

Advisory Council to the
Nuclear Waste Management Organization

Record of Discussion: March 27th-28th, 2003 Meeting

Record of discussion of the meeting of the Advisory Council to the Nuclear Waste Management Organization / Soci t  de gestion des d chets nucl aires (NWMO)

held at Toronto, Ontario, commencing at 6:00 p.m. on March 27th and concluding at 3 p.m. on March 28th, 2003.

Present

Advisory Council:

David Cameron	Member and Acting Chairman
Helen Cooper	Member
Gordon Cressy	Member
Fred Gilbert	Member
Derek Lister	Member
Donald Obonsawin	Member
Daniel Rozon	Member

Regrets:

David Crombie	Chairman
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Also in attendance:

NWMO:

Elizabeth Dowdeswell	President
Kathryn Shaver	Executive Director
Donna Pawlowski	
Jo-ann Facella	

Other guests:

Ms. Linda Keen, President, Canadian Nuclear Safety Commission	(Agenda Item 2)
Ms. Cait Maloney, CNSC	(Agenda Item 2)
Mr. Richard Ferch, CNSC	(Agenda Item 2)
Senator Lois Wilson	(Agenda Item 3)

March 27, 2003

1. Constitution of Meeting

Dr. Cameron, having agreed to act as Chairman for the meeting, called the meeting to order at 6 p.m. on March 27th, 2003.

2. Guest Speaker and Discussion: Canadian Nuclear Safety Commission

The Chairman introduced the guest speaker, Ms. Linda Keen, President, Canadian Nuclear Safety Commission (CNSC).

Ms. Keen was accompanied by two members of the CNSC staff:

- Ms. Cait Maloney, Director General, Directorate of Nuclear Cycle and Facilities Registration, CNSC.
- Mr. Richard Ferch, Director, Wastes and Geosciences Division, CNSC.

The CNSC provided an information briefing on the roles and responsibilities of Canada's nuclear regulator. The presentation described the way in which the CNSC regulates the development, production and use of nuclear energy in Canada. The respective roles of the Commission and CNSC staff were delineated. The CNSC emphasized the priority that they assign to conducting processes and public hearings with a high level of openness and transparency.

The CNSC outlined future process as government considers the management approaches, and noted the specific role that the CNSC will play with respect to assessing the licensibility of an approach for the long-term management of used nuclear fuel. There was discussion of the multiple reviews and decision points in which the public interest is addressed in considering the management approach – ranging from Parliamentary discussions, the environmental assessment process, and the various licensing stages with their associated intervenor processes.

March 28, 2003

3. Guest Speaker and Discussion: Senator Lois Wilson – Ethical Framework

Senator Lois Wilson addressed the Advisory Council on the subject of the ethical dimensions of the analysis of management options. She outlined for the Council her experience as a Commissioner on the Seaborn Panel and the findings of the Panel on a range of issues, including the consideration of safety from a societal and technical perspective. She elaborated on the Panel's finding that an ethical and social framework is fundamental to framing the issue of nuclear waste management and to finding acceptable solutions to that problem.

Senator Wilson identified some challenging issues to be addressed by the NWMO in capturing the evolving values and priorities of Canadians, and new societal understandings. She shared her perspectives with the Council for consideration as the NWMO develops the analytical framework for management approaches.

Senator Wilson distributed copies of her remarks to the Advisory Council.

Following her remarks, the Chairman opened up the meeting for Advisory Council discussion with Senator Wilson. The Council further explored the Panel findings and discussed how the NWMO might approach its engagement and study process in light of these lessons and experiences of the Panel. A number of comments were tabled:

- An ethical framework should not be addressed in isolation. Integrate the ethical issues into the larger analytical framework. Apply a multi-faceted framework that brings all issues together.
- Integrate participants in expert roundtables/meetings so that the NWMO brings together perspectives of scientists, including social scientists.
- Allow the public to raise issues that matter to them and respond – allow for a bottom up analysis that addresses societal issues of importance to Canadians.
- Effective engagement with aboriginal communities is a priority.
- Incorporating the perspectives of youth is a priority.
- Identify key timelines for decision-making and communicate these milestones to the public. Let the public know how the NWMO is undertaking its work. Ensure that the public knows when each decision is being taken.
- Recognize the importance of addressing the study in manageable segments. Scope the study through gradual progression.
- Develop and manage engagement with the assistance of professionals to ensure sophisticated, two-way dialogue with the public. NWMO should seek advice on how to consult and address issues effectively through citizen engagement.
- Be aware that costs of attending meetings and transportation may prove to be barriers to the engagement of some constituencies.
- Use sophisticated technical means of reaching out across the country. Web-based outreach will help also address transportation barriers.
- Reach out to a variety of government departments which have interests in the NWMO study, as well as Senate and House Standing Committees, to keep them apprised of the NWMO work on an ongoing basis.

With the conclusion of the session, the Chairman thanked Senator Wilson for taking the time to share her perspectives with the Council. Dr. Cameron indicated that the NWMO Advisory Council would welcome a return visit by Senator Wilson at a future date.

Following the session with Senator Wilson, the Chairman invited further comment from the Advisory Council on the ethical and social dimensions of the study.

The President spoke to some of the key activities in the NWMO workplan and the opportunities to incorporate the lessons and perspectives shared by Senator Wilson. It was noted that an NWMO discussion document is planned for release in fall 2003 that sets out a draft analytical framework addressing ethical and other issues.

4. Advisory Council Update

Mr. Obonsawin and Ms. Cooper debriefed the Advisory Council on the March 19th meeting with the Honourable Herb Dhaliwal.

- It was noted that the purpose of the March 19th meeting was to update the Minister on the Nuclear Waste Management Organization and the NWMO Advisory Council established by the companies, pursuant to the federal *Nuclear Fuel Waste Act*.
- Ms. Cooper and Mr. Obonsawin shared with the Minister some of their perspectives and reflections on the process to date. They underscored the challenge of developing a strong social and ethical framework for the analysis of management options, and the importance of having comprehensive public consultations and meaningful dialogue with aboriginal peoples.
- It was reported that the Minister encouraged the NWMO to bring to its study good science, experiences of other jurisdictions, and perspectives of the Canadian public.

The President, assisted by Dr. Rozon, updated the Advisory Council on Ontario Power Generation's decision to discontinue funding of AECL's Underground Research Laboratory (URL) in Manitoba. The President referred the Council to correspondence from Mr. Peter Baumgartner of AECL, expressing his concern over this matter. The President confirmed her intention to write back to Mr. Baumgartner. The NWMO will be planning to visit the URL facility as part of a planned set of meetings in Manitoba with a range of communities of interest.

The President tabled for consideration a list of possible research visits in which the Advisory Council may wish to participate to support their advisory capacity on the study of management approaches. It was resolved that the following trips would be scheduled:

- Tour of the Pickering Nuclear Generation Station, for Council members, subject to their availability, on May 9th.
- Tour of AECL's URL in Manitoba. Dr. Lister expressed his interest in joining the President on this visit.
- Tour of the U.S. Yucca Mountain Disposal Project in Nevada.

The President reviewed a longer list of upcoming technical conferences for Council information.

5. President's Update and Council Discussion

- a) **Update on NWMO workplan**
- b) **Outreach –Update on engagement and proposed directions**

The President tabled a Draft Workplan for discussion with the Advisory Council. The workplan outlined five streams of work proposed in support of dialogue and analysis of the management options. The President outlined specific milestones which included issuance of a sequence of discussion papers, proposed to update the public and invite and engage discussion on the different approaches.

The Chairman having invited discussion on the Draft Workplan, Council members tabled a number of comments:

- Once the NWMO has confirmed its workplan, the key milestones should be made public.
- Allow for input of the international panel on each discussion paper.
- Engagement of Aboriginal communities should take place in each stage of the workplan.
- NWMO should seek symmetry in the scheduling of Advisory Council meetings with opportunities to review draft discussion papers prior to release.
- Careful management of the three-year study timeframe is essential in ensuring effective public discussion around the discussion papers.
- NWMO should proactively initiate engagement on each paper to make the most of the time available in the three-year study. Four months of dialogue around each paper, allowed by workplan, is not long by standard outreach practices.

The President invited the Council to forward further thoughts on the workplan on an ongoing basis, and welcomed Council participation in any activities or planned consultations.

Recognizing their desire to maintain independence, yet contribute positively to the NWMO study process, the Advisory Council resolved to consider their appropriate roles and level of participation in NWMO work at a future meeting.

c) Update on Consultations with Aboriginal Communities

The President updated the Advisory Council on work under way to develop a comprehensive plan for engaging aboriginal communities in dialogue around the NWMO study of management approaches.

d) Joint Waste Owners – Update on Technical Research

The President updated the Advisory Council on different streams of work that had been commissioned by the waste owners relating to design, transportation and financial implications of management approaches. This work will be available as a resource to the NWMO in 2003, and will be the subject of a presentation to the Advisory Council at the May meeting.

6. Future Meetings

The Council confirmed the Agenda items for the May 9th-10th Advisory Council meetings in Toronto. The NWMO undertook to canvass Council members on their availability to participate in the tour of the Pickering Nuclear Generating Station so as to permit advance arrangements.

7. Other Business

On motion duly made, seconded and unanimously carried, the minutes of the Advisory Council meeting held on January 10th-11th, 2003, a copy having been sent to each member of the Council, were approved as recorded.

Advisory Council members received copies of the 2002 NWMO Annual Report that was submitted to Minister Dhaliwal on March 28th.

8. In Camera Discussion

NWMO President and staff withdrew from the meeting.
The Advisory Council convened a closed session, in camera with the Chairman, commencing at 2:50 PM.

9. Termination of Meeting

There being no other business, the Chairman declared the meeting terminated at 3:00 p.m.

Dated the 12th day of May, 2003
Corporate Secretary