

**REPORT 15
14 APRIL 2021**

- 1. RESOLUTION – CANADIAN NUCLEAR LABORATORIES CHALK RIVER
NUCLEAR WASTE NEAR SURFACE DISPOSAL FACILITY**
- RÉSOLUTION - PROJET D'INSTALLATION DE GESTION DES DÉCHETS
PRÈS DE LA SURFACE SUR LE SITE DES LABORATOIRES NUCLÉAIRES
CANADIENS DE CHALK RIVER**

COMMITTEE RECOMMENDATIONS

That Council:

- 1. Approve that the City of Ottawa urge the Canadian Nuclear Laboratories and its regulator, the Canadian Nuclear Safety Commission, to take action on the City of Ottawa's concerns related to the proposed Near Surface Disposal Facility (NSDF), Nuclear Power Demonstration (NPD) and related activities, including:
 - a. stopping current and future import or transfer of external Atomic Energy of Canada Limited (AECL) waste from other provinces (e.g. Manitoba);**
 - b. increasing safeguards to protect the river during site demolition and waste transfer activities;**
 - c. preventing precipitation from entering the NSDF;**
 - d. providing the City of Ottawa with timely access to ongoing environmental monitoring data on the Ottawa River; and**
 - e. committing to prompt notification of spill/release events to City of Ottawa, and;****
- 2. Direct the Public Works and Environmental Services Department to provide an update to the Standing Committee on Environmental**

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Protection, Water and Waste Management on City concerns being submitted through the NSDF Environmental Assessment process, and provide an annual update on radioactivity as part of the Drinking Water Summary Report that is issued to Council in fulfillment of the Safe Drinking Water Act 2002, and;

- 3. Request that the Minister of Environment and Climate Change initiate a regional assessment of radioactive disposal projects in the Ottawa Valley under the Impact Assessment Act, as amended in 2019, and;**
- 4. Direct the Mayor to write to the Ministers of Natural Resources, Environment and Climate Change, Infrastructure and Crown-Indigenous Relations, as well as the Canadian Nuclear Safety Commission and the Canadian Nuclear Laboratories to express the City of Ottawa's concerns and call for action; and,**
- 5. Direct the City Clerk to share Council's position and call to action with the Iroquois Anishinabek Nuclear Alliance as well as the Federation of Canadian Municipalities and the Association of Municipalities of Ontario.**

RECOMMANDATIONS DU COMITÉ

Que le Conseil municipal :

- 1. Approuve que la Ville d'Ottawa exhorte les Laboratoires Nucléaires Canadiens et leur autorité de réglementation – la Commission canadienne de sûreté nucléaire – à réagir aux réserves qu'elle soulève au sujet de l'installation proposée, du réacteur nucléaire de démonstration et des activités connexes, en prenant les mesures suivantes :**

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- a. **Cesser, aujourd'hui et dans l'avenir, d'importer et de transférer des déchets externes d'Énergie atomique du Canada limitée d'autres provinces, comme le Manitoba;**
 - b. **Accroître les mesures de précaution visant à protéger la rivière pendant les activités de démolition et de transfert des déchets;**
 - c. **Empêcher les précipitations de pénétrer dans l'installation de gestion des déchets près de la surface;**
 - d. **Permettre à la Ville d'Ottawa d'avoir rapidement accès à des données de surveillance environnementale continue sur la rivière des Outaouais;**
 - e. **S'engager à informer la Ville dans les plus brefs délais en cas de déversement ou de rejet;**
2. **Demande à la Direction générale des travaux publics et de l'environnement de faire le point auprès du Comité permanent de la protection de l'environnement, de l'eau et de la gestion des déchets sur les réserves exprimées par la Ville dans le cadre du processus d'évaluation environnementale de l'installation, et de présenter un compte rendu annuel sur la radioactivité dans le rapport sommaire sur l'eau potable communiqué au Conseil conformément à la Loi de 2002 sur la salubrité de l'eau potable;**
 3. **Demande au ministre de l'Environnement et du Changement climatique de lancer une analyse des projets de stockage de déchets radioactifs dans la vallée de l'Outaouais, en vertu de la Loi sur l'évaluation d'impact, modifiée en 2019;**
 4. **Demande au maire d'écrire aux ministres des Ressources naturelles, de l'Environnement et du Changement climatique, de l'Infrastructure et des Relations Couronne-Autochtones, ainsi qu'à la Commission canadienne de sûreté nucléaire et aux Laboratoires Nucléaires**

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Canadiens, pour leur faire part des réserves de la Ville et des mesures qu'elle exige;

- 5. Demande au greffier municipal de relayer l'opinion et l'appel à l'action du Conseil municipal à l'Iroquois Anishinabek Nuclear Alliance, à la Fédération canadienne des municipalités et à l'Association des municipalités de l'Ontario.**

DOCUMENTATION

1. Standing Committee on Environmental Protection, Water and Waste Management report, dated 9 April 2021 (ACS2021-OCC-ENV-0004).

Rapport du Comité permanent de la protection de l'environnement, de l'eau et de la gestion des déchets, daté le 9 avril 2021 (ACS2021-OCC-ENV-0004).
2. Extract of Draft Minute, Standing Committee on Environmental Protection, Water and Waste Management, 30 March 2021.

Étrait de l'ébauche du procès-verbal, Comité permanent de la protection de l'environnement, de l'eau et de la gestion des déchets, le 30 mars 2021.
3. Extract of Minutes, Ottawa City Council, 24 February 2021.

Extrait du procès-verbal, Conseil municipal d'Ottawa, le 24 février 2021.

**STANDING COMMITTEE ON
ENVIRONMENTAL PROTECTION,
WATER AND WASTE MANAGEMENT**

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**COMITÉ PERMANENT DE LA
PROTECTION DE
L'ENVIRONNEMENT, DE L'EAU ET
DE LA GESTION DES DÉCHETS
RAPPORT 15
LE 14 AVRIL 2020**

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**Report to
Rapport au :**

**Council
au Conseil**

14 April 2021 / 14 avril 2021

**Submitted on April 9, 2021
Soumis le 9 avril 2021**

**Submitted by
Soumis par :**

**Standing Committee on Environmental Protection, Water and Waste Management
Comité permanent de la protection de l'environnement, de l'eau et de la gestion
des déchets**

Contact Person

Personne ressource :

**Councillor / Conseillère Catherine McKenney
*Catherine.McKenney@ottawa.ca***

Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE File Number: ACS2021-OCC-ENV-0004

**SUBJECT: RESOLUTION – CANADIAN NUCLEAR LABORATORIES CHALK
RIVER NUCLEAR WASTE NEAR SURFACE DISPOSAL FACILITY**

**OBJET: RÉOLUTION - PROJET D'INSTALLATION DE GESTION DES
DÉCHETS PRÈS DE LA SURFACE SUR LE SITE DES
LABORATOIRES NUCLÉAIRES CANADIENS DE CHALK RIVER**

COMMITTEE RECOMMENDATIONS

That Council:

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1. Approve that the City of Ottawa urge the Canadian Nuclear Laboratories and its regulator, the Canadian Nuclear Safety Commission, to take action on the City of Ottawa's concerns related to the proposed Near Surface Disposal Facility (NSDF), Nuclear Power Demonstration (NPD) and related activities, including:
 - a. stopping current and future import or transfer of external Atomic Energy of Canada Limited (AECL) waste from other provinces (e.g. Manitoba);
 - b. increasing safeguards to protect the river during site demolition and waste transfer activities;
 - c. preventing precipitation from entering the NSDF;
 - d. providing the City of Ottawa with timely access to ongoing environmental monitoring data on the Ottawa River; and
 - e. committing to prompt notification of spill/release events to City of Ottawa, and;
2. Direct the Public Works and Environmental Services Department to provide an update to the Standing Committee on Environmental Protection, Water and Waste Management on City concerns being submitted through the NSDF Environmental Assessment process, and provide an annual update on radioactivity as part of the Drinking Water Summary Report that is issued to Council in fulfillment of the Safe Drinking Water Act 2002, and;
3. Request that the Minister of Environment and Climate Change initiate a regional assessment of radioactive disposal projects in the Ottawa Valley under the Impact Assessment Act, as amended in 2019, and;
4. Direct the Mayor to write to the Ministers of Natural Resources, Environment and Climate Change, Infrastructure and Crown-Indigenous Relations, as well as the Canadian Nuclear Safety Commission and the Canadian Nuclear Laboratories to express the City of Ottawa's concerns

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and call for action; and,

5. Direct the City Clerk to share Council's position and call to action with the Iroquois Anishinabek Nuclear Alliance as well as the Federation of Canadian Municipalities and the Association of Municipalities of Ontario.

RECOMMANDATIONS DU COMITÉ

Que le Conseil municipal :

1. **Approuve que la Ville d'Ottawa exhorte les Laboratoires Nucléaires Canadiens et leur autorité de réglementation – la Commission canadienne de sûreté nucléaire – à réagir aux réserves qu'elle soulève au sujet de l'installation proposée, du réacteur nucléaire de démonstration et des activités connexes, en prenant les mesures suivantes :**
 - a. **Cesser, aujourd'hui et dans l'avenir, d'importer et de transférer des déchets externes d'Énergie atomique du Canada limitée d'autres provinces, comme le Manitoba;**
 - b. **Accroître les mesures de précaution visant à protéger la rivière pendant les activités de démolition et de transfert des déchets;**
 - c. **Empêcher les précipitations de pénétrer dans l'installation de gestion des déchets près de la surface;**
 - d. **Permettre à la Ville d'Ottawa d'avoir rapidement accès à des données de surveillance environnementale continue sur la rivière des Outaouais;**
 - e. **S'engager à informer la Ville dans les plus brefs délais en cas de déversement ou de rejet;**
2. **Demande à la Direction générale des travaux publics et de l'environnement de faire le point auprès du Comité permanent de la protection de l'environnement, de l'eau et de la gestion des déchets sur les réserves exprimées par la Ville dans le cadre du processus d'évaluation environnementale de l'installation, et de présenter un compte rendu annuel sur la radioactivité dans le rapport sommaire sur l'eau potable communiqué au Conseil conformément à la Loi de 2002 sur la salubrité de l'eau potable;**

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- 3. Demande au ministre de l'Environnement et du Changement climatique de lancer une analyse des projets de stockage de déchets radioactifs dans la vallée de l'Outaouais, en vertu de la Loi sur l'évaluation d'impact, modifiée en 2019;**
- 4. Demande au maire d'écrire aux ministres des Ressources naturelles, de l'Environnement et du Changement climatique, de l'Infrastructure et des Relations Couronne-Autochtones, ainsi qu'à la Commission canadienne de sûreté nucléaire et aux Laboratoires Nucléaires Canadiens, pour leur faire part des réserves de la Ville et des mesures qu'elle exige;**
- 5. Demande au greffier municipal de relayer l'opinion et l'appel à l'action du Conseil municipal à l'Iroquois Anishinabek Nuclear Alliance, à la Fédération canadienne des municipalités et à l'Association des municipalités de l'Ontario.**

BACKGROUND

On Tuesday, 10 February 2021, the following Notice of Motion was introduced at the meeting of Ottawa City Council, for consideration at its meeting of 24 February 2021, where it was considered as Council Motion N^o 49/6:

COUNCIL MOTION N^o 49/6

Moved by Councillor T. Kavanagh

Seconded by Councillor C. McKenney

WHEREAS Ottawa City Council is aware of the intention of the privately-owned Canadian Nuclear Laboratories (CNL) to build a Near Surface Disposal Facility (NSDF) for low and intermediate nuclear waste, including plutonium and high-activity cobalt-60, at the Chalk River Laboratories on the Ottawa River; and

WHEREAS we are on unceded Algonquin, Anishinabek territory; and

WHEREAS in May of 2017, the Anishinabek Nation and the Iroquois Caucus issued a Joint Declaration that stated their opposition to the abandonment of

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radioactive waste on their territory as they have an “intimate relationship to the land [and] waters” and believe that they “need to protect the lands, waters and all living things for future generations”; and

WHEREAS these planned waste facilities are likely to be increasingly subject to large-scale flooding and are located in an active earthquake zone; and

WHEREAS the NSDF “engineered mound” would cover an area the size of 70 NHL hockey rinks and hold 1,000,000 cubic metres of radioactive waste, including waste transported from former reactors and nuclear research sites in Manitoba, Quebec and Ontario, as well as highly-radioactive industrial wastes from private companies; and

WHEREAS CNL also proposes to entomb the Rolphton Nuclear Power Demonstration (NPD) reactor and its nuclear components in grout and concrete, less than 200 metres from the Ottawa River; and

WHEREAS the International Atomic Energy Agency says entombment is not an acceptable strategy for decommissioning nuclear waste; and

WHEREAS radioactive pollutants increase the risk of congenital disabilities, genetic damage, cancer and other chronic diseases in current and future generations; and

THEREFORE BE IT RESOLVED THAT Ottawa City Council oppose the creation of an above-ground mound for permanent disposal of radioactive waste less than one kilometre from the Ottawa River, our primary source of drinking water, and the plan to entomb the former Rolphton Nuclear Power Demonstration nuclear reactor in grout and concrete; and

BE IT FURTHER RESOLVED THAT Ottawa City Council direct the Mayor to write to the Ministers of Natural Resources, Environment and Climate Change, Infrastructure and Crown-Indigenous Relations, as well as the Canadian Nuclear Safety Commission and the Canadian Nuclear Laboratories to express the City of Ottawa’s official opposition to the two proposals in their current form, given the location and proposed designs; and

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BE IT FURTHER RESOLVED THAT Council direct the General Manager, Public Works and Environmental Services (or his designate), to present the City's opposition at the Canadian Nuclear Safety Commission's hearings prior to final the consideration of the NSDF and NPD projects; and

BE IT FURTHER RESOLVED THAT the City Clerk be directed to share Council's opposition with the Anishinabek Nation as well as the Federation of Canadian Municipalities and the Association of Municipalities of Ontario

On 24 February 2021, the above Motion was subsequently referred to the Standing Committee on Environmental Protection, Water and Waste Management (SCEPWWM) for its meeting of Tuesday, 30 March 2021 by Council Motion N^o 49/7:

COUNCIL MOTION N^o 49/7

Moved by Councillor T. Kavanagh

Seconded by Councillor C. McKenney

WHEREAS pursuant to Subsection 59 of the *Procedure By-law*, a Notice of Motion was submitted for consideration at the City Council Meeting of February 24, 2021 seeking Council's approval of a resolution opposing the Chalk River Nuclear Waste Facility; and

WHEREAS, further to discussions with the Chair of the Standing Committee on Environmental Protection, Water and Waste Management (SCEPWWM), it would be appropriate for this matter to receive further review and consideration by the Standing Committee before Council takes a position on this matter; and

WHEREAS referring this matter to the Standing Committee would allow for the opportunity to receive delegations from residents and other interested parties; and

WHEREAS the next meeting of the Standing Committee is scheduled to take place on March 30, 2021;

THEREFORE BE IT RESOLVED that the Kavanagh/ McKenney Motion re: Chalk River Nuclear Waste Facility be referred to the Standing Committee on

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Environmental Protection and Waste Management for review and report back to Council with recommendations.

Further to the above, the following Motion was introduced to request that representatives from Canadian Nuclear Laboratories and the Canadian Nuclear Safety Commission appear as delegations at the SCEPWWM meeting to speak to the proposal and to answer questions from Members of Council:

COUNCIL MOTION N^o 49/8

Moved by Councillor R. Brockington

Seconded by Councillor M. Luloff

WHEREAS pursuant to Subsection 59 of the *Procedure By-law*, a Notice of Motion was submitted for consideration at the City Council Meeting of February 24, 2021 seeking Council's approval of a resolution opposing the proposed Chalk River Nuclear Waste Facility; and

WHEREAS this matter will be further referred to the Standing Committee on Environmental Protection, Water and Waste Management for review, including receipt of delegations; and

WHEREAS Council has received a letter from Canadian Nuclear Laboratories to the City with regard to their project and requesting the opportunity to speak to the Motion; and

WHEREAS Council also received a letter from the Canadian Nuclear Safety Commission expressing that they are available to provide additional information to Council on the Commission's environmental assessment and licensing process, including public outreach and consultation and engagement with Indigenous peoples; and

THEREFORE BE IT RESOLVED that the City Clerk or his designate be directed to invite officials from Canadian Nuclear Laboratories and the Canadian Nuclear Safety Commission to appear as delegations at the Standing Committee on

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Environmental Protection Water and Waste Management to speak to the proposal and answer questions from Members of Council.

At its meeting of 30 March 2021, the SCEPWWM heard from 32 public delegations, who provided comment on the proposal to build a Near Surface Disposal Facility (NSDF) at Chalk River. The Committee also heard from representatives of Canadian Nuclear Laboratories, the Canadian Nuclear Safety Commission and Atomic Energy of Canada Limited (please see extract of draft SCEPWWM Minute, 30 March 2021).

Following the receipt of all delegations, questions and answers to the presenters and to staff and subsequent to Committee deliberations, Chair Moffatt asked Councillor McKenney to introduce the following updated Motion (on behalf of Councillor Kavanagh), to articulate the City's concerns to the regulatory agencies:

MOTION N^o EPWWM 2021 15/01

Moved by Councillor C. McKenney:

WHEREAS Ottawa City Council is aware of the intention of Canadian Nuclear Laboratories (CNL) to build a Near Surface Disposal Facility (NSDF) for low level nuclear waste, at the Chalk River Laboratories on the Ottawa River; and

WHEREAS we are on unceded Algonquin, Anishinabeg territory; and

WHEREAS in May of 2017, the Anishinabek Nation and the Iroquois Caucus issued a Joint Declaration that stated their opposition to the abandonment of radioactive waste on their territory as they have an "intimate relationship to the land [and] waters" and believe that they "need to protect the lands, waters and all living things for future generations"; and

WHEREAS Ottawa residents rely on the Ottawa River as a primary source of drinking water; and

WHEREAS the proposed NSDF would cover an area of 16 hectares and hold 1,000,000 cubic metres of solid radioactive waste, including waste transported from other nuclear sites in Manitoba, Quebec and Ontario; and

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WHEREAS CNL also proposes to entomb the Rolphton Nuclear Power Demonstration (NPD) reactor and its nuclear components in grout and concrete, less than 200 metres from the Ottawa River; and

WHEREAS the International Atomic Energy Agency says entombment is not an acceptable strategy for decommissioning nuclear waste; and

WHEREAS radioactive pollutants are known to increase the risk of cancer and other chronic diseases in current and future generations; and

WHEREAS the Ottawa Riverkeeper recently submitted an intervention to Natural Resources Canada regarding Canada's Radioactive Waste Policy review.

THEREFORE BE IT RESOLVED that the City of Ottawa urge the Canadian Nuclear Laboratories and its regulator, the Canadian Nuclear Safety Commission, to take action on the City of Ottawa's concerns related to the proposed NSDF, NPD and related activities, including:

- 1. stopping current and future import or transfer of external Atomic Energy of Canada Limited (AECL) waste from other provinces (e.g. Manitoba);**
- 2. increasing safeguards to protect the river during site demolition and waste transfer activities;**
- 3. preventing precipitation from entering the NSDF;**
- 4. providing the City of Ottawa with timely access to ongoing environmental monitoring data on the Ottawa River; and**
- 5. committing to prompt notification of spill/release events to City of Ottawa.**

BE IT FURTHER RESOLVED that the Public Works and Environmental Services Department provide an update to the Standing Committee on Environmental Protection, Water and Waste Management on City concerns being submitted through the NSDF Environmental Assessment process, and provide an annual update on radioactivity as part of the Drinking Water Summary Report that is issued to Council in fulfillment of the *Safe Drinking Water Act 2002*.

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BE IT FURTHER RESOLVED that Ottawa City Council requests that the Minister of Environment and Climate Change initiate a regional assessment of radioactive disposal projects in the Ottawa Valley under the Impact Assessment Act, as amended in 2019; and

BE IT FURTHER RESOLVED that Ottawa City Council direct the Mayor to write to the Ministers of Natural Resources, Environment and Climate Change, Infrastructure and Crown-Indigenous Relations, as well as the Canadian Nuclear Safety Commission and the Canadian Nuclear Laboratories to express the City of Ottawa's concerns and call for action; and

BE IT FURTHER RESOLVED that the City Clerk be directed to share Council's position and call to action with the Iroquois Anishinabek Nuclear Alliance as well as the Federation of Canadian Municipalities and the Association of Municipalities of Ontario.

DISCUSSION

Motion N^o EPWWM 2021 15/01 was put before the Committee and was 'CARRIED', as presented. It is now before Council for its consideration and action, as appropriate.

RURAL IMPLICATIONS

This report was drafted to transmit the above Motion, approved at Committee, to Council for consideration its meeting of 14 April 2021. No specific Rural Implications have been identified. Staff will be available at Council if clarification is required.

CONSULTATION

This report was drafted to transmit the Motion approved at Committee to Council for consideration at its meeting of 14 April 2021; no public consultation was undertaken in the preparation of this report.

COMMENTS BY THE WARD COUNCILLOR(S)

This report is City-wide in nature.

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ADVISORY COMMITTEE(S) COMMENTS

This report was drafted to transmit the Motion approved at Committee to Council for consideration at its meeting of 14 April 2021; no Advisory Committees were consulted in the preparation of this report.

LEGAL IMPLICATIONS

There are no legal impediments to Council's approval of the recommendations of this report.

RISK MANAGEMENT IMPLICATIONS

This report was drafted to transmit the Motion approved at Committee to Council for consideration at its meeting of 14 April 2021. No specific Risk Management Implications have been identified. Staff will be available at Council if clarification is required.

ASSET MANAGEMENT IMPLICATIONS

This report was drafted to transmit the Motion approved at Committee to Council for consideration at its meeting of 14 April 2021. No specific Asset Management Implications have been identified. Staff will be available at Council if clarification is required.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

ACCESSIBILITY IMPACTS

This report was drafted to transmit the Motion approved at Committee to Council for consideration at its meeting of 14 April 2021. No specific Accessibility Impacts have been identified. Staff will be available at Council if clarification is required.

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TERM OF COUNCIL PRIORITIES

This report was drafted to transmit the Motion approved at Committee to Council for consideration at its meeting of 14 April 2021. No specific Term of Council Strategic Priorities have been identified. Staff will be available at Council if clarification is required.

DISPOSITION

Staff will take direction from Council, as appropriate.