

Advisory Council to the
Nuclear Waste Management Organization

Record of Discussion: March 23, 2004 Meeting

Record of discussion of the meeting of the Advisory Council to the
Nuclear Waste Management Organization (NWMO) /
Société de gestion des déchets nucléaires (sgdn)

held at Toronto, Ontario, commencing at 10:00 a.m. and concluding at 3:00 p.m. on
March 23, 2004.

Present

Advisory Council:

David Crombie	Chairman
David Cameron	Member
Helen Cooper	Member
Fred Gilbert	Member
Eva Ligeti	Member
Derek Lister	Member
Donald Obonsawin	Member (Items 6-7)
Daniel Rozon	Member

Absent:

Gordon Cressy	Member
---------------	--------

NWMO:

Elizabeth Dowdeswell	President
Kathryn Shaver	Corporate Secretary
Donna Pawlowski	(Items 4-6)

Nuclear Waste Watch: (Item 6)

Shirley Farlinger
David Martin
Theresa McClenaghan
Marion Odell
Nest Pritchard

PART I

ADVISORY COUNCIL BUSINESS

1. Constitution of Meeting / Approval of Agenda

The Chairman called the meeting to order at 10:00 a.m.

With the addition of two items proposed by the Advisory Council, the agenda was approved.

2. Minutes of Previous Meeting

Minutes from the January 19th, 2004 Council meeting were brought forward for approval. On motion duly made, seconded and unanimously carried, the minutes of the January meeting were approved.

3. Advisory Council Operations

The President introduced this item that was brought forward for Council discussion. The purpose of this item was to invite Council to review preparations for fulfilling its legislative requirements under the *Nuclear Fuel Waste Act* with respect to providing independent comment.

Council reviewed its legislative obligations flowing out of the *Nuclear Fuel Waste Act* with respect to:

- Examining the study that the NWMO is to submit to the Minister of Natural Resources Canada by November 2005; and
- Giving written comments on that study to the waste management organization, including comments on each of the approaches proposed in the study.

The NWMO will submit these comments to the Minister as part of the study.

The President emphasized her interest in ensuring that the Advisory Council has access to the information and resources that it requires to prepare for its independent comment on the NWMO study. As Council takes stock of its processes and requirements going forward, the President will welcome Council's suggestions on additional information and opportunities that it requests for 2004 and 2005, to supplement the briefings and discussions provided over the last year of Council operations.

Council members reviewed the range of considerations that might be addressed in their formal comments on the NWMO study, and the implications for their preparations. Initial discussion also took place on the practical aspects of preparing their comments on the NWMO study, and the need to develop a critical path. In this regard, there was interest in starting to think through the structure of their comments, and plans required to ensure that they are sufficiently positioned to develop their independent comments on the timeline required.

Council members expressed interest in having further discussion on preparations for their independent comment, and the implications for their agendas, the structure of their

meetings and operating processes in the period of time leading up to the completion of the NWMO study in November 2005.

At the request of the Advisory Council, a special meeting will be convened Saturday, June 5th, for purposes of continuing this discussion. Council members wish to review a draft agenda for the June 5th meeting when they convene in May. (*)

PART II

UPDATE FROM THE PRESIDENT

4. Update on NWMO Engagement

The President introduced this item, which was intended to provide the Advisory Council with status updates on key elements of the NWMO's engagement activities, and to invite Council comments and questions. The President invited Donna Pawlowski, NWMO, to provide progress reports on the engagement activities.

National Citizens' Dialogues

The NWMO invited Council comments on the National Citizens' Dialogues that were convened on the NWMO's behalf by Canadian Policy Research Networks (CPRN). At the invitation of the NWMO, some Council members had attended a dialogue session so that they could observe the discussions first-hand.

In response to Council questions, the President clarified that the National Citizens' Dialogues were convened as a research project, to help NWMO understand the values closely held by Canadians.

Some members felt that the dialogues would have been strengthened if participants had been better informed, through prior reviews of the NWMO's discussion document. Others questioned the approach taken by facilitators at one of the sessions, the effectiveness of the NWMO information video, and the presentation of some of the background factual information. The President thanked the Council for their feedback. Where possible, course corrections had been communicated to CPRN and integrated into the dialogue process to improve the subsequent sessions.

Council members offered to share with NWMO their respective comments and observations from the dialogue sessions attended. Ms. Pawlowski offered to facilitate this process by circulating a summary of some initial notes provided to date by Council members. (*).

CPRN is now proceeding with the analysis of the dialogues.

Regional and National Stakeholder Dialogues

Ms. Pawlowski provided an overview of the structure and timelines for these dialogues that were initiated in March.

The national and regional dialogues were initiated in March 2004. The purpose of these dialogues is to provide a forum where those with a record of interest in Canada's approach for long-term management of used nuclear fuel and other representatives of civil society can engage in a discussion and contribute views and opinions on the work and study approach of the NWMO. The agenda for the regional and national dialogues is focused on a critical review of Discussion Document 1. The dialogues are comprised of three main activities, an initial half-day session where participants are brought together, introduced to each other and to the purpose and structure of the dialogue; an electronic dialogue, where all the participants are invited to explore through a common electronic message board, their initial thoughts and perspectives on the dialogue topics; and finally a full-day facilitated session approximately 3 – 4 weeks after the first session, where the participants return to discuss the dialogue topics in depth and to explore the key values and assumptions underlying their views.

The Advisory Council inquired as to the selection of locations and participants. The NWMO noted that individuals were invited for their prior record of interest on this issue, and other representatives of civil society with an interest in policy.

As some Council members expressed interest in observing, NWMO undertook to confirm these opportunities with the facilitators of the dialogues and to advise the Council members of the dates. (*)

Engagement of Aboriginal Peoples

Ms. Pawlowski reviewed the status of NWMO's collaborative work with the national aboriginal organizations.

The NWMO is building a foundation upon which national aboriginal organizations are invited to work collaboratively with the NWMO. In addition, NWMO plans to undertake other streams of engagement to complement the work with national organizations, by working in collaboration with interested regional aboriginal organizations and examining further the contributions of traditional knowledge for the NWMO study.

The Council felt that this approach sounded reasonable, including the proposed contact with regional organizations.

Reactor Site Community Dialogues

Further to the first workshop held last fall, NWMO has been maintaining contact with communities that currently host nuclear facilities, to discuss the most appropriate mechanisms for engaging those communities in discussion on the NWMO study. The NWMO's approach is to be responsive to each community, by adopting the engagement model that communities determine best fits their respective areas. NWMO is working to put these activities in place. NWMO also met with the Mayors of the Canadian Association of Nuclear Host Communities in February.

Council members noted some activities under way in nuclear site communities regarding other streams of nuclear waste management. The President offered that the NWMO

would prepare a briefing note for the Advisory Council on the various processes initiated by nuclear energy corporations which involve key decisions for their nuclear operations, and associated public consultations and/or regulatory reviews. (*)

Dialogues with Senior Environmental & Sustainable Development Executives

The President spoke about the dialogue convened with senior managers from organizations in Canada that have dealt with significant social and environmental challenges, to benefit from an exchange of their experiences with complex processes. Participants also discussed NWMO's Discussion Document 1.

Other Engagement Activities

- The President invited Council's suggestions on the nature of engagement that should follow the release of the second Discussion Document in 2004. NWMO anticipates that the nature of engagement around the 2004 discussion document will likely be very different in nature than that convened to date to support the evolution of the analytical framework, Discussion Document 1 and the assessment of methods.
- The Advisory Council requested that a full discussion be convened around the nature of the next phase of NWMO's engagement at an upcoming Council meeting. (*)
- Council members inquired about the NWMO's provisions for participant funding. The President outlined the internal policy currently in place. The Advisory Council requested copies of the policy for their review. (*)
- The NWMO reported that it will be placing advertisements in local papers of nuclear site communities and some national papers during the week of April 6th. These advertisements invite the public to read the NWMO's Discussion Document and to share comments with the NWMO.

5. Update on the Assessment of Management Approaches

The NWMO President updated the Advisory Council on the work in progress by the NWMO Assessment Team.

The President reviewed the composition of the Assessment Team, and shared Team members' areas of expertise. She provided an overview of the Assessment Team's terms of reference:

- The Assessment Team has taken as its starting point for the analysis the ten questions outlined in Discussion Document 1. Those ten questions were developed through NWMO's early engagement with Canadians.
- Within each of those ten areas, the Assessment Team has developed detailed criteria against which to assess the different management methods outlined in the *Nuclear Fuel Waste Act*.
- The Assessment Team will be conducting an assessment of each of the methods using the criteria and methodology that they have developed for the NWMO. This analysis will be an important input in helping to guide the NWMO as it develops its recommendations to government.

- The Assessment Team's work will form the substance of the analysis reported on in the NWMO's second Discussion Document, planned for release in 2004. The Assessment Team is targeting completion of their work by the end of June 2004.

The Advisory Council complimented the NWMO on the high-calibre of Assessment Team members, and the time that members are individually devoting to the NWMO's analysis. In responding to Council questions, the President confirmed that the NWMO's assessment is not constrained to studying only the three methods outlined in the Act.

The President reviewed opportunities arranged for the Advisory Council to meet with the NWMO Assessment Team. An introductory luncheon has been arranged for the Advisory Council to meet members of the Assessment Team on April 14th. The Advisory Council will have a full presentation and discussion on the Assessment Team's draft report on May 20th. The Council Chairman welcomed this opportunity for discussion on the assessment work, and requested that a substantive block of time be set aside for this discussion on the May 20th Council agenda. (*)

PART II

ADVISORY COUNCIL BUSINESS

6. Nuclear Waste Watch

The Advisory Council met with representatives of Nuclear Waste Watch/ Action Déchets Nucléaires (NWW/ ADN), a network of 34 organizations concerned about high-level radioactive waste and nuclear power in Canada. Attending the meeting on behalf of NWW were:

- David Martin, Sierra Club of Canada
- Marion Odell -- International Institute of Concern for Public Health
- Shirley Farlinger -- Science for Peace / International Institute of Concerns for Public Health / University Women's Organization
- Theresa McClenaghan -- Canadian Environmental Law Association
- Nest Pritchard -- Ontario Voice of Women

Representatives from NWW provided some introductory comments on their organization.

Mr. Martin briefed the Advisory Council on the components of the Position Statement developed by NWW in November 2003, and amended in March 2004, as the foundation for their comments to the Council. NWW's Position Statement includes the following six points:

1. The first priority of responsible waste management is reduction at source. High level radioactive waste in Canada can only be reduced at source through a binding commitment to the early phaseout of nuclear power. Early nuclear phaseout means that there would be no new reactors and no major refurbishment of reactors to prolong their current lifespans.
2. Neither the safety nor the acceptability of deep geological disposal of radioactive waste in perpetuity was established to the satisfaction of the federal environmental assessment panel (the Seaborn Panel) that reviewed the evidence. Any waste management option should, for the foreseeable future, be based on surface and/or near-surface monitored and retrievable storage -- at least until a nuclear power phase-out has been achieved, the technical

case for an alternative option (or options) has been thoroughly reviewed, and a social consensus has been achieved.

3. The Seaborn Panel called for the creation of a nuclear fuel waste management agency "at arm's length" from the nuclear industry, with its board of directors representative of independent "key stakeholders". In direct opposition to this, the government created the Nuclear Waste Management Organization (NWMO) with its board comprised solely of nuclear industry representatives. The nuclear industry strongly supports deep geological disposal of radioactive waste, so the ability of the NWMO to make an objective recommendation is questionable.

4. Given the importance of this issue to present and future generations of Canadians, the government should guarantee a joint federal/provincial environmental assessment panel on the full range of radioactive waste management options following the NWMO recommendation in November 2005. The process should be adequately funded by the proponents in order to allow public interest intervenors to retain independent technical expertise. The federal government should also guarantee a full parliamentary debate and free vote on the recommendations of the NWMO and the environmental assessment panel.

5. If the Government of Canada decides on any kind of centralized waste management option (whether above or below ground), there will be risk to communities along the transportation route, as well as to the potential recipient community. In such a case, the potential recipient and transport route communities should all have veto power, and should receive funding from proponents for independent research and community education.

6. The Canadian Government should guarantee that Canada will not import high level radioactive waste.

Further information on Nuclear Waste Watch/ Action Déchets Nucléaires can be found at:
English <http://www.cnp.ca/nww>
Français <http://www.sortirdunucleaire.ca/adn>

Following the presentation of the Position Statement, representatives from NWW provided some additional comments, and discussion with the Advisory Council ensued:

- Ms. McClenaghan emphasized Canadian Environmental Law Association's support for the first point in the NWW position. She noted CELA's concern that NWMO's work may be a diversionary tactic to divert public debate away from the broader more important issue of whether there should be nuclear power at all.
- Ms. Farlinger shared view of her organization, which felt that there had been insufficient research in Canada devoted to alternative energy and conservation, and urged more consideration of energy alternatives to nuclear.
- Ms. Pritchard, of the Ontario Voice of Women shared her perspective with the Council on the NWMO's approach to engagement. She noted the importance of communicating to the general public the costs and issues associated with nuclear fuel waste management. She noted the challenges in distributing this information, and urged the NWMO to find effective ways of communicating information, rather than rely on Canadians seeking out information on its website, as the general public will not be aware of the site.
- Ms. Odell spoke to the concerns of the International Institute of Concern for Public Health. She emphasized her organization's support for early phase-out of

nuclear energy and opposition to refurbishments or new nuclear construction in light of their views that there is no completely safe way to manage used nuclear fuel. She spoke to their concerns over Canada's regulatory standards and the levels of radiation exposure considered to be acceptable for the public, and their support for more stringent radiation protection standards in Canada.

- Mr. Martin addressed some recommendations on process, urging government consideration (including a federal/provincial EA) of all three technical methods under consideration, and a full and open Parliamentary debate and vote in Parliament on the final decisions. Council inquired as to why Mr. Martin encouraged federal government consultation on all options prior to 2005. Mr. Martin felt that government needed to allow for full public involvement in open discussion of all conceptual options, in advance of receiving the NWMO study. He suggested that simultaneous consideration of all options by government through an environmental assessment would enhance the credibility of the NWMO's recommendations.
- Other issues tabled by NWW for consideration by the Advisory Council included:
 - The scope of the NWMO mandate to comment to government on the need for a broader energy debate in Canada, and to report on what Canadians are saying in this regard.
 - Free trade implications under NAFTA.
- NWW offered to assist NWMO in locating public submissions to the Seaborn Panel, to enable NWMO to have a complete set of documents that could be made available for public review.

The Advisory Council invited NWW suggestions on the best engagement mechanisms for reaching the general public, given the limitations of the website and the fact that nuclear fuel waste is not a priority issue for many.

- NWW suggested effective advertising of NWMO's public dialogues; engagement of community groups, such as ratepayer associations; and framing the debate around larger issues of nuclear energy in a way that would engage Canadians and the media. Mr. Martin said that NWMO could easily gain great public attention and demonstrate its supposed neutrality by sponsoring a balanced public debate on nuclear waste management, between public interest groups and the nuclear industry.
- NWW urged NWMO to report to government on what Canadians are saying with respect to the need to address the future of nuclear before a satisfactory waste management approach can be selected.

7. Review of Upcoming Meetings

The Chairman reviewed the schedule of upcoming Council meetings.

- An Advisory Council meeting is scheduled for May 20, 2004.

- In response to Council discussion under Agenda Item 3, a special meeting will be convened for Saturday, June 5th, to support a continuation of Council's discussion around preparations for independent comment on the NWMO study and the structure of their meetings for 2004-05. (*)

The Council agreed to defer scheduling of additional 2004 meetings and briefings until such time as they have had their June 5th review of operations and planning priorities.

Termination of Meeting

The Chairman declared the meeting terminated at 3:00 p.m.

(* denotes action required)

Dated the 20th day of May, 2004
Corporate Secretary