

ITK Review of the NWMO Discussion Document #3: Choosing a Way Forward



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INUIT TAPIIRIT KANATAMI

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Introduction

Inuit Tapiriit Kanatami (ITK) represents the Inuit of Canada on matters of national concern. There are approximately 50,000 Inuit living in 53 communities. The Inuit territory of Canada is divided into four main regions: The Nunavut region (further divided into the Kitkmeot, Kivalliq and Qikiqtaaluk regions), the Inuvialuit region (the western Arctic), Nunavik (northern Québec) and Nunatsiavut (Labrador).

ITK is the national voice of the Inuit of Canada and addresses issues of vital importance to the preservation of Inuit identity, culture and way of life. One of the most important responsibilities of ITK is to promote Inuit rights and to ensure that Inuit are properly informed about issues and events that affect their lives, and that processes purporting to address Inuit interests are properly informed by Inuit knowledge, perspectives and vision.

The ITK Department of Environment has the responsibility of protecting and advancing the place of Canadian Inuit in the use and management of the Arctic environment. It acts on this responsibility in close cooperation with Inuit regional organizations.

ITK's comments on the latest NWMO report, "Choosing a Way Forward" are intended to complement our *Final Report on the National Inuit-specific Dialogues on the Long-term Management of Nuclear Waste in Canada* submitted to the NWMO on June 30, 2005.

Further, ITK Resolution B05/06/09-09 adopted unanimously by the ITK Board of Directors on June 9, 2005, continues to state the Inuit's "complete opposition to the storage/disposal and transport of Nuclear Fuel Waste in areas adjacent to Inuit owned lands, on Inuit co-management managed lands and land governed by Inuit Land Claims Agreements". It is important in this regard to note that the Labrador Inuit Land Claims Agreement received Royal Assent on June 23, 2005. With the exception of the offshore area of Nunavik, this completes comprehensive land claims for the Inuit Canada. The Resolution goes on to select what was essentially Option 2 from the Discussion Documents - that is, storing waste at the existing sites "until a way is found to safely dispose of this waste without endangering the environment, human health and safety of all Canadians".

ITK's Response to "Choosing a Way Forward"

The NWMO is seeking input and opinion on a new option that emerged as thinking progressed through the evaluation of the original three options presented in earlier Discussion Documents. This new option is called Adaptive Phased Management and is based on a phased approach to eventual centralized containment of nuclear fuel waste and isolation deep underground.

From ITK's perspective, this option has value as its premise is that used fuel would continue to be stored at nuclear reactor sites until results from Phase I and Phase 2 research, analysis and consultation were obtained. This carries with it the assumption

that there would be no Phase 2 - interim shallow underground storage, or a Phase 3 - long-term deep centralized storage unless this was proven technically feasible and socially acceptable. Generally, this conforms to the position adopted by our Board of Directors.

Having said that, the siting criteria established for this option is also of interest to ITK. Choosing a Way Forward states..."we believe that fairness would best be achieved if the site selection process is focused within the provinces that are directly involved in the nuclear fuel cycle - namely Ontario, New Brunswick, Québec and Saskatchewan". With the exception of Québec, this effectively excludes the Inuit regions.¹

The Report then further sets out another important criteria, that a willing host community is found. In this regard, it is clear that Inuit communities, including those in Nunavik (northern Québec) would not satisfy this criteria.

A further consideration, which serves to diminish interest in the Inuit regions, is the limit on transportation options. The operation of a centralized facility requires that fuel from existing reactor sites be transported and that an emergency response plan is developed. The lack of road or rail infrastructure in most Inuit regions and the degree of risk associated with sea or air transport combine to further discount the North as a suitable region. These same factors would make the development of satisfactory emergency response plans very unlikely.

ITK in no way wishes to appear to be advocating that the challenges be simply shifted to other regions and withdraw from the discussions. That would not be responsible. Rather, having read the report with care, we have noted that the NWMO process itself is coming to a conclusion that the North is not a suitable location for long-term storage. We also refer to the map on page 161 of the Report where the siting criteria associated with the Adaptive Phased Management Approach have been applied. Here too, with the exception of Nunavik, the Inuit regions have been totally excluded.

That being said, it is important to remind NWMO of one of the conclusions stated in the *Final Report on the National Inuit -Specific Dialogues on the Long-Term Management of Nuclear Waste in Canada*, namely:

"As Aboriginal Canadians, Inuit are also in opposition to the storage/disposal of Nuclear Fuel Waste anywhere else within Canada and insist that Nuclear Fuel Waste should remain on site of existing nuclear reactors Inuit as Canadians do not advocate that Nuclear Fuel Waste should be stored on any new sites".

¹ Note: The geological characteristics of the Labrador Trough, which extends through a large portion of Nunavik (northern Québec) make this part of Québec an unlikely candidate for technical reasons.

Questions and Observations Concerning the Adaptive Phased Management Approach²

ITK is making the assumption that unless the 30-year Phase I period comprehensively addresses all of the technical considerations implicit in moving to Phase 2 and is considered socially acceptable to Canadians at large, used fuel will continue to be stored at reactor sites.

What is not clear is in the case where there is no Phase 2 (interim storage), what would have to take place over the following 20-year period (to year 50) to address all the technical and policy issues necessary to make Phase 3 acceptable. We turn to Section 13.1 of the Report for guidance. Here we find a commitment to developing an Engagement Process which will lead to a final site selection and a technical description of a proposed project encompassing all surface and underground facilities, access and infrastructure requirements and a long-term monitoring program. An application for site preparation is made or intent to apply is then given. This triggers the environmental assessment process.

The Report further states:

"The implementing agency would be required to demonstrate, during the Environmental Assessment process, that there would be no significant adverse impact on the environment resulting from the construction, operation, decommissioning and closure of the deep geologic repository."

While not explicit, ITK is assuming that environment in the context is used broadly to include all social, economic and cultural considerations. In Chapter 14 of the Report, we find more detail. "The intention is to avoid or minimize significant socio-economic effects on a community's way of life or on its social, cultural or economic aspirations." (page 202). The Report then takes a comprehensive view, stating that "socio-economic effects management involves the coordinated application of mitigation, enhancement, compensation, monitoring and contingency measures and community liaison measures." (page 202).

We note in Section 14 the attention paid to exploring innovative ways to address the socio-economic effects and encourages NWMO to work direction with Aboriginal organizations to benefit from their experiences and on-going analyses of processes established to address Aboriginal concerns in other contexts. In northern Canada, Inuit have treaty-based environmental assessment regimes in which they participate equally with government officials in making decisions. The decision-making processes set out in these treaties also require consideration and accommodation of Inuit knowledge, perspectives and values.

² Posing questions on the Adaptive Phased Management Approach, which contemplates transport and storage at new sites, should not be understood by NWMO to imply any interest in this option beyond Phase I - maintaining the waste at existing sites.

Implicit in the environmental assessment processes established in our land claims agreements (as is the case generally in EIS processes) is the option that the project does not receive approval to proceed. We find no reference that this possibility is being entertained by NWMO. Nor do we find any reference to the possibility that all of the research, technical studies, etc. discussed in Chapter 16 could lead to a conclusion that there is insufficient confidence in safety aspects to support a decision to proceed. Rather, the underlying presumption of the Adaptive Phased Management option is that centralized, isolated containment will go forward. The timeframe may shift according to accepted science, but as stated on page 67 of the Report, "we can recommend the end point that we believe is the most desirable end state".

The Engagement Process will also need to pay particular attention to the views of Aboriginal Peoples, most often a minority voice in the larger debate. This could be even more acute in southern regions where Aboriginal Peoples are often demographically in a minority and politically marginalized. On behalf of other Aboriginal groups, ITK is concerned that their positions may be subsumed by the larger population if the process gets to the stage of searching for a host community. ITK urges the NWMO to be sensitive and alert to this possibility. This likelihood would further increase in a situation where there is an active lobby mounted in support of a site and a local Aboriginal group or community was opposed.

Finally, when reading this Report, we are left with the uneasy feeling that this huge and expensive effort is leading to a conclusion that collectively, as a society, we just don't yet know enough about how to safely manage nuclear fuel waste and yet, at the same time, will continue to produce it. The responsibility for decision-making is being pushed forward to future generations with the hope that science will have advanced to a point where more precise solutions are conceivable.

In our *Final Report on the National Inuit-specific Dialogues on the Long-term Management of Nuclear Waste in Canada* ITK advocates for a non-nuclear society in Canada where nuclear materials are neither mined, produced or transformed. We understand that this was not the mandate given to the NWMO. However, from the Inuit perspective, the long-term management of nuclear fuel waste is simply a component of the much larger issue of meeting Canada's energy needs into the future. Looking at the issue holistically requires consideration of broader questions of the role of hydrocarbons, nuclear fuel and renewables in the overall energy production picture. It is for this reason that Inuit brought forward recommendations related to alternative sources of energy that could eliminate the need to continue reliance on nuclear fuel.

ITK strongly encourages the Government of Canada to provide policy support and resources towards the development of alternative energy sources and energy conservation as the foundation for a truly sustainable "way forward".