to actively participate in the archaeological or environmental assessment process as a member of a field crew, the cost of which will be borne by the proponent.</p> <p>If any new, undisclosed or unforeseen issues should arise, that has potential for anticipated negative environmental impacts or anticipated impacts on our Treaty and Aboriginal rights we require that we be notified regarding these as well.”</p>	<p>In response to the first part of the comment, CNSC staff recognize that Aboriginal groups, and the traditional knowledge of their communities, can be valuable sources of information in identifying and evaluating lands and resources that are considered of archaeological importance. Therefore, CNSC staff encourage Curve Lake First Nation and other Aboriginal groups to provide information in support of archaeological assessments.</p> <p>With respect to the employment and contracting opportunities, this aspect is outside the scope of this EA and outside of the CNSC’s mandate. However, CNSC staff provided this comment to CNL for their consideration.</p> <p>In response to the second part of the comment, as per sections 9 (Effects assessment) and 10 (Mitigation) of the <a href="#">Guidelines</a>, the proponent’s EIS will have to identify and assess all potential environmental effects of the project and propose mitigation measures to avoid or minimize any adverse environmental effects of the project.</p> <p>Furthermore, as per the requirements and guidance of <a href="#">REGDOC-3.2.2, Aboriginal Engagement</a>, CNSC staff expect that CNL will be engaging with Curve Lake First Nation and other identified Aboriginal groups to identify potential concerns related to impacts on Aboriginal and/or treaty rights, including impacts to any archaeological resources identified, as a result of the proposed project. CNSC staff also expect that CNL will be working collaboratively with the identified communities on addressing these concerns, where appropriate. CNL is required to report to the CNSC regarding their engagement activities and it is expected that further details will be provided in the EIS.</p> <p>CNSC staff will be working collaboratively with Curve Lake First Nation in order to ensure that they are meaningfully involved in the</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			EA and licensing review process.
<a href="#">Concerned Citizens of Renfrew County</a>  (June 24, 2016)	CCRC-1	<p>“The project description states that “The urgency for the NSDF is rooted in the requirements established by AECL, on behalf of the Government of Canada, to substantially reduce the risks associated with the CNL legacy wastes, liabilities, and the cost of laboratory operations to taxpayers...”</p> <p>Given the precedent-setting nature of creating a permanent radioactive waste disposal facility in Canada, we recommend that the NSDF, if approved, should be considered as a “provisional” disposal facility, pending demonstration of adequate facility performance through monitoring. The question of how quickly the liabilities at the Chalk River Laboratories should be removed from the accounts of the Government of Canada should be addressed in the environmental assessment.”</p>	<p>With respect to liabilities and operational costs, this comment is outside the scope of this EA, as cost information is not a requirement under CEAA 2012 and is not within the CNSC’s mandate.</p> <p>However, CNSC staff note that the comment regarding facility performance will be addressed in the licensing process with respect to the project. CNL’s proposal to construct and operate the NSDF will require approval by the Commission and will be considered as part of the licence renewal application process for the operating licence (CRL Nuclear Research and Test Establishment Operating Licence, NRTEOL 01.00/2018) of the CRL site. The CRL site operating licence expires on March 31, 2018. There will be opportunities for public involvement in the licensing process, including participant funding and participation in the CNSC’s public hearing for the licence renewal, anticipated in January 2018.</p> <p><b>CNSC’s regulatory framework</b></p> <p>CNSC staff will assess CNL’s proposed project, in accordance with the CNSC’s regulatory framework, with safety being the overriding factor. As part of the EA and licensing review process, the proposed project’s design, long-term safety and potential effects to the public and the environment will be assessed against all applicable and relevant requirements and guidance, as follows:</p> <ul style="list-style-type: none"> <li>• CNSC licensing and regulatory requirements and guidance (i.e., NSCA, current CRL licence and its associated LCH, CNSC REGDOC G-320, P-290, CSA standards, etc.)</li> <li>• federal and provincial environmental regulatory requirements and environmental policies, guidelines and standards</li> </ul> <p>Consideration will be given to international guidance and best practice.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			<p>Information on the long-term safety of the proposed project will be summarized in the EIS and the safety case. Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting documentation during the EA process – a public comment period is anticipated between March and May 2017 – and through future CNSC public engagement sessions.</p> <p><b>CNSC’s decision-making responsibilities</b>            The CNSC’s Commission Tribunal (the Commission) is a quasi-judicial administrative tribunal. The Commission is a credible and expert decision-making authority that remains independent from government, licensees and staff.</p> <p>The Commission is the CNSC’s decision-making body that makes EA and licensing decisions for all major nuclear projects. Decisions made by the Commission are not subject to any governmental or political review, nor may they be overturned by the Government of Canada. Only the Federal Court or the Supreme Court of Canada may review and overrule a decision made by the Commission.</p> <p>Prior to making a decision, sufficient information is required for CNSC staff to evaluate and make scientifically defensible recommendations to inform evidence-based Commission decisions as well as to ensure regulatory requirements for safety, security and the environment are met.</p> <p>In making an EA decision, the Commission will take into consideration the proponent’s EIS, CNSC staff’s EA Report and supporting documentation, as well as public comments, to determine if the project is likely to cause significant adverse environmental effects, taking into consideration the implementation of mitigation measures. The Commission will require sufficient information to make a science-based EA decision.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			<p>If there is a positive EA decision (i.e., project is not likely to cause significant adverse environmental effects, taking into consideration the implementation of mitigation measures), the Commission can then proceed with the licensing decision under the NSCA. In making its licensing decision, the Commission will determine whether the proponent is qualified and will make adequate provision for the protection of the environment, the health and safety of persons, the maintenance of national security and the measures required to implement international obligations to which Canada has agreed. Under the NSCA, no approval is granted/no licence is issued unless the proponent is qualified and makes adequate provision for the protection of the environment and health and safety of persons.</p>
Concerned Citizens of Renfrew County	CCRC-2	<p>“The environmental assessment must address the means by which types and amounts of radioactive and other hazardous wastes sequestered in the facility would be monitored and documented, such as through record-keeping and ongoing image capture of operations. Additionally, the means by which these data and images would be made accessible to the public must be addressed.”</p>	<p><b>Waste</b>            CNSC staff require that information regarding non-radiological hazards, be addressed in the proponent’s EIS, in sufficient detail.</p> <p>Waste volumes, waste inventory, waste acceptance criteria (WAC) and details on the handling and emplacement of the waste will be addressed in the proponent’s licensing documentation and will be summarized in sufficient detail in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p>
Concerned Citizens of Renfrew County	CCRC-3	<p>“The environmental assessment should examine funding options to address potential future problems at the proposed facility. Consideration should be given to requiring the owner of the waste (AECL) and the manager of the site (CNL) to post a performance bond, or another means to set money aside so that possible future leaks or other problems can be addressed.”</p>	<p>With respect to costs, this comment is outside the scope of this EA, as cost information is not a requirement under CEAA 2012 and is not within the CNSC’s mandate.</p> <p>However, the CNSC requires that all of its licensees establish sufficient funds for the decommissioning of their nuclear facilities. In particular, the CRL site licence requires that a financial guarantee is established to secure all nuclear activities at the CRL site. AECL and the Government of Canada have provided a financial guarantee to the CNSC for all of AECL’s liabilities.</p>

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Concerned Citizens of Renfrew County	CCRC-4	<p>“The trade-off between the facility footprint (surface area affected) and the height of the mound should be considered. Ways to minimize this footprint (and associated loss of natural habitat) such as maximum compaction of materials and increasing the height of mound should be examined.”</p>	<p>As per sections 9 (Effects assessment) and 10 (Mitigation) of the <a href="#">Guidelines</a>, the proponent’s EIS will have to identify and assess all potential environmental effects of the project, including potential loss of natural habitat as a result of the facility’s footprint, and propose mitigation measures to undertake to avoid or minimize any adverse environmental effects of the project.</p>
Concerned Citizens of Renfrew County	CCRC-5	<p>“Means to discourage future intrusion into the facility should be considered. In particular, we suggest that high visibility of this facility is desirable as a way of making it obvious to future generations that an unnatural/hazardous facility exists at the site. Mounding of wastes as a means to ensure visibility, and as a means to help ensure that water runs off facility instead of infiltrating, should be examined.”</p>	<p>As outlined in subsection 9.3 (Accidents and malfunctions) of the <a href="#">Guidelines</a>, the proponent’s EIS will have to assess all potential health and environmental effects from postulated accident and malfunction scenarios.</p> <p>Furthermore, as per section 7.5.2 (Disruptive Event Scenarios, Including Human Intrusion) of the CNSC’s Regulatory Guide <a href="#">G-320, Assessing the Long Term Safety of Radioactive Waste Management</a>, and to support the EIS, the proponent’s long-term safety case will have to include disruptive event scenarios, and identify any actions required to be incorporated into the proponent’s strategy to ensure end-state objectives are met.</p>
Concerned Citizens of Renfrew County	CCRC-6	<p>“Means to discourage future vegetation growth on the surface of facility, so as to avoid establishment of deep-rooted plants and maintain integrity of the cap, should be examined. Certain soil types (e.g., serpentine soils) naturally support only stunted vegetation. Could this effect be created with surface soils derived from ultra-mafic, high magnesium rocks, or by deliberate addition of certain salts? The project description currently lacks any description of the type of materials that would be used for the cap. The performance of the cap would be a key feature of the proposed facility and must be examined in detail.</p> <p>The potential to use prescribed fire as a cheap and effective long-term means of vegetation control on the facility surface should be considered.”</p>	<p>CNSC staff require that the NSDF detailed design will include all facility design aspects. Such information and details will be addressed in the proponent’s licensing documentation and summarized in sufficient detail in the EIS.</p> <p>Sufficient information is required for CNSC staff to evaluate and make scientifically defensible recommendations to inform evidence-based Commission decisions as well as to ensure regulatory requirements for safety, security and the environment are met.</p>

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Concerned Citizens of Renfrew County	CCRC-7	<p>“We recall that documentation for the Deep River Disposal Project openly admitted that leakage from the proposed cavern was likely to occur. The Siting Task Force released a June 1994 document (STF Tech. Bib. No. 385) entitled “Dilution Downstream of the Deep River Candidate Area”. The Concerned Citizens of Renfrew County, in a November 1997 letter to the honorable Ralph Goodale, then Minister of Natural Resources, stated that “The argument that the leaking wastes would be sufficiently diluted by the [Ottawa] river so as not to pose any threat to downstream communities is not acceptable to us. We suggest to you that such a rationale will not ever be acceptable to the Canadian public.”</p> <p>The environmental assessment should examine whether leakage from the NSDF is anticipated to occur, and if so, over what time period, and in what amounts. A comparison should be made between these potential amounts of leakage were the facility to be constructed, and leakage of “historic” radioactive wastes currently at the Chalk River site that is now occurring and would likely continue to occur in the future if the NSDF were not constructed.”</p>	<p>Potential impacts of leakage from the facility will be addressed in the EIS and the safety case, in sufficient detail.</p> <p>Sufficient information is required for CNSC staff to evaluate and make scientifically defensible recommendations to inform evidence-based Commission decisions as well as to ensure regulatory requirements for safety, security and the environment are met.</p>
Concerned Citizens of Renfrew County	CCRC-8	<p>“A Geological Mapping Project carried out by Raven Beck Environmental Ltd. for the Siting Task Force generated a map of major fracture zones on the Chalk River Laboratories property. This map appears to show high probability fracture zones at both of the candidate sites. The environmental assessment should examine the potential impacts of seismic activity, faulting, and fracture zones on the long-term performance of the proposed facility, and should address the feasibility of mitigating these impacts.”</p>	<p>As outlined in subsection 9.3 (Accidents and malfunctions) of the <a href="#">Guidelines</a>, the proponent’s EIS will have to assess all potential health and environmental effects from postulated accident and malfunction scenarios, including seismic events.</p> <p>As per section 7.5.2 (Disruptive Event Scenarios, Including Human Intrusion) of the CNSC’s Regulatory Guide <a href="#">G-320, Assessing the Long Term Safety of Radioactive Waste Management</a>, the proponent’s safety case will have to assess disruptive event scenarios in sufficient detail, such as seismic events, and identify any actions required to be incorporated into the proponent’s strategy to ensure end-state objectives are met. A summary of this assessment will be presented in the EIS.</p>

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Concerned Citizens of Renfrew County	CCRC-9	<p>“It is stated that the base liner system “will include both a primary and secondary liner system, each comprising multiple layers of natural and synthetic materials, as well as a compacted clay liner base.” The source of this clay, its mineralogical and hydrologic properties, and its ability to retain radioactive and hazardous wastes, must be examined. Environmental impacts of extraction and transportation of clay should be addressed as well.”</p>	<p>Detailed information on the engineered barriers and liner structures, will be provided in the long-term safety analysis and summarized in sufficient detail in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations which inform evidence-based Commission decisions.</p>
Concerned Citizens of Renfrew County	CCRC-10	<p>“In order for the public to have adequate information about the nature of the radioactive wastes proposed to be included in the NSDF, the environmental assessment must provide far more detail than merely stating that wastes “will be required to meet the Waste Acceptance Criteria.” This will require, inter alia, clarity as to whether liquid wastes are proposed to be included in the facility; and if so, details on how migration of these liquid wastes away from the facility would be prevented. Quantities and types of long-lived wastes (such as uranium and plutonium wastes) that might be included in the facility should be described as well.”</p>	<p>With respect to <b>waste</b>, see the response to CCRC-2 above.</p> <p><b>Public participation</b>            CNSC staff encourage early engagement by the proponent. CNSC staff require that CNL engages with those members of the public who have expressed an interest in participating during their preparation of the EIS.</p> <p>As outlined in section 6 (Public and stakeholder consultation) of the <a href="#">Guidelines</a>, the proponent’s EIS will describe participation activities in accordance with the CNSC’s <a href="#">RD/GD-99.3, Public Information and Disclosure</a>.</p> <p>Furthermore, the CNSC welcomes public involvement in regulatory matters and has a robust public participation program including a public hearing process and a Participant Funding Program. CNSC staff has been providing opportunities for public participation at various stages during the EA process and will continue to do so. Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting documentation during the EA process – a public comment period is anticipated between March and May 2017 – and through future CNSC public engagement sessions. Future public participation opportunities also include the review of CNSC staff’s EA Report and Commission member documentation, as well as participation in the EA and licensing public hearings.</p>

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Concerned Citizens of Renfrew County	CCRC-11	<p>“The NSDF project description states that “The NSDF will accept radiologically contaminated hazardous wastes (mixed waste).” These additional hazardous wastes must be identified. If other toxic wastes may be included/mixed with radioactive wastes, including toxic heavy metals such as arsenic and mercury, or toxic organic wastes such as PCBs, the suitability of the NSDF to retain them over the long term must be examined.”</p>	<p>With respect to <b>waste</b>, see the response to CCRC-2 above.</p>
Concerned Citizens of Renfrew County	CCRC-12	<p>“The microbiological activity that may occur within the proposed facility, and its likely impact on the facility’s integrity and ability to retain wastes, must be examined.”</p>	<p>Information on the long term safety and design of the NSDF, including consideration of subsurface gases and microbiological activity, will be summarized in the EIS and the safety case. Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting documentation during the EA process – a public comment period is anticipated in March-May 2017 – and through future CNSC public engagement sessions</p>
Concerned Citizens of Renfrew County	CCRC-13	<p>“Section 3.1.2 of the project description indicates that the NSDF will accept “future waste arising from continuing CNL operations, commercial activities, the decommissioning of buildings and structures that have not yet been constructed, and the remediation of soils from the final closure of the CRL site;” and that this “future waste” will occupy fully half the capacity of the facility. This description of “future waste” includes a variety of potential sources. Much greater detail on these different sources is needed.”</p>	<p>With respect to <b>waste</b>, see the response to CCRC-2 above. CNSC staff require that the EIS identify and assess all types of wastes to be potentially emplaced in the NSDF. All waste to be emplaced in the NSDF will be required to meet the WAC.</p>
Concerned Citizens of Renfrew County	CCRC-14	<p>“To be specific, clarity is needed as to whether the project will encompass the transport of radioactive wastes to the NSDF from other sites owned by AECL and/or managed by CNL. If there is an intent to use the NSDF for disposal of wastes from sites other than the Chalk River Laboratories (e.g., Whiteshell, Douglas Point, Gently, etc.), the environmental assessment must examine the feasibility of constructing disposal facilities on these remote sites as an alternative to transporting them to Chalk River. Additionally, the environmental assessment</p>	<p>Transportation of waste from offsite facilities to the CRL site is outside the scope of the NSDF project. A final long-term management solution for radioactive waste stored and generated from offsite facilities has yet to be determined. Any future plans to transport offsite waste to the CRL site would require meeting all applicable regulatory requirements, in accordance with the CNSC’s regulatory framework. In addition, the current CRL operating licence authorizes CNL to accept offsite waste, for which there is an identified and approved treatment, storage or disposal facility.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
		must examine volumes of radioactive and other hazardous wastes at these sites, and risks associated with transportation of these wastes.”	With respect to <b>waste</b> , see the response to CCRC-2 above. CNSC staff require that the EIS identify and assess all types of wastes to be potentially emplaced in the NSDF. All waste to be emplaced in the NSDF will be required to meet the WAC.
Concerned Citizens of Renfrew County	CCRC-15	“Clarity is needed as well on the nature of the “commercial activities” to be engaged in by the proponent that would result in generation of wastes to be placed in the NSDF, the types and amounts of wastes that would arise from these commercial activities, and the hazards associated with transporting these wastes to Chalk River.”	With respect to <b>waste</b> , see the response to CCRC-2 above. CNSC staff require that the EIS identify and assess all types of wastes to be potentially emplaced in the NSDF. All waste to be emplaced in the NSDF will be required to meet the WAC.
Concerned Citizens of Renfrew County	CCRC-16	“The statement that “Atomic Energy of Canada Limited is providing financial support to allow this project to be carried out” does not constitute an adequate “description of any financial support that federal authorities are, or may be, providing to the project,” as required by the Prescribed Information for the Description of a Designated Project Regulations.”	<p><b>Completeness of the project description</b></p> <p>CEAA 2012 requires that the proponent of a designated project, except projects that are regulated by the CNSC or the National Energy Board, submit a project description to the Agency. The <i>Prescribed Information for the Description of a Designated Project Regulations</i> (SOR/2012-148) set out the information that must be included in a project description. The Agency then uses the information in the project description during a ‘screening’ phase to inform a decision on whether an EA of the designated project is required.</p> <p>Although not required for designated projects regulated by CNSC, the CNSC has adopted within its EA process the requirement to submit a project description, as outlined in appendix A of <a href="#">REGDOC-2.9.1: Environmental Protection: Environmental Principles, Assessments and Protection Measures</a>. The purpose of the project description is for CNSC staff to determine if a project proposal meets the definition of “designated project” such that CEAA 2012 would apply. To this end, proponents are referred to the <i>Prescribed Information for the Description of a Designated Project Regulations</i> (SOR/2012-148) for the information that should be submitted within their project description.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			<p>CNSC staff reviewed CNL's project description, and determined that sufficient information was provided to:</p> <ul style="list-style-type: none"> <li>• meet the <i>Prescribed Information for the Description of a Designated Project Regulations</i> (SOR/2012-148) such that the project description is deemed complete and need not be revised</li> <li>• make a determination on the applicability of CEAA 2012</li> </ul> <p>CNSC staff determined that CEAA 2012 applies to the proposed project, as it is considered a "designated project" in accordance with paragraph 37(b) of the <i>Regulations Designating Project Activities</i>.</p> <p>Following CNSC staff's EA determination, public comments were sought on the project description to inform the conduct of the EA.</p> <p>Taking into account the public comments received related to scope and CNSC staff's recommendations, the Commission, as indicated in the Commission's Record of Decision dated March 8, 2017, has determined that the scope of the factors for this EA include the factors mandated in paragraphs 19(1)(a) to (h) of CEAA 2012, with no additional factors requiring consideration. That is, the Commission did not require, under its discretion in paragraph 19(1)(j) of CEAA 2012, to include any other matters relevant to the EA.</p>
<a href="#">Concerned Citizens of Renfrew County</a>  (November 18, 2016)	CCRC-17	<p>"The revised project description lacks "A description of any changes to the environment that may occur, as a result of carrying out the project, on federal lands, in a province other than the province in which the project is proposed to be carried out," as required by the <i>Prescribed Information for the Description of a Designated Project Regulations</i>:</p> <p>i) The site of the proposed project is less than 1 km from the Ottawa River and the Province of Quebec lies directly across the Ottawa River. A description of</p>	<p>As per sections 9 (Effects assessment) and 10 (Mitigation) of the <a href="#">Guidelines</a>, the proponent's EIS will have to identify and assess all potential environmental effects of the project, including any changes that may occur to the environment in the Province of Quebec, and propose mitigation measures to undertake to avoid or minimize any adverse environmental effects of the project.</p> <p>Transportation of waste from offsite facilities to the CRL site is outside the scope of the NSDF project. A final long-term management solution for radioactive waste stored and generated</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
		<p>changes that may occur to the environment in the Province of Quebec during the construction, operation, and post-closure/abandonment phases is required.</p> <p>ii) If wastes were to be transported from sites owned by Atomic Energy of Canada in other provinces (Quebec, Manitoba) to the proposed facility, this would result in changes to the environment at those sites that must be described.</p> <p>Indeed, if any significant amounts of wastes are to be transported to the proposed facility from outside the CRL property, the scope of the project and the environmental assessment must be broadened to include the conditions under which these wastes are currently stored and the impacts of accessing and transporting these wastes.”</p>	<p>from offsite facilities has yet to be determined. Any future plans to transport offsite waste to the CRL site would require meeting all applicable regulatory requirements, in accordance with the CNSC’s regulatory framework. In addition, the current CRL operating licence authorizes CNL to accept offsite waste, for which there is an identified and approved treatment, storage or disposal facility.</p> <p>With respect to <b>waste</b>, see the response to CCRC-2 above. CNSC staff require that the EIS identify and assess all types of wastes to be potentially emplaced in the NSDF. All waste to be emplaced in the NSDF will be required to meet the WAC.</p> <p>With respect to the <b>completeness of the project description</b>, see the response to CCRC-16 above.</p>
Concerned Citizens of Renfrew County	CCRC-18	<p>“The sentence “The NSDF Project may also accept a very small amount of intermediate-level waste (ILW) and mixed wastes” is inadequate to provide a clear understanding of the proposed project. It is particularly important to know if radioactive wastes with long half-lives, or significant amounts of non-radioactive hazardous wastes (such as mercury) would be included in the proposed facility. A detailed description of wastes proposed for disposal must be included in the environmental assessment.”</p>	<p>With respect to <b>waste</b>, see the response to CCRC-2 above.</p>
Concerned Citizens of Renfrew County	CCRC-19	<p>“Construction of the proposed facility at the East Mattawa Road site would necessitate clearing a large area of forest on the Chalk River Laboratories property. Most of the proposed site is covered by semi-mature mixed forest typical of the Great Lakes – St. Lawrence forest region. There is also a mature experimental conifer plantation on the proposed site.</p> <p>Given that this project would take place on federal lands, the Government of Canada should ensure that there is no net loss</p>	<p>The consideration of potential adverse environmental effects on migratory birds in an EA is a requirement of CEAA 2012 as outlined in section 5(1), factors to be considered. As per subsection 5.1 (Factors to be considered) of the <a href="#">Guidelines</a>, CNSC staff require the proponent to identify and assess the project’s potential environmental effects, including impacts on migratory birds, in the EIS.</p> <p>In addition, licence applicants are required to meet the requirements of all applicable federal legislation, including the <i>Migratory Birds</i></p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
		<p>of habitat for migratory birds as a result of the proposed project. The description of the project should note the potential permanent loss of migratory bird habitat and consider how to measure and mitigate this loss. The project description currently proposes that tree clearing be prohibited during the breeding season. This would not be sufficient to address the harm that would be done to migratory birds by the proposed project. One possibility might be to restore equivalent forest habitat on other nearby federal lands, such as those on the Garrison Petawawa property adjacent to Chalk River Laboratories.”</p>	<p><i>Convention Act.</i></p> <p>With respect to the <b>completeness of the project description</b>, see the response to CCRC-16 above.</p>
<a href="#">Concerned Citizens of Renfrew County</a>  (November 21, 2016)	CCRC-20	<p>“Forest clearing at the site would also result in significant net emissions of greenhouse gases. If the forest is removed and replaced by a mound of radioactive waste, carbon in the forest biomass that has been removed will sooner or later burn or decay and be released as carbon dioxide, a greenhouse gas. At least in the near term there would be no possibility of revegetating the site and restoring its carbon dioxide uptake. Furthermore, as the forest is only semi-mature, removing it would destroy its carbon sink function (i.e., its capacity to take up more carbon dioxide in the future). The potential total net emissions of greenhouse gases as a result of the project would be approximately equal to the carbon dioxide equivalent of the current forest biomass (above- and below-ground), plus the carbon dioxide equivalent of the additional biomass that would accrue on site until the forest becomes fully mature. As with the issue of potential loss of migratory bird habitat, the project description should include an analysis of means of quantifying, and offsetting/mitigating, the net greenhouse gas emissions that would result from construction of the proposed facility. Existing literature on carbon and biodiversity offsets could be drawn upon to conduct this analysis.”</p>	<p>As per subsection 5.1 (Factors to be considered) of the <a href="#">Guidelines</a>, CNSC staff require the proponent to identify and assess the project’s potential environmental effects, including upstream and downstream greenhouse gas emissions, in the EIS.</p>
<a href="#">Algonquins</a>	AOO-1	<b>Section 2.1 Project’s Name, Nature and Proposed Location</b>	The CNSC ensures that all of its EA and licensing decisions under

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
<a href="#">of Ontario</a>  (June 24, 2016)		<p>“<b>Comment 1:</b> In addition to being located in the Town of Deep River, County of Renfrew, the proposed NSDF at the Chalk River Laboratories site is also situated in the Algonquin Land Claim Settlement Area. This Settlement Area includes 36,000 square kilometres within the watersheds of the Kichissippi (Ottawa River) and the Mattawa River, an unceded territory that covers much of eastern Ontario...”</p> <p>“<b>Request 1:</b> The AOO request that this section of the Project Description be revised to acknowledge the Chalk River Laboratories’ location as being within the Algonquin Settlement Area. We suggest the inclusion of the following wording:</p> <p><i>The CRL property is located within unceded Algonquin Territory. The Algonquins of Ontario have asserted existing Aboriginal rights and title throughout the Settlement Area, including the CRL site. This land claim is currently under negotiation by the Algonquins of Ontario and the Governments of Canada and Ontario.”</i></p>	<p>CEAA 2012 and the NSCA uphold the honour of the Crown and consider Aboriginal peoples’ potential or established Aboriginal and/or treaty rights pursuant to section 35 of the <i>Constitution Act</i>, 1982.</p> <p>CNSC staff have identified First Nation and Métis groups who may have an interest in the project and provided each identified group with a notice of the commencement of the EA, the opportunity to apply for participant funding and a copy of the project description for comment. CNSC staff have offered to meet to discuss the AOO’s initial concerns regarding the project.</p> <p>CNSC staff will be working collaboratively with the AOO in order to ensure that they are meaningfully involved in the EA and licensing review process.</p> <p>CNSC staff will continue to provide interested Aboriginal groups, including AOO, with timely project updates and information at key points during the EA process including the review of CNL’s EIS, CNSC staff’s EA Report, and CNSC staff’s and CNL’s Commission member documentation and related public Commission hearings.</p> <p>As per the requirements and guidance of the CNSC’s <a href="#">REGDOC-3.2.2, Aboriginal Engagement</a>, CNSC staff expect that CNL will be engaging with the AOO and other identified Aboriginal groups to identify potential concerns related to impacts on Aboriginal and/or treaty rights as a result of the proposed project and working collaboratively with the identified communities on addressing these concerns, where appropriate. CNL is required to report to the CNSC regarding their engagement activities and it is expected that further details will be provided in the EIS.</p> <p>CNL has committed to work with identified First Nation and Métis groups to establish working relationships and to develop engagement</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			<p>work plans. To this end, CNL has offered to meet with interested Aboriginal groups, including the AOO, to discuss the project.</p> <p><b>Completeness of the project description</b></p> <p>CEAA 2012 requires that the proponent of a designated project, except projects that are regulated by the CNSC or the National Energy Board, submit a project description to the Agency. The <i>Prescribed Information for the Description of a Designated Project Regulations</i> (SOR/2012-148) set out the information that must be included in a project description. The Agency then uses the information in the project description during a ‘screening’ phase to inform a decision on whether an EA of the designated project is required.</p> <p>Although not required for designated projects regulated by CNSC, the CNSC has adopted within its EA process the requirement to submit a project description, as outlined in appendix A of <a href="#">REGDOC-2.9.1: Environmental Protection: Environmental Principles, Assessments and Protection Measures</a>. The purpose of the project description is for CNSC staff to determine if a project proposal meets the definition of “designated project” such that CEAA 2012 would apply. To this end, proponents are referred to the <i>Prescribed Information for the Description of a Designated Project Regulations</i> (SOR/2012-148) for the information that should be submitted within their project description.</p> <p>CNSC staff reviewed CNL’s project description, and determined that sufficient information was provided to:</p> <ul style="list-style-type: none"> <li>• meet the <i>Prescribed Information for the Description of a Designated Project Regulations</i> (SOR/2012-148) such that the project description is deemed complete and need not be revised</li> <li>• make a determination on the applicability of CEAA 2012</li> </ul> <p>CNSC staff determined that CEAA 2012 applies to the proposed</p>

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			<p>project, as it is considered a “designated project” in accordance with paragraph 37(b) of the <i>Regulations Designating Project Activities</i>. Following CNSC staff’s EA determination, public comments were sought on the project description to inform the conduct of the EA.</p> <p>Taking into account the public comments received related to scope and CNSC staff’s recommendations, the Commission, as indicated in the Commission’s Record of Decision dated March 8, 2017, has determined that the scope of the factors for this EA include the factors mandated in paragraphs 19(1)(a) to (h) of CEAA 2012, with no additional factors requiring consideration. That is, the Commission did not require, under its discretion in paragraph 19(1)(j) of CEAA 2012, to include any other matters relevant to the EA.</p> <p>Notwithstanding this, CNSC staff have communicated the omission to CNL and expect inclusion of this reference in their Aboriginal engagement report and the EIS.</p>
Algonquins of Ontario	AOO-2	<p><b>Section 2.3 Description of Communication Activities</b>  <b>“Comment 2:</b> As outlined in this section, the AOO have not to date been included in CNL’s communication activities on the proposed NSDF. However, the Algonquins of Pikwakanagan First Nation (AOPFN), one of the ten Communities represented by the AOO, are identified as having been included.</p> <p>It is imperative that both the CNSC and CNL appreciate that the AOO also assert and expect a role in the federal Environmental Assessment pursuant to the terms of the <i>Consultation Process Interim Measures Agreement</i> as executed on July 29, 2009 by the Algonquins of Ontario and the Governments of Ontario and Canada as a fundamental component of the Algonquin Treaty negotiations. A copy of which is enclosed for your reference (Attachment 4).”</p>	<p>Please see the response to AOO-1 above.</p> <p>In addition, an important aspect of the EA review process is public and Aboriginal engagement to help inform the Commission regarding potential concerns in relation to the proposed project. CNSC staff encourage interested members of the public and Aboriginal groups, including the AOO, to continue to participate in the project review process.</p> <p>Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting documentation during the EA process – a public comment period is anticipated between March and May 2017 – and through future CNSC public engagement sessions. Future public participation opportunities also include the review of CNSC staff’s EA Report and Commission member documentation, as well as participation in the EA and licensing public hearings.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			<p>CNSC staff will be working collaboratively with the AOO in order to ensure that they are meaningfully involved in the EA and licensing review process.</p>
Algonquins of Ontario	AOO-3	<p><b>Section 2.4 Future Engagement Activities</b>  <b>“Request 2:</b> In light of the Consultation Process Interim Measures Agreement, it is critical that the AOO be included in all future engagement activities executed not only by the CNSC, but by CNL as well. We expect that moving forward, the consultation process will be comprehensive, recognize the AOO’s unique interests and provide meaningful opportunities for input on the proposed NSDF at Chalk River Laboratories.”</p>	<p>Please see the response to AOO-1 above.</p> <p>In addition, an important aspect of the EA review process is public and Aboriginal engagement to help inform the Commission regarding potential concerns in relation to the proposed project. CNSC staff encourage interested members of the public and Aboriginal groups, including the AOO, to continue to participate in the project review process.</p> <p>Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting documentation during the EA process – a public comment period is anticipated between March and May 2017 – and through future CNSC public engagement sessions. Future public participation opportunities also include the review of CNSC staff’s EA Report and Commission member documentation, as well as participation in the EA and licensing public hearings.</p> <p>CNSC staff will be working collaboratively with the AOO to ensure that they are meaningfully involved in the EA process.</p>
Algonquins of Ontario	AOO-4	<p><b>Specific Comments / Requests</b>  <b>Section 4.5 Project Proximity to Reserves, Traditional Territories and Land/Resources used by Aboriginal Peoples</b>  <b>“Comment 3:</b> This section fails to acknowledge or reflect the presence of the Algonquins of Ontario and the location of the project within the Algonquin Settlement Area, an area which, as already mentioned, is subject to the AOO’s assertion of existing Aboriginal rights and title. As noted above, there are ten Algonquin Communities who’s asserted Territory encompasses the NPD site. As such, it is the AOO collectively</p>	<p>As indicated in the response to AOO-1 above, CNSC staff have communicated this omission to CNL and expect inclusion of this reference in their Aboriginal engagement report and the EIS.</p>

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		<p>who have declared an interest in the lands located within the watersheds of the Ottawa and Mattawa Rivers, and who regard this Territory as their traditional homelands.”</p> <p>“<b>Comment 4:</b> It is the Algonquins of Ontario who are currently engaged in land claim negotiations with the Federal and Ontario governments.”</p> <p>“<b>Request 3:</b> To correct the inaccuracies detailed in Comments 3 and 4, the AOO recommend that the first two paragraphs of this section be revised as follows:</p> <p><i>The NPD site is located within the Algonquin Land Claim Settlement Area. This area is the Traditional Territory of the Algonquins of Ontario, comprised of ten Algonquin Communities, which include the Algonquins of Pikwakanagan First Nation, Antoine, Kijicho Manito Madaouskarini (Bancroft), Bonnechere, Greater Golden Lake, Mattawa/North Bay, Ottawa, Shabot Obaadjiwan (Sharbot Lake), Snimikobi (Ardoch) and Whitney and Area.</i></p> <p><i>The Algonquins of Ontario and the Governments of Canada and Ontario are negotiating towards a modern-day Treaty that will recognize and affirm the existing Aboriginal and treaty rights of the Algonquins of Ontario. These negotiations have been underway since 1991. The Settlement Area that is the subject of these negotiations encompasses 36,000 square kilometers covering much of eastern Ontario, including the National Capital Region, all of Renfrew County and most of Algonquin Park.</i></p> <p><i>The closest reserve is that of the Algonquins of Pikwakanagan First Nation located approximately 80 km south east of the NPD site.”</i></p>	
Algonquins	AOO-5	“ <b>Comment 5:</b> Kichissippi (the Ottawa River) is the living heart	Please see the response to AOO-1 above.

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of Ontario		<p>of the Algonquin Traditional Territory. Our collective history, our way of life and our spiritual strength are all inextricably linked to this commanding river. The Kichissippi's fundamental importance to the Algonquin people is not just one of the past – it is critical to our present and our future. Consequently, the proximity of the two candidate sites (1.1 km from the EMR Site and 3.3 km from the Alternate Site) to the Ottawa River is of great concern to the AOO and we will be working to ensure that this project does not bring any detrimental effects to its waters and all the flora and fauna that live within them.</p> <p>In this regard, the potential for release of contaminants into surface and subsurface waters is of particular concern to the AOO.”</p>	<p>In addition, as per sections 9 (Effects assessment) and 10 (Mitigation) of the <a href="#">Guidelines</a>, the proponent's EIS will have to identify and assess all potential environmental effects of the project and propose mitigation measures to undertake to avoid or minimize any adverse environmental effects of the project.</p> <p>An important aspect of the EA review process is public and Aboriginal engagement to help inform the Commission regarding potential concerns in relation to the proposed project. CNSC staff encourage interested members of the public and Aboriginal groups, including the AOO, to continue to participate in the project review process.</p> <p>Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting documentation during the EA process – a public comment period is anticipated between March and May 2017 – and through future CNSC public engagement sessions. Future public participation opportunities also include the review of CNSC staff's EA Report and Commission member documentation, as well as participation in the EA and licensing public hearings.</p> <p>CNSC staff will be working collaboratively with the AOO in order to ensure that they are meaningfully involved in the EA and licensing review process.</p>
Algonquins of Ontario	AOO-6	<p><b>Section 6 Environmental Effects</b>  <b>“Comment 6:</b> As stewards of the land and resources within our Traditional Territory, the AOO recognize the fundamental importance of protecting the flora, fauna, as well as the ecosystems in which they reside, for generations to come. Our values which have been passed down from our ancestral ways of life embody an inherent respect for the environment and an intrinsic commitment to the sustainable management of</p>	<p>Please see the response to AOO-1 above.</p> <p>In addition, as per sections 9 (Effects assessment) and 10 (Mitigation) of the <a href="#">Guidelines</a>, the proponent's EIS will have to identify and assess all potential environmental effects of the project and propose mitigation measures to undertake to avoid or minimize any adverse environmental effects of the project.</p>

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		<p>resources.</p> <p>The AOO look forward to working collaboratively with the CNSC and CNL as the project progresses to ensure stringent environmental measures are in place so to prevent and mitigate any harmful impacts to the project area and the surrounding lands and waters.”</p> <p>“<b>Request 4:</b> The AOO ask to be kept apprised of the biodiversity studies that are scheduled to take place in the spring and summer of 2016. We would appreciate an opportunity to review this study, as well as any past biodiversity studies (including the one undertaken in 2012-2013) prior to when the site determination for the NSDF is made.”</p>	<p>CNSC staff will be working collaboratively with the AOO in order to ensure that they are meaningfully involved in the EA and licensing review process.</p>
Algonquins of Ontario	AOO-7	<p><b>Section 6.5.4 Effects on Aboriginal Peoples</b></p> <p>“<b>Comment 7:</b> The Project Description fails completely to identify the ongoing Algonquins of Ontario negotiations, which have been underway since 1991.</p> <p>As noted above in Comments 1 and 3 (as well as depicted in Attachment 2), the Chalk River Laboratories site is indisputably located within the Algonquin Land Claim Settlement Area. This land claim was commenced by the submission of the most recent Algonquin recent, with supporting research, to the Government of Canada in 1983 and the Government of Ontario in 1985. The Province of Ontario accepted the claim for negotiations in 1991 and the Government of Canada joined the negotiations in 1992. The negotiations then progressed to include all ten AOO communities.</p> <p>It is the AOO’s perspective that there is no further assessment</p>	<p>Please see the response to AOO-1 above.</p> <p>CNSC staff note that CNL has committed to providing the requested archaeological assessment to the AOO.</p> <p>As per paragraph 5(1)(c) of CEAA 2012, CNSC staff require that effects of changes to the environment on Aboriginal peoples, including any structure, site or thing that is of historical, archaeological, paleontological or architectural significance, be addressed in the proponent’s EIS in sufficient detail.</p> <p>In addition, as per sections 9 (Effects assessment) and 10 (Mitigation) of the <a href="#">Guidelines</a>, the proponent’s EIS will have to identify and assess all potential environmental effects of the project and propose mitigation measures to undertake to avoid or minimize any adverse environmental effects of the project.</p> <p>An important aspect of the EA review process is public and Aboriginal engagement to help inform the Commission regarding potential concerns in relation to the proposed project. CNSC staff</p>

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		<p>necessary to determine the existence of the AOO's asserted rights or ongoing land claim. Should the CNSC or CNL require any further documentation, the AOO would be pleased to make the relevant information available.”</p> <p>“<b>Comment 8:</b> The Crown has a duty to consult the AOO in relation to any proposed government decision that may impact the existing Aboriginal rights and title that have been asserted by the AOO. In this instance, the AOO have the right to be consulted in relation to the proposed the disposition of radioactive and other contaminants and that any such endeavor must be done in such a way as to ensure that the natural environment is protected.</p> <p>The AOO have an interest in the land on which the project is located, but also the waters of the Ottawa River and other waterbodies that could potentially be adversely impacted by the release of contaminated materials.”</p> <p>“<b>Request 5:</b> The AOO request that in order to better reflect the AOO's Aboriginal rights, the first paragraph of this section be modified to add the following wording:  <i>The Algonquins of Ontario assert existing Aboriginal rights and title to the CRL property. By agreeing to engage in Treaty negotiations with the Algonquins of Ontario, the Crown in right of both Ontario and Canada have acknowledged the legitimacy of that assertion. As such, CNL recognizes a legal duty to consult and, if appropriate, to accommodate the rights, interests and ambitions of the AOO and/or its constituent Communities.</i>”</p> <p>“<b>Comment 9:</b> Algonquin heritage resources represent the physical and spiritual manifestation of ancestral ways of life,</p>	<p>encourage interested members of the public and Aboriginal groups, including the AOO, to continue to participate in the project review process.</p> <p>Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting documentation during the EA process – a public comment period is anticipated between March and May 2017 – and through future CNSC public engagement sessions. Future public participation opportunities also include the review of CNSC staff's EA Report and Commission member documentation, as well as participation in the EA and licensing public hearings.</p> <p>CNSC staff will be working collaboratively with the AOO in order to ensure that they are meaningfully involved in the EA and licensing review process.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	CNSC response
		<p>traditional values and knowledge. Archaeological artifacts attest to the history of the land and the Algonquins who have lived on it for centuries. It is critical that these resources be preserved and respected in a manner consistent with Algonquin traditions and made available to the AOO for cultural and educational purposes.</p> <p>The AOO are profoundly dedicated to the stewardship of these cultural and heritage values. We look forward to working with CNL and the consulting archaeologist as the archaeological studies of the EMR site progress.”</p> <p>“<b>Request 6:</b> Once complete, and before any site determination for the NSDF is made, the AOO strongly request an opportunity to review the Stage 2 Archaeological Assessment that will be conducted on the EMR site in the spring and summer of 2016. We also ask that the same opportunity be provided should any future archaeological assessments be undertaken on either the EMR or Alternate Sites.</p> <p>Further, we would appreciate being provided a copy of the partial Stage 2 archaeological assessment of the Alternate Site that was undertaken in the spring of 2014.”</p>	
Algonquins of Ontario	AOO-8	<p><b>Moving Forward</b></p> <p>“The proposed NSDF at Chalk River Laboratories is located within the heart of Algonquin Territory, and by its very nature has the potential to bring about momentous and long-lasting impacts on the natural environment. As this project moves forward, the AOO sincerely look forward to building and strengthening our relationships with the CNSC and CNL to collaboratively realize our mutual goals.</p> <p>The AOO have a strong and vested interest in the archaeological work that is being undertaken and wish to be</p>	<p>See responses to AOO-1 and AOO-7 above.</p> <p>CNSC staff will be working collaboratively with the AOO in order to ensure that they are meaningfully involved in the EA and licensing review process.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
		<p>kept apprised as the Stage 2 Archaeological Assessment progresses.”</p>	
<a href="#">Northwatch</a>  (June 24, 2016)	NW-1	<p>“Section 1 - Insufficient information about the relative roles of Atomic Energy of Canada Limited (AECL) and Canadian Nuclear Laboratories (CNL) in the medium, short and long term, including respective roles and responsibilities as decision-makers, holders and makers of liabilities, and property owners.”</p>	<p>AECL is a federal Crown corporation responsible for managing Canada's radioactive waste liabilities and enabling nuclear science and technology.</p> <p>AECL delivers its mandate through a contractual arrangement with Canadian National Energy Alliance (CNEA) for the management and operation of CNL under a Government-owned, Contractor-operated (GoCo) model.</p> <p>Under the GoCo model, AECL retains ownership of the lands, facilities, assets and liabilities. CNL is the legal entity that is managing the site and that has responsibility for complying with the CNSC's regulatory framework. Consequently, it is CNL that is the current operator of the site and holder of the CNSC licences.</p> <p><b>Completeness of the project description</b>            CEAA 2012 requires that the proponent of a designated project, except projects that are regulated by the CNSC or the National Energy Board, submit a project description to the Agency. The <i>Prescribed Information for the Description of a Designated Project Regulations</i> (SOR/2012-148) set out the information that must be included in a project description. The Agency then uses the information in the project description during a ‘screening’ phase to inform a decision on whether an EA of the designated project is required.</p> <p>Although not required for designated projects regulated by CNSC, the CNSC has adopted within its EA process the requirement to submit a project description, as outlined in appendix A of <a href="#">REGDOC-2.9.1: Environmental Protection: Environmental Principles</a>.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			<p><i>Assessments and Protection Measures.</i> The purpose of the project description is for CNSC staff to determine if a project proposal meets the definition of “designated project” such that CEAA 2012 would apply. To this end, proponents are referred to the <i>Prescribed Information for the Description of a Designated Project Regulations</i> (SOR/2012-148) for the information that should be submitted within their project description.</p> <p>CNSC staff reviewed CNL’s project description, and determined that sufficient information was provided to:</p> <ul style="list-style-type: none"> <li>• meet the <i>Prescribed Information for the Description of a Designated Project Regulations</i> (SOR/2012-148) such that the project description is deemed complete and need not be revised</li> <li>• make a determination on the applicability of CEAA 2012</li> </ul> <p>CNSC staff determined that CEAA 2012 applies to the proposed project, as it is considered a “designated project” in accordance with paragraph 37(b) of the <i>Regulations Designating Project Activities</i>.</p> <p>Following CNSC staff’s EA determination, public comments were sought on the project description to inform the conduct of the EA.</p> <p>Taking into account the public comments received related to scope and CNSC staff’s recommendations, the Commission, as indicated in the Commission’s Record of Decision dated March 8, 2017, has determined that the scope of the factors for this EA include the factors mandated in paragraphs 19(1)(a) to (h) of CEAA 2012, with no additional factors requiring consideration. That is, the Commission did not require, under its discretion in paragraph 19(1)(j) of CEAA 2012, to include any other matters relevant to the EA.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
Northwatch	NW-2	<p>“Insufficient information about the waste sources, quantities, and characteristics; this is particularly surprising, given that the project is a waste management project.”</p>	<p><b>Waste</b>            Waste volumes, waste inventory, waste acceptance criteria (WAC) and details on the handling and emplacement of the waste will be addressed in the proponent’s licensing documentation and will be summarized in sufficient detail in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.            With respect to the <b>completeness of the project description</b>, please see the response to NW-1 above. In addition, CNSC staff require that information in the EIS and supporting documentation be provided in sufficient detail and/or with relevant references to substantiate any statements made.</p>
Northwatch	NW-3	<p>“Insufficient information about waste definitions and management requirements in Canadian context; only reference is to International Atomic Energy Agency (IAEA) waste definition.”</p>	<p><b>CNSC’s regulatory framework</b>            CNSC staff will assess CNL’s proposed project, in accordance with the CNSC’s regulatory framework, with safety being the overriding factor. As part of the EA and licensing review process, the proposed project’s design, long-term safety and potential effects to the public and the environment will be assessed against all applicable and relevant requirements and guidance, as follows:</p> <ul style="list-style-type: none"> <li>• CNSC licensing and regulatory requirements and guidance (i.e., NSCA, current CRL licence and its associated LCH, CNSC REGDOC G-320, P-290, CSA standards, etc.)</li> <li>• federal and provincial environmental regulatory requirements and environmental policies, guidelines and standards</li> </ul> <p>Consideration will be given to international guidance and best practice.</p> <p>Information on the long-term safety of the proposed project will be summarized in the EIS and the safety case. Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting documentation during</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			<p>the EA process – a public comment period is anticipated between March and May 2017 – and through future CNSC public engagement sessions.</p> <p>With respect to the <b>completeness of the project description and waste</b>, see the responses to NW-1 and NW-2 above.</p>
Northwatch	NW-4	<p>“Section 2 Project purpose is not clearly stated or supported; for example, the rationale for selection of “disposal” versus “storage” as the management option is not discussed Project context is not discussed; for example, AECL had previously stated that it was conducting studies to assess the site for “suitability” for a deep geological repository<sup>1</sup>; is this project instead of or in addition to a potential deep geological repository?”</p>	<p><b>Project justification/objectives</b>            As indicated in the project description (section 3.1.2), the objective of the proposed project is to design, licence, construct and commission the NSDF for operation and to have the NSDF operational and ready to accept waste by March 2020.</p> <p>As outlined in subsection 4.1 (Purpose of the project) of the <a href="#">Guidelines</a>, the proponent’s EIS will have to document in sufficient detail the justification and rationale for the project. Sufficient information is required for CNSC staff to evaluate and make scientifically defensible recommendations to inform evidence-based Commission decisions.</p>
Northwatch	NW-5	<p>“Insufficient description and detail about the other nuclear facilities and about the conditions, status and qualities of other nuclear wastes and radioactive and chemical hazards on the CNL property; this is particularly problematic in terms of the absence of information about the waste volumes in various states of containment / storage in the vicinity of the proposed preferred and alternate sites for the NSDF.”</p>	<p>As outlined in subsection 3.2 (Project location) of the <a href="#">Guidelines</a>, the proponent’s EIS will have to describe in sufficient detail the project location, including land use in the area. However, a detailed description of the other nuclear facilities on the CRL site is outside the scope of the NSDF project and as such, not a requirement of the EA.</p> <p>CNSC staff note that further information on these other nuclear facilities will be provided as part of the licence renewal application process for the CRL site.</p> <p>CNL’s proposal to construct and operate the NSDF will require approval by the Commission and will be considered as part of the licence renewal application process for the operating licence (CRL Nuclear Research and Test Establishment Operating Licence,</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			NRTEOL 01.00/2018) of the CRL site. The CRL site operating licence expires on March 31, 2018. There will be opportunities for public involvement in the licensing process, including participant funding and participation in the CNSC's public hearing for the licence renewal, anticipated in January 2018.
Northwatch	NW-6	<p>“The description of public engagement, outreach and information programs with respect to the CNL operations in general and this project in particular should be more detailed; the project description should more clearly indicate which of the events included in Table 2-1 were public events and how public notice was provided for any which were public and what the level of public participation was; the table does not distinguish between those events which were public and those which were private - for example, the Environmental Stewardship Council meetings are closed to the public, but are listed in such a manner as to create an impression that they are public.”</p>	<p><b>Public participation</b>            CNSC staff encourage early engagement by the proponent. CNSC staff require that CNL engage with those members of the public who have expressed an interest in participating during their preparation of the EIS.</p> <p>As outlined in section 6 (Public and stakeholder consultation) of the <a href="#">Guidelines</a>, the proponent's EIS will describe participation activities in accordance with the CNSC's <a href="#">RD/GD-99.3, Public Information and Disclosure</a>.</p> <p>Furthermore, the CNSC welcomes public involvement in regulatory matters and has a robust public participation program including a public hearing process and a Participant Funding Program. CNSC staff has been providing opportunities for public participation at various stages during the EA process and will continue to do so. Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting documentation during the EA process – a public comment period is anticipated between March and May 2017 – and through future CNSC public engagement sessions. Future public participation opportunities also include the review of CNSC staff's EA Report and Commission member documentation, as well as participation in the EA and licensing public hearings.</p> <p>With respect to the <b>completeness of the project description</b>, see the response to NW-1 above.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
Northwatch	NW-7	<p>“Section 3 - The degree to which CNL intends to operate the proposed NSDF as a commercial enterprise is unclear; indirect references and statements create the impression that this is a project objective, but it should be clearly stated – or refuted – with supporting reasons and discussion.”</p>	<p>As outlined in subsection 4.1 (Purpose of the project) of the <a href="#">Guidelines</a>, the proponent’s EIS will have to document in sufficient detail the justification and rationale for the project. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p> <p>With respect to <b>waste</b>, see the response to NW-2 above. CNSC staff require that the EIS identify and assess all types of wastes to be potentially emplaced in the NSDF. All waste to be emplaced in the NSDF will be required to meet the WAC.</p> <p>With respect to the <b>completeness of the project description</b>, see the response to NW-1 above.</p>
Northwatch	NW-8	<p>“The project description lacks any discussion of the management, condition and decommissioning plans after the anticipated 50 years of operation.”</p>	<p>As outlined in section 4.3 (Scope of project) of the <a href="#">Guidelines</a>, CNSC staff require that the proponent describe and assess in the EIS the potential environmental effects for all phases of the project and their associated activities, including the decommissioning of the facility. Detailed information on the decommissioning of the NSDF will be addressed in the proponent’s licensing documentation and will be summarized in sufficient detail in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p> <p>With respect to the <b>completeness of the project description</b>, see the response to NW-1 above.</p>
Northwatch	NW-9	<p>“The project description should include considerably more detail on how CNL arrived at the proposed volume of one million cubic metres of waste to be accommodated in the NSDF; the project description should include a much more detailed description and rationale for inclusion of the three categories of waste identified in Section 3.1.2, including and particularly those wastes to be identified in 3.1.2 (3) as “future</p>	<p>The NSDF capacity of 1 million m<sup>3</sup> was based on a waste forecasting study performed by CNL. As the design progresses, the waste volumes, waste inventory, the WAC and other facility design aspects and details will be addressed in the proponent’s licensing documentation and will be summarized in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
		waste”.”	Commission decisions.  With respect to the <b>completeness of the project description</b> , see the response to NW-1 above.
Northwatch	NW-10	“The project description makes repeated references / reliances on the Waste Acceptance Criteria (WAC), but provides no description of or link to the Waste Acceptance Criteria; in fact, the footnoted statement “The Waste Acceptance Criteria will include physical (size and packaging), radiological and chemical parameters of the waste to be emplaced in the NSDF” strongly suggests that the WAC has not yet been developed; if the project is to rely in any way on the Waste Acceptance Criteria than it should be considered a key aspect of the Project and should be included in the project description.”	With respect to the <b>completeness of the project description and waste</b> , see the responses to NW-1 and NW-2 above.
Northwatch	NW-11	“The Project description states that future waste cannot be defined at the project outset; if future waste cannot be defined, the project cannot be assessed, ergo no review of approval is possible.”	With respect to <b>waste</b> , see the response to NW-2 above. CNSC staff require that the EIS identify and assess all types of wastes to be potentially emplaced in the NSDF. All waste to be emplaced in the NSDF will be required to meet the WAC.
Northwatch	NW-12	“With the design still under development, the project cannot be adequately described; the benefits of using EA as an early planning tool can be achieved by having a staged EA that focuses on need and purpose in an early stage and design and environmental aspects in a later stage, but this project description has not adequately addressed need or purpose – so it is not an early planning tool – and cannot be used to evaluate potential environmental consequences, since a project design is not available; without a project design the project description is incomplete.”	As outlined in subsection 4.1 (Purpose of the project) of the <a href="#">Guidelines</a> , the proponent’s EIS will have to document in sufficient detail the justification and rationale for the project. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.  With respect to the <b>completeness of the project description</b> , see the response to NW-1 above.
Northwatch	NW-13	“The project description one Canadian project and three American projects which it states “resemble” the not yet developed design of the NSDF, but provides no description of those projects, no analysis of similarities or differences in terms of waste volumes and characteristics and / or physical	As outlined in subsection 4.2 (Alternative means of carrying out the project) of the <a href="#">Guidelines</a> , CNSC staff require that the proponent’s EIS assess all potential environmental effects of the proposed approach and of each alternative mean of carrying out the project.

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		settings, and does not even include references to these projects.”	<p>With respect to the <b>CNSC’s regulatory framework</b> for the assessment of the proposed project, please see the response to NW-3 above.</p> <p>With respect to the <b>completeness of the project description</b>, please see the response to NW-1 above. In addition, CNSC staff require that information in the EIS and supporting documentation be provided in sufficient detail and/or with relevant references to substantiate any statements made.</p>
Northwatch	NW-14	“The distinction between the entity who will “build the initial cells” and the entity of the “CRL’s Facility Authority for WMAs” is wholly unclear, as are the benefits / disbenefits and financial / managerial implications of such a “turning over”; this is one example of the deficiencies in the project description in terms of describing roles and responsibilities throughout the project life and beyond the operational period”	With respect to roles and responsibilities, see the response to NW-1 above.
Northwatch	NW-15	“No rationale is provided of the intended “turn over” of the facility to the “CRL’s Facility Authority for WMAs”, including why the “turn over” would take place at that point in the project’s operational life, versus at some other point”	<p>Authorization to construct the NSDF is made through a modification of the CRL’s Facility Authority for Waste Management Areas (WMAs).</p> <p>If granted by the Commission, or a person designated by the Commission, operation of the NSDF will be under the responsibility of the CNL CRL WMAs Facility Authority at the time it has been successfully commissioned. As such, the NSDF will be part of the WMAs Facility Authorization (FA) and its operation must comply with the FA requirements. Compliance with the FA requirements is required by the current CRL operating licence.</p>
Northwatch	NW-16	“The project description should provide more detail on the anticipated leachate characteristics and treatment plan; a rationale should be provided as to why the Waste Water Treatment Plant (WWTP) will have an operational lifetime of only 50 years”	<p>Detailed information on the WWTP will be addressed in the proponent’s licensing documentation and will be summarized in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p> <p>With respect to the <b>completeness of the project description</b>, see the response to NW-1 above.</p>

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Northwatch	NW-17	<p>“More details should be provided about the closure / decommissioning plans and the post-closure and monitoring period”</p>	<p>CNSC staff require that information regarding the lifecycle of the project, including the form, length, and requirements of the institutional control period and post-closure monitoring activities, be addressed in the proponent’s licensing documentation and will be summarized in sufficient detail in the EIS and the safety case. The length of institutional control will need to be approved by the Commission.</p> <p>With respect to the <b>completeness of the project description</b>, see the response to NW-1 above.</p>
Northwatch	NW-18	<p>“The project description repeated references “programs” which are not described and for which no reference or sources is provided; examples include CNL’s Environmental Protection, Radiation Protection and Waste Management program requirements, as per Section 3.6”</p>	<p>In order to fulfill the requirements of the CRL operating licence, CNL maintains a variety of compliance programs, such as Radiation Protection, Environmental Protection, Waste Management, Occupational Health and Safety, Emergency Preparedness, Criticality Safety, etc. These programs have oversight and input into all CNL projects, to ensure that the requirements in the licence are being met. The programs themselves are requirements of the licence and are monitored by the CNSC for compliance with regulatory requirements.</p> <p>In addition, CNSC staff require that all of the referenced programs and plans be updated to include the proposed NSDF and provided to CNSC as part of the proponent’s licensing documentation.</p> <p>CNL’s proposal to construct and operate the NSDF will require approval by the Commission and will be considered as part of the licence renewal application process for the operating licence (CRL Nuclear Research and Test Establishment Operating Licence, NRTEOL 01.00/2018) of the CRL site. The CRL site operating licence expires on March 31, 2018. There will be opportunities for public involvement in the licensing process, including participant funding and participation in the CNSC’s public hearing for the licence renewal, anticipated in January 2018.</p>

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Northwatch	NW-19	<p>“There is insufficient information provide about the anticipated leachate characteristics and how any potential adverse effects of the leachate will be mitigated by the proposed water treatment regime; there is no description of the proposed leachate treatment or the discharge criteria it will be required to meet or the associated monitoring program and contingency plan”</p>	<p>As per sections 9 (Effects assessment) and 10 (Mitigation) of the <a href="#">Guidelines</a>, the proponent’s EIS will have to identify and assess all potential environmental effects of the project, including potential effects of the leachate, and propose mitigation measures to undertake to avoid or minimize any adverse environmental effects of the project.</p> <p>Detailed information on the WWTP will be addressed in the proponent’s licensing documentation and will be summarized in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p>
Northwatch	NW- 20	<p>“Section 4 - There is no description of the nature or characteristics or potential hazards associated with the gases the wastes may generate after emplacement, what the monitoring or mitigation measures would be, or what contingency plans would be in place”</p>	<p>CNSC staff require that information regarding potential radiological and non-radiological hazards, including gaseous emissions, be addressed in the proponent’s EIS.</p> <p>Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting documentation during the EA process – a public comment period is anticipated between March and May 2017 – and through future CNSC public engagement sessions.</p>
Northwatch	NW-21	<p>“The site selection criteria is described in an overly generalized manner; the comparison of the two sites appear to be largely based on convenience and distance from services and a preference for retaining forest cover; the latter preference should be put in context, i.e., an analysis of overall forest covered areas versus disturbed areas and be supported comparative analysis of habitat supply and forest fragmentation for the two sites under consideration; more problematic is the absence of any consideration or comparison of environmental factors, such as surface and groundwater flows, attenuation and retention factors associated with the different sites and the volume and characteristics of each site’s</p>	<p>CNSC staff will evaluate CNL’s alternative means assessment in the EIS against the requirements and guidance in section 4.2 (Alternative means of carrying out the project) of the <a href="#">Guidelines</a> and the Canadian Environmental Assessment Agency’s Operational Policy Statement, <i>Addressing “Purpose of” and “Alternative Means”</i> under the <i>Canadian Environmental Assessment Act, 2012</i>. In particular, CNSC staff’s assessment will include evaluating the criteria developed to determine the technical and economic feasibility of the alternative means.</p> <p>Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting</p>

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		overburden, existing levels of contamination or hazards or potential hazards associated with legacy or current operations or wastes, any mitigations that might already be in place in response to legacy or current wastes or hazards in the vicinity of either of the sites, etc.”	documentation during the EA process – a public comment period is anticipated between March and May 2017 – and through future CNSC public engagement sessions.
Northwatch	NW-22	“Section 5 - More information is required on the roles and responsibilities of the various parties, including those of Atomic Energy of Canada Limited, Canadian Nuclear Laboratories, and the member companies of Canadian Nuclear Laboratories; this information should include clear descriptions of roles, responsibilities, financial contributions, financial risk, and assignment of liabilities”	With respect to roles and responsibilities, see the response to NW-1 above.
Northwatch	NW- 23	“Section 6 - Considerably more detail should be provided in the surface and subsurface and sediment contamination”	As per sections 9 (Effects assessment) and 10 (Mitigation) of the <a href="#">Guidelines</a> , CNSC staff require that information regarding the surface and subsurface and sediment contamination be addressed in sufficient detail in the EIS.
Northwatch	NW-24	“The project description should include a detailed description of the selection process which led to the identification of the preferred and alternate sites, including the specific criteria used and the method by which it was applied, and a detailed comparison of the preferred and alternate site, including consideration of social, environmental and financial factors considered”	With respect to the alternative means assessment, see the response to NW-21 above.  With respect to the <b>completeness of the project description</b> , see the response to NW-1 above.
Northwatch	NW-25	“Section 7 - The project description should specifically and in detail describe the anticipated waste volumes from “off-site locations””	With respect to <b>waste</b> , see the response to NW-2 above. CNSC staff require that the EIS identify and assess all types of wastes to be potentially emplaced in the NSDF. All waste to be emplaced in the NSDF will be required to meet the WAC.
Northwatch	NW-26	“The project description should include a more detailed timeline for the each period, including pre-operational, operational and post-operational; the pre-operational timeline should identify specific milestones between the submission of a revised project description and anticipated completion of construction, including public engagement and licensing milestones.”	As outlined in section 4.3 (Scope of project) of the <a href="#">Guidelines</a> , CNSC staff require the proponent to describe all phases of the project and their associated activities in the EIS. Further details on the schedule for all phases of the project will be provided in the EIS.  With respect to the <b>completeness of the project description</b> , see the response to NW-1 above.

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Northwatch	NW-27	<p>“In addition to considering the above comments on the project description as provided by the Canadian Nuclear Laboratories, we request that the Canadian Nuclear Safety Commission, as the Responsible Authority in this environmental assessment, consider the appropriateness of having the Canadian Nuclear Laboratories as the sole proponent. As the CNSC is well aware, the CNL is managing the AECL properties – and this project – on behalf of AECL under a “government owned, contractor operated” arrangement.</p> <p>It is our strongly held view that Atomic Energy of Canada Limited is the more appropriate proponent, as the owner of the properties and the party responsible for the legacies already existing on the properties and for any future legacies that could be created by projects on the AECL owned lands, including those at the Chalk River laboratory site. At minimum, AECL and CNL should act as co-proponents for this project, with liabilities held jointly and severally by AECL, CNL and CNAE.”</p>	<p><b>Proponent of the project</b>            Although AECL owns the assets and liabilities of the site, CNL is the legal entity that is managing the site and that has responsibility for complying with the CNSC's regulatory framework. Consequently, it is CNL that is the current licensee and is proposing the project; therefore, it is appropriate that CNL is the proponent.</p> <p>Furthermore, CNL meets the definition of "proponent", as per section 2 of CEAA 2012, which means the person, body, federal authority or government that proposes the project. The CNSC's licensing decision considers whether an applicant is qualified to undertake the proposed activities.</p>
Northwatch	NW-28	<p>“We are requesting the following decisions of the Canadian Nuclear Safety Commission at this time:</p> <ol style="list-style-type: none"> <li>1) That the Project Description be revised and resubmitted, in response to the deficiencies identified by Northwatch and others who provide comment during this review period</li> <li>2) That Atomic Energy of Canada Limited be named as a co-proponent for the project</li> <li>3) That the project be referred to an independent review panel for the conduct of the environmental assessment of the proposed undertaking.”</li> </ol>	<ol style="list-style-type: none"> <li>1) See the response to NW-1 above.</li> <li>2) See the response to NW-27 above.</li> <li>3) In accordance with subsection 38(6) of CEAA 2012, there is no option for CNSC-led projects to be referred to an EA by a review panel. As indicated in the response to NW-8 above, the Commission is the CNSC's decision-making body that makes EA and licensing decisions for all major nuclear projects. As a quasi-judicial administrative tribunal, the Commission is a credible and expert decision-making authority that remains independent from government, licensees and staff.</li> </ol>
<a href="#">Canadian Environmental Law</a>	CELA – 1	<p>“We agree with the analysis of gaps and deficiencies set out in that Northwatch submission, and with the recommendations to you that they provided as follows:</p>	<ol style="list-style-type: none"> <li>1) <b>Completeness of the project description</b>            CEAA 2012 requires that the proponent of a designated project, except projects that are regulated by the CNSC or the National</li> </ol>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
<a href="#">Association</a>  (June 24, 2016)		<ol style="list-style-type: none"> <li>1) That the Project Description be revised and resubmitted, in response to the deficiencies identified by Northwatch and others who provide comment during this review period;</li> <li>2) That Atomic Energy of Canada Limited be named as a co-proponent for the project; and</li> <li>3) That the project be referred to an independent review panel for the conduct of the environmental assessment of the proposed undertaking.”</li> </ol>	<p>Energy Board, submit a project description the Agency. The <i>Prescribed Information for the Description of a Designated Project Regulations</i> (SOR/2012-148) set out the information that must be included in a project description. The Agency then uses the information in the project description during a ‘screening’ phase to inform a decision on whether an EA of the designated project is required.</p> <p>Although not required for designated projects regulated by CNSC, the CNSC has adopted within its EA process the requirement to submit a project description, as outlined in appendix A of <a href="#">REGDOC-2.9.1: Environmental Protection: Environmental Principles, Assessments and Protection Measures</a>. The purpose of the project description is for CNSC staff to determine if a project proposal meets the definition of “designated project” such that CEAA 2012 would apply. To this end, proponents are referred to the <i>Prescribed Information for the Description of a Designated Project Regulations</i> (SOR/2012-148) for the information that should be submitted within their project description.</p> <p>CNSC staff reviewed CNL’s project description, and determined that sufficient information was provided to:</p> <ul style="list-style-type: none"> <li>• meet the <i>Prescribed Information for the Description of a Designated Project Regulations</i> (SOR/2012-148) such that the project description is deemed complete and need not be revised</li> <li>• make a determination on the applicability of CEAA 2012</li> </ul> <p>CNSC staff determined that CEAA 2012 applies to the proposed project, as it is considered a “designated project” in accordance with paragraph 37(b) of the <i>Regulations Designating Project Activities</i>.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			<p>Following CNSC staff's EA determination, public comments were sought on the project description to inform the conduct of the EA.</p> <p>Taking into account the public comments received related to scope and CNSC staff's recommendations, the Commission, as indicated in the Commission's Record of Decision dated March 8, 2017, has determined that the scope of the factors for this EA include the factors mandated in paragraphs 19(1)(a) to (h) of CEEA 2012, with no additional factors requiring consideration. That is, the Commission did not require, under its discretion in paragraph 19(1)(j) of CEEA 2012, to include any other matters relevant to the EA.</p> <p><b>2) Proponent of the project</b>            Although AECL owns the assets and liabilities of the site, CNL is the legal entity that is managing the site and that has responsibility for complying with the CNSC's regulatory framework. Consequently, it is CNL that is the current licensee and is proposing the project; therefore, it is appropriate that CNL is the proponent.</p> <p>Furthermore, CNL meets the definition of "proponent", as per section 2 of CEEA 2012, which means the person, body, federal authority or government that proposes the project. The CNSC's licensing decision considers whether an applicant is qualified to undertake the proposed activities.</p> <p><b>3) EA by review panel</b>            In accordance with subsection 38(6) of CEEA 2012, there is no option for CNSC-led projects to be referred to an EA by a review panel. The Commission is the CNSC's decision-making body that makes EA and licensing decisions for all major nuclear projects. As a quasi-judicial administrative tribunal, the</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
			Commission is a credible and expert decision-making authority that remains independent from government, licensees and staff.
Canadian Environmental Law Association	CELA-2	<p>“We urge the CNSC as the responsible authority under the <i>Canadian Environmental Assessment Act</i> to make a determination so as to enlarge the scope of the project to include the gaps and deficiencies identified in Northwatch’s decision. We refer you to the decision of the Supreme Court of Canada in <i>MiningWatch Canada v. Canada (Fisheries and Oceans)</i>, [2010] 1 SCR 6, 2010 SCC 2 (CanLII) in that respect, which confirms your authority to do so. See also <i>Bow Valley Naturalists Society v. Canada (Minister of Canadian Heritage)</i>, [2001] 2 FCR 461, 2001 CanLII 22029 (FCA) in which the responsible authority’s duty to ensure that the project is properly scoped remains good law under <i>CEAA</i>, 2012 as a result of the issuance of SOR/2012-148 (see below).</p> <p>We also note that the gaps and deficiencies described in the Northwatch submission demonstrate the failure of the proposed project description to comply with the requirements of the Prescribed Information for the Description of a Designated Project Regulations (SOR/2012-148).”</p>	CNSC staff have considered and addressed the gaps and deficiencies raised by Northwatch, as outlined in responses to NW-1 to 28 above. With respect to the <b>completeness of the project description</b> , see the response to CELA-1 above.
<a href="#">Canadian Environmental Law Association</a>  (November 17, 2016)	CELA-3	<p>“We reiterate our earlier comments from June, 2016.</p> <p>In addition, with respect to the revised project description, we provide the following additional comments:</p> <p>As previously submitted, the waste acceptance criteria for the waste intended to be placed at the NSDF should be specified as part of the project description; not deferred to the environmental impact statement.”</p>	<p><b>Waste</b></p> <p>Waste volumes, waste inventory, waste acceptance criteria (WAC) and details on the handling and emplacement of the waste will be addressed in the proponent’s licensing documentation and will be summarized in sufficient detail in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p> <p>With respect to the <b>completeness of the project description</b>, see the response to CELA-1 above.</p>

Source	Number	<b>Comment excerpts</b> (all original submissions can be found on the <a href="#">Canadian Environmental Assessment Registry, reference #80122</a> )	<b>CNSC response</b>
Canadian Environmental Law Association	CELA-4	<p>“The stated 1% volume Intermediate Level Waste should be further described and characterized including a statement of volume in quantitative terms (not as a percentage) and including specific descriptions of the types of waste, sources, present locations, ownership, radionuclides present, and half-lives.”</p>	<p>With respect to the <b>completeness of the project description</b>, see the response to CELA-1 above.</p> <p>With respect to <b>waste</b>, see the response to CELA-3 above.</p>
Canadian Environmental Law Association	CELA-5	<p>“CNL’s plans for commercial opportunities at the NSDF should be clearly specified. Further details as to the statement that CNL will “take actions to increase revenues generated from commercial activities and lower the cost of laboratory operations” should be provided. The types of actions, whether they entail taking other parties’ radioactive wastes, types of waste, and volumes of the proposed NSDF that would be devoted to other parties’ wastes should be specified. The size of the facility that would meet AECL and CNL legacy wastes should be described.”</p>	<p>With respect to <b>waste</b>, see the response to NW-2 above. CNSC staff require that the EIS identify and assess all types of wastes to be potentially emplaced in the NSDF. All waste to be emplaced in the NSDF will be required to meet the WAC.</p> <p>With respect to the <b>completeness of the project description</b>, see the response to CELA-1 above.</p>
Canadian Environmental Law Association	CELA-6	<p>“The statement “the NSDF project will provide the asset to dispose of the radioactive waste...” in section 3.1.1 is vague and confusing and the intent should be clarified”</p>	<p>Noted. CNSC staff require that information in the EIS and supporting documentation will be provided in sufficient detail and/or with relevant references to substantiate any statements made.</p>
Canadian Environmental Law Association	CELA-7	<p>“Further rationale for a facility the size of 1,000,000 metres cubed should be provided.</p> <p>Quantitative details as to what volume of waste is attributable to each of the project objectives a), b), and c) in section 3.1.2 should be provided. For project objective c), further details as to the proportion and quantity of waste attributable to each component of that objective should be provided.”</p>	<p>The NSDF capacity of 1 million m<sup>3</sup> was based on a waste forecasting study performed by CNL. As the design progresses, the waste volumes, waste inventory, the WAC and other facility design aspects and details will be addressed in the proponent’s licensing documentation and will be summarized in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p> <p>With respect to the <b>completeness of the project description</b>, see the response to CELA-1 above.</p>

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Canadian Environmental Law Association	CELA-8	<p>“The Waste Water Treatment Plant treatment modality (type of treatment, treatment technology, radionuclides and other substances to be treated, effectiveness and limits of the treatment technology) should be provided as part of the project description.”</p>	<p>Detailed information on the WWTP will be addressed in the proponent’s licensing documentation and will be summarized in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p> <p>With respect to the <b>completeness of the project description</b>, see the response to CELA-1 above.</p>
<a href="#">Kitigan Zibi Anishinabeg</a>  (July 12, 2016)	KZA-1	<p>“The Chalk River Laboratories Site is located in close proximity to natural waterways such as Perch Lake, Maskingonge Lake, and the Ottawa River, and as such we are deeply concerned about potential impacts of nuclear waste on the health of these waterways. For the Anishinabeg peoples, water is sacred and essential for all life. We request that both of these projects apply the most modern and stringent environmental protection measures to ensure that radioactive pollution does not enter our waterways.”</p>	<p>As per sections 9 (Effects assessment) and 10 (Mitigation) of the <a href="#">Guidelines</a>, the proponent’s EIS will have to identify and assess all potential environmental effects of the project and propose mitigation measures to undertake to avoid or minimize any adverse environmental effects of the project.</p> <p>As per the requirements and guidance of the CNSC’s <a href="#">REGDOC-3.2.2, Aboriginal Engagement</a>, CNSC staff expect that CNL will be engaging with Kitigan Zibi and other identified Aboriginal groups to identify potential concerns related to impacts on Aboriginal and/or treaty rights as a result of the proposed project and working collaboratively with the identified communities on addressing these concerns, where appropriate. CNL is required to report to the CNSC regarding their engagement activities and it is expected that further details will be provided in the EIS.</p> <p>An important aspect of the EA review process is public and Aboriginal engagement to help inform the Commission regarding potential concerns in relation to the proposed project. CNSC staff encourage interested members of the public and Aboriginal groups, including Kitigan Zibi, to continue to participate in the project review process.</p> <p>Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting documentation during the EA process – a public comment period is</p>

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			<p>anticipated between March and May 2017 – and through future CNSC public engagement sessions. Future public participation opportunities also include the review of CNSC staff's EA Report and Commission member documentation, as well as participation in the EA and licensing public hearings.</p> <p>CNSC staff will be working collaboratively with Kitigan Zibi in order to ensure that they are meaningfully involved in the EA and licensing review process.</p>
Kitigan Zibi Anishinabeg	KZA-2	<p>“We also ask for a copy of the Environmental Assessments and Environmental Impact Statements for these two projects, when completed.”</p>	<p>CNSC staff will ensure that Kitigan Zibi obtain a copy of the proponent's EIS and CNSC staff's EA Report, once completed.</p> <p>Furthermore, CNSC staff require the proponent to ensure that all references included in the EIS and supporting documentation are either publicly accessible or can be made available to the public upon request, as outlined in the <a href="#">Guidelines</a>.</p>
Kitigan Zibi Anishinabeg	KZA-3	<p>“We wish to reiterate that Kitigan Zibi never gave up nor sold our traditional ancestral territory. Our territory has never been under treaty and is subject to Algonquin Aboriginal Title. This implies the need for our consent and revenue sharing for all development projects on our lands.”</p>	<p>The CNSC ensures that all of its EA and licensing decisions under CEAA 2012 and the NSCA uphold the honour of the Crown and consider Aboriginal peoples' potential or established Aboriginal and/or treaty rights pursuant to section 35 of the <i>Constitution Act</i>, 1982.</p> <p>CNSC staff have identified First Nation and Métis groups who may have an interest in the project, including the Kitigan Zibi and provided each identified group with a notice of the commencement of the EA, the opportunity to apply for participant funding and a copy of the project description for comment.</p> <p>CNSC staff have offered to meet to discuss Kitigan Zibi's initial concerns regarding the project. CNSC staff met with Kitigan Zibi and the Algonquin Anishinabeg Nation Tribal Council (AANTC) on December 20, 2016, in Maniwaki (QC), to introduce the CNSC's mandate and regulatory oversight role with regards to the NPD and Near-Surface Disposal Facility projects and EAs. CNSC staff are</p>

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			<p>currently working with Kitigan Zibi and the AANTC on coordinating a follow-up meeting to further discuss any concerns in relation to the projects.</p> <p>CNSC staff will continue to provide interested Aboriginal groups, including Kitigan Zibi, with timely project updates and information at key points during the EA process including the review of CNL's EIS, CNSC staff's EA Report, and CNSC staff's and CNL's Commission member documentation and related public Commission hearings.</p> <p>As per the requirements and guidance of the CNSC's <a href="#">REGDOC-3.2.2, Aboriginal Engagement</a>, CNSC staff expect that CNL will be engaging with Kitigan Zibi and other identified Aboriginal groups to identify potential concerns related to impacts on Aboriginal and/or treaty rights as a result of the proposed project and working collaboratively with the identified communities on addressing these concerns, where appropriate. CNL is required to report to the CNSC regarding their engagement activities and it is expected that further details will be provided in the EIS.</p> <p>CNL has committed to work with identified First Nation and Métis groups to establish working relationships and to develop engagement work plans. To this end, CNL has offered to meet with interested Aboriginal groups, including Kitigan Zibi, to discuss the project.</p>
<a href="#">Kitigan Zibi Anishinabeg</a>  (November 15, 2016)	KZA-4	<p>“We would like to take this opportunity to reiterate our concerns related to this project... We request that the most modern and stringent environmental protection measures be applied to ensure that radioactive pollution does not enter our waterways. This is especially important in light of CNL's intent to expand beyond the original scope of low level waste disposal at this facility.”</p>	<p>Noted. Please see the response to KZA-1 above.</p>

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<a href="#">Peter Baumgartner and co-authors</a>  (October 28, 2016)	PBCO-1	<p>“We submit this addendum comment to the earlier comment that we provided on the...[project description for the]...“In Situ Decommissioning of the Whiteshell Reactor #1 Project (WR-1)”. We also note that despite the formal titles the proponent, Canadian Nuclear Laboratories (CNL), has assigned to these three proposed decommissioning activities, the outcome of each project would not be decommissioning; it would be near-surface disposal of low- and intermediate-level wastes (LILW) in unconsolidated sediments. Our concerns relate primarily to the relatively long-lived intermediate-level wastes (ILW) which have half-lives of tens to hundreds of thousands of years.”</p>	<p><b>Waste</b>            Waste volumes, waste inventory, WAC and details on the handling and emplacement of the waste will be addressed in the proponent’s licensing documentation and will be summarized in sufficient detail in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p> <p>CNSC staff require that the EIS identify and assess all types of wastes to be potentially emplaced in the NSDF. All waste to be emplaced in the NSDF will be required to meet the WAC.</p> <p><b>CNSC’s regulatory framework</b>            CNSC staff will assess CNL’s proposed project, in accordance with the CNSC’s regulatory framework, with safety being the overriding factor. As part of the EA and licensing review process, the proposed project’s design, long-term safety and potential effects to the public and the environment will be assessed against all applicable and relevant requirements and guidance, as follows:</p> <ul style="list-style-type: none"> <li>• CNSC licensing and regulatory requirements and guidance (i.e., NSCA, current CRL licence and its associated LCH, CNSC REGDOC G-320, P-290, CSA standards, etc.)</li> <li>• federal and provincial environmental regulatory requirements and environmental policies, guidelines and standards</li> </ul> <p>Consideration will be given to international guidance and best practice.</p> <p>Information on the long-term safety of the proposed project will be summarized in the EIS and the safety case. Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting documentation during the EA process – a public comment period is anticipated between March and May 2017 – and through future CNSC public engagement sessions.</p>

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Peter Baumgartner and co-authors	PBCO-2	<p>“...In summary, the proposed decommissioning actions by CNL to carry out the so-called “in situ entombment” of their current structures in Ontario and Manitoba would actually involve the shallow disposal of intermediate level radioactive wastes within metres of the present-day surface in unconsolidated sedimentary formations. Given the likely effects of future glaciations on these proposed methods, we doubt the proponent would be able to derive a robust safety case for this near-surface disposal of ILW, as is required by CNSC Regulatory Guide G-320 (Assessing the Long Term Safety of Radioactive Waste Management) that adequately addresses long-term protection of humans and the environment on the necessary timescale...”</p>	<p>CNSC staff require the proponent to follow the guidance provided in CNSC Regulatory Guide G-320, in accordance with the CNSC’s regulatory framework for this proposed project, as indicated in the response to PBCO-1 above.</p> <p>In addition, as outlined in subsection 9.3 (Accidents and malfunctions) of the <a href="#">Guidelines</a>, the proponent’s EIS will have to assess all potential health and environmental effects from postulated accident and malfunction scenarios.</p> <p>Furthermore, as per section 7.5.2 (Disruptive Event Scenarios, Including Human Intrusion) of the CNSC’s Regulatory Guide <a href="#">G-320, Assessing the Long Term Safety of Radioactive Waste Management</a>, and to support the EIS, the proponent’s long-term safety case will have to include disruptive event scenarios, including glaciation events, and identify any actions required to be incorporated into the proponent’s strategy to ensure end-state objectives are met.</p>
<a href="#">D. K. Raman</a>  (November 14, 2016)	DKR-1	<p>“There appears to be a lack of appreciation for how this project differs significantly from any other radioactive waste management facility currently in use at Chalk River. Those facilities are intended for the storage of radioactive waste, where it is possible to use broad measures of waste characterization by process knowledge and occupational radiological protection parameters. The NDSF, because it is intended to be a disposal facility, requires more rigorous control of waste materials and processes. A description is needed of the proposed processes and physical equipment needed to achieve this.”</p>	<p>CNSC staff require that information regarding the proposed processes and physical equipment for the handling and placement of wastes be addressed in the proponent’s licensing documentation and summarized in sufficient detail in the EIS and safety case.</p> <p><b>CNSC’s regulatory framework</b>            CNSC staff will assess CNL’s proposed project, in accordance with the CNSC’s regulatory framework, with safety being the overriding factor. As part of the EA and licensing review process, the proposed project’s design, long-term safety and potential effects to the public and the environment will be assessed against all applicable and relevant requirements and guidance, as follows:</p> <ul style="list-style-type: none"> <li>• CNSC licensing and regulatory requirements and guidance (i.e., NSCA, current CRL licence and its associated LCH, CNSC REGDOC G-320, P-290, CSA standards, etc.)</li> <li>• federal and provincial environmental regulatory requirements</li> </ul>

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			<p>and environmental policies, guidelines and standards</p> <p>Consideration will be given to international guidance and best practice.</p> <p>Information on the long-term safety of the proposed project will be summarized in the EIS and the safety case. Members of the public and Aboriginal groups will be provided the opportunity to review and comment on the draft EIS and supporting documentation during the EA process – a public comment period is anticipated between March and May 2017 – and through future CNSC public engagement sessions.</p>
D. K. Raman	DKR-2	<p>“There is a lack of detail in the proposal and in the poster sessions on the radiological characteristics of the proposed wastes. “Low Level Waste” is a broad category of materials that consist primarily of short half-life radionuclides (<math>t_{1/2} &lt; 30</math> years) and a very restricted suite of longer lived ones. They are internationally recognized as suitable for disposal in near-surface facilities if such facilities are engineered for robust isolation during the period of institutional control.”</p>	<p><b>Waste</b> Waste volumes, waste inventory, WAC and details on the handling and emplacement of the waste will be addressed in the proponent’s licensing documentation and will be summarized in sufficient detail in the EIS and the safety case. Sufficient information is required for CNSC staff to make scientifically defensible recommendations to inform evidence-based Commission decisions.</p> <p>CNSC staff require that the EIS identify and assess all types of wastes to be potentially emplaced in the NSDF. All waste to be emplaced in the NSDF will be required to meet the WAC.</p> <p><b>Institutional control</b> With respect to institutional control, CNSC staff require that information regarding the lifecycle of the project, including the form, length, and requirements of the institutional control period and post-closure monitoring activities, be addressed in the proponent’s licensing documentation and summarized in sufficient detail in the EIS and the safety case. The length of institutional control will need to be approved by the Commission.</p>

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D. K. Raman	DKR-3	<p>“In the poster sessions, I have noted that some wastes intended for the NDSF are described as “Intermediate Level Wastes”. Intermediate level wastes are by their technical definition not suitable for near surface disposal facilities as they require more secure isolation (i.e., burial at a greater depth) due to the predominance of longer-lived radionuclides, in particular alpha emitters. I have also noted that it is intended to emplace quantities of ‘Mixed Waste’, i.e., wastes that have both recognized hazardous waste properties in addition to radiological ones. Such materials require further processing prior to disposal. A description of the proposed processes and physical equipment is needed.”</p>	<p>With respect to the proposed processes and physical equipment for the handling and emplacement of wastes, please see the response to DKR-1 above.</p> <p>With respect to <b>waste</b>, please see the response to DKR-2 above.</p>
D. K. Raman	DKR-4	<p>““Robust Isolation” of radioactive waste normally implies double containment. This is achieved through the inherent nature of the waste materials and/or any packaging as well as the design of the facilities, to provide the necessary barriers to releases to the environment. What is described here is the facility’s barriers only- a description of the other light industrial processes and physical equipment is also needed.”</p>	<p>With respect to the proposed processes and physical equipment for the handling and emplacement of wastes, please see the response to DKR-1 above.</p> <p>With respect to <b>waste</b>, please see the response to DKR-2 above.</p>
D. K. Raman	DKR-5	<p>“Finally, reference is made to Waste Acceptance Criteria as if it were an independent parameter that may be applied without detailed knowledge of the wastes. It is first necessary to define what the source term will be and how it is expected to perform over the period of institutional control and therefore what radiological, chemical, physical, biological, etc. properties of the waste materials are required to achieve this performance. From these considerations, the Waste Acceptance Criteria are derived as the practical instructions to the operator on how to achieve the requisite level of operational quality in meeting the safety goals of the facility.”</p>	<p>With respect to <b>waste</b>, please see the response to DKR-2 above.</p>