

**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  
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RAPPORT 15  
LE 14 AVRIL 2021**

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14 APRIL 2021**

**EXTRACT OF DRAFT STANDING  
COMMITTEE ON ENVIRONMENTAL  
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**30 MARCH 2021**

**EXTRAIT DE L'ÉBAUCHE DU  
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LE 30 MARS 2021**

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

**ACS2021-OCC-ENV-0004**

**CITY WIDE**

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**REPORT 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;**

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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 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.**

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<sup>o</sup> 49/6:

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**COUNCIL MOTION N° 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 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**

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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 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**

**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**

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**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<sup>o</sup> 49/7:

**COUNCIL MOTION N<sup>o</sup> 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;**

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**THEREFORE BE IT RESOLVED that the Kavanagh/ McKenney Motion re:  
Chalk River Nuclear Waste Facility be referred to the Standing Committee  
on Environmental Protection and Waste Management for review and report  
back to Council with recommendations.**

Further to the above, the following Motion was also introduced at Council on 24 February 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<sup>o</sup> 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**

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

Council Motions 49/7 and 49/8 were 'CARRIED', referring Council Motion 49/6 to the Standing Committee on Environmental Protection, Water and Waste Management for its meeting of 30 March 2021.

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At the Committee meeting of 30 March 2021, Ms Marilyn Journeaux, Acting Director, Water Services, Public Works and Environmental Services (PWES) Department, introduced Mr. Ian Douglas, Engineer, Water Quality, PWES, and Ms Tessa Di Iorio, Risk Management Official and Hydrogeologist, Planning, Infrastructure and Economic Development (PIED) Department. Mr. Douglas and Ms Di Iorio then provided the Committee with a slide presentation addressing aspects of the proposed Chalk River Near Surface Disposal Facility (NSDF), risk assessment, drinking water source protection, and the City's concerns over potential radiological risk to the water quality of the Ottawa River watershed. A copy of this presentation is held on file with the Office of the City Clerk.

Councillor Catherine McKenney then introduced Motion N<sup>o</sup> EPWWM 2021 15/01, a revised version of Council Motion 49/6, on behalf of Councillor Theresa

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Kavanagh, which had been drafted to more clearly articulate the City's concerns to the relevant regulatory agencies named therein and to call for other action, as noted:

**MOTION N<sup>o</sup> 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**

**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**



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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

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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*.

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.

Councillor Kavanagh thanked Councillor McKenney for introducing the Motion, spoke to provide additional background, and encouraged Committee to support it.

Chair Moffatt then spoke to explain that the Motion had been drafted to more clearly express the City's concerns regarding waste transfer and transport, the establishment of strong safeguards, and the need for an adequate notification process. He noted that the project's Environmental Assessment (EA) phase

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would provide Committee with additional opportunities for comment, and for additional public consultation, in future.

The Committee then heard from the following public delegations:

- Mr. David Thompson, former Mayor, Town of Deep River
- Ms Jo Wood\* (Video presented on behalf of the *Raging Grannies*)
- Mr. John Fraser<sup>x</sup>
- Mr. George Sorger<sup>x</sup>
- Ms Janet Graham<sup>x</sup>
- Ms Helen Mason<sup>x</sup>
- Dr. Ole Hendrickson<sup>x</sup>
- Ms Eva Schacherl<sup>x</sup>
- Dr. Eric Notebaert, *Canadian Association of Physicians for the Environment*
- Ms Lynn Jones<sup>\*\*x</sup>
- Ms Elizabeth Whitmore<sup>x</sup>
- Ms Victoria Hodgins<sup>x</sup>
- Mr John Crump\*, Vice-President, *Glebe Community Association*
- Dr. Ian Fairlie<sup>x</sup>
- Dr. Gordon Edwards
- Dr. Meg Sears<sup>x</sup>
- Ms Angela Keller-Herzog<sup>x</sup>, *Community Associations for Environmental Sustainability (CAFES)*

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- Ms Liz Bernstein<sup>x</sup>, *Lowertown Community Association*
  - Mr. William Turner<sup>\*\*x</sup>
  - Ms Laura Stone<sup>\*</sup>
  - Ms Lisa McBride<sup>\*</sup>, Ms Larkin Mosscrop and Ms Nienke Smith, *Women in Nuclear*
  - Ms Larissa Holman<sup>\*\*x</sup>, Director of Science and Policy, *Ottawa Riverkeeper*
  - Ms Donna Bowen-Willer<sup>\*</sup>, *Environmental Action Group, First Unitarian Congregation of Ottawa*
  - Ms Johanna Echlin<sup>\*\*x</sup>
  - Ms Jennifer Humphries<sup>x</sup>
  - Mr. Ian Gibson
  - M. Réal Lalonde<sup>x</sup>, Président, *Action Climat Outaouais*
  - Mr. Juan Pedro (JP) Unger<sup>\*</sup>
  - Ms Miranda Gray
  - *Atomic Energy of Canada Limited (AECL)*<sup>x</sup>:
    - Dr. Shannon Quinn, Vice-President, Science and Technology
  - *Canadian Nuclear Laboratories (CNL)*<sup>x</sup>:
    - Ms Meggan Vickerd, Director, Near-Surface Disposal Facility Project
    - Mr. Kristan Schruder, General Manager and Deputy Vice-President, Environmental Remediation Management (Nuclear Power Demonstration)
    - Mr. George Dolinar, Director, Environmental Services

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- Canadian Nuclear Safety Commission (CNSC)\*:
  - Ms Kavita Murthy, Director-General, Directorate of Nuclear Cycle and Facilities Regulation
  - Ms Haidy Tadros, Director-General, Directorate of Environmental and Radiation Protection and Assessment
  - Ms Candida Cianci, Director, Canadian Nuclear Laboratories Regulatory Program Division
  - Ms Nana-Owusua Kwamena, Director, Environmental Assessment Division
  - Ms Clare Cattrysse, Director, Policy, Indigenous, and International Relations Division
  - Ms Sarah McGrath, Policy Officer, Policy, Indigenous, and International Relations Division

Correspondence was also received from the following:

- Mr. Phil Sweetnam\*
- Mr. Norman Moyer\*, President, *Lowertown Community Association*
- Ms Annette Dillon\*
- Ms Liz Nieman\*
- Mayor Bob Sweet\*, *Town of Petawawa*
- Ms Trudy Hall\*, President, *Crystal Bay Community Association*
- Mr. Richard Turle\*
- Mayor Sue D'Eon\*, *Town of Deep River*

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- Mayor Michael LeMay\*, *City of Pembroke*
- Ms Alexandra Franche\*
- Mr. Lou Riccoboni\*, Vice-President, Corporate Affairs and Business Development, Canadian Nuclear Laboratories (received prior to Council's consideration of Motion 49/6 on 24 February 2021)
- Mr. Ramzi Jammal\*, Executive Vice-President and Chief Regulatory Operations Officer, Canadian Nuclear Safety Commission (received prior to Council's consideration of Motion 49/6 on 24 February 2021)

[ \* *Individuals / groups marked with an asterisk above either provided comments in writing or by e-mail; all submissions (and presentations, marked above with an "x") are held on file with the Office of the City Clerk. ]*

CNL's Near-Surface Disposal Facility proposal received support from the former Mayor of Deep River and letters of support were received from the Mayors of Deep River, Pembroke and Petawawa. The nuclear regulatory agencies (AECL, CNL and CNSC), attended at the request of Council to respond to Members' questions, and to outline their positions with respect to the CNL proposal. All other speakers, and submissions received, either advised the City to take a cautionary position, urged that the Motion be made more prescriptive, or expressed strong opposition to the NSDF proposal.

Following the receipt of all delegations (32 in total), during which time Members of Committee and Council asked questions of the presenters, Councillors posed additional questions of staff and engaged in deliberations, which touched upon many of the points in the staff presentation and those raised by the delegations. This included the need to liaise with First Nations' groups as well as suggestions that this proposal be reviewed under the *Impact Assessment Act* and that there

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be a focus on *regional* assessment. Representatives of the regulatory agencies confirmed that their agencies would be receptive to working with the City.

Discussions having concluded, Motion N<sup>o</sup> EPWWM 2021 15/01 was put before the Committee and was 'CARRIED' as presented.