

Multi-Party Dialogues – Ottawa Session, September 23-24, 2009

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Stratos Inc.

nwmo

NUCLEAR WASTE
MANAGEMENT
ORGANIZATION

SOCIÉTÉ DE GESTION
DES DÉCHETS
NUCLÉAIRES



Nuclear Waste Management Organization

22 St. Clair Avenue East, 6th Floor

Toronto, Ontario

M4T 2S3

Canada

Tel: 416-934-9814

Web: www.nwmo.ca

Nuclear Waste Management Organization

The Nuclear Waste Management Organization (NWMO) was established in 2002 by Ontario Power Generation Inc., Hydro-Québec and New Brunswick Power Corporation in accordance with the *Nuclear Fuel Waste Act (NFWA)* to assume responsibility for the long-term management of Canada's used nuclear fuel.

NWMO's first mandate was to study options for the long-term management of used nuclear fuel. On June 14, 2007, the Government of Canada selected the NWMO's recommendation for Adaptive Phased Management (APM). The NWMO now has the mandate to implement the Government's decision.

Technically, Adaptive Phased Management (APM) has as its end-point the isolation and containment of used nuclear fuel in a deep repository constructed in a suitable rock formation. Collaboration, continuous learning and adaptability will underpin our implementation of the plan which will unfold over many decades, subject to extensive oversight and regulatory approvals.

NWMO Dialogue Reports

The work of the NWMO is premised on the understanding that citizens have the right to know about and participate in discussions and decisions that affect their quality of life, including the long-term management of used nuclear fuel. Citizens bring special insight and expertise which result in better decisions. Decisions about safety and risk are properly societal decisions and for this reason the priorities and concerns of a broad diversity of citizens, particularly those most affected, need to be taken into account throughout the process. A critical component of APM is the inclusive and collaborative process of dialogue and decision-making through the phases of implementation.

In order to ensure that the implementation of APM reflects the values, concerns and expectations of citizens at each step along the way, the NWMO plans to initiate a broad range of activities. For each of these activities, reports are prepared by those who designed and conducted the work. This document is one such report. The nature and conduct of our activities is expected to change over time, as best practices evolve and the needs and preferences of citizens with respect to dialogue on nuclear waste management questions is better understood.

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**NWMO Multi-Party Dialogue on the Proposed Process to Select the Site for
Managing Canada's Used Nuclear Fuel for the Long-Term**

**Ottawa Session, September 23-24, 2009
*Final Report***

Submitted to:

**Nuclear Waste Management Organization
22 St Clair Ave. E.
Toronto, Ont.
M4T 2S3**

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Prepared by:



Stratos Inc.
1404-1 Nicholas Street
Ottawa, Ontario
K1N 7B7
tel: 613 241 1001
fax: 613 241 4758
www.stratos-sts.com



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1 Purpose and Context

The Nuclear Waste Management Organization (NWMO) conducted a series of dialogues to test and refine the proposed process for selecting a site for managing Canada's used nuclear fuel for the long-term. The proposed process is presented in NWMO's Discussion Document *Moving Forward Together: Designing the process for Selecting a Site*. These dialogues are one of many inputs that NWMO will use to refine its proposed site selection process, which it intends on publishing in 2010.

NWMO retained Stratos Inc. to design, organise, facilitate and report on these dialogues. The dialogues were held in Saskatoon, Ottawa, Toronto and Saint John over September and October 2009. This report presents the input received during the Dialogue held in Ottawa, Ontario on September 23 and 24, 2009.

The dialogue brought together individuals from a wide range of perspectives, including representatives from Aboriginal organizations, business associations, municipal groups, non-government organizations, academia, the nuclear industry, and professional associations. A total of 21 participants, as well as staff from NWMO and Stratos, attended the session (see Annex A for a list of the participants). To facilitate the dialogue on the site selection process, NWMO articulated four questions, which formed the basis for the agenda used in each of the dialogue sessions (see Annex B).

To ensure that specific input was provided on the proposed site selection process, participants were informed about the focus of this particular dialogue session, including the following aspects:

- The dialogues are focused on testing and refining the proposed site selection process document.
- The dialogues are intended to improve the proposed process so that it is supportable and implementable.

This report summarizes the discussions held under each agenda item, including written comments submitted at the end of the meeting. Note that some of the participants' comments have been grouped thematically to avoid repetition and improve the report's clarity. They are therefore not always presented in the order in which they were made. The meeting was not designed to seek consensus among participants, though the report notes areas of general agreement.

2 Introductory Presentation and Questions & Answers

Ken Nash, NWMO President, welcomed the participants at the Ottawa session and underlined the importance that NWMO attaches to hearing a diversity of views on its proposed site selection process. He traced briefly the history of NWMO's activities since its creation, paying particular attention to the development of the site selection process. After introducing the members of the NWMO team in attendance, he stated that NWMO wanted to hear from participants whether NWMO "had gotten it right".

George Greene, the Stratos facilitator, then reviewed the session's agenda and noted that the dialogue's purpose was to test the NWMO's proposed site selection process, and more specifically each of the steps outlined in *Moving forward together: designing the process for selecting a site* (referred to as the Discussion Document below).

Kathryn Shaver, Vice President, APM Engagement and Site Selection, and her colleagues made a detailed presentation in which they introduced the NWMO, explained how the Adaptive Phased Management process came about, described the proposed project, and outlined the process for site selection. A video of NWMO's presentation is available at www.nwmo.ca.

After the presentation, participants asked questions related to the project and the proposed site selection process.

2.1 Questions regarding the project

A participant wanted to know why NWMO had selected a deep repository as the foundation for its site selection process. Another asked what assumptions NWMO had made concerning the volume of waste it would manage and what this volume implied in terms of the number of shipments to the repository.

Participants asked for more detail about the underground demonstration facility and also asked about the rationale for the temporary shallow storage option.

One participant wanted to know what is the period of concern for the radiological hazard posed by irradiated fuel. It was noted that while radioactivity decays rapidly, the reference time for a safety assessment is 1 million years, which represents the time required for the radiation in used fuel bundles to reach the levels of natural uranium.

One participant stated that she opposed the concept of a repository and favoured instead that utilities continue to store the waste until they had developed the technology to re-use or destroy it.

2.2 Questions regarding the process

A participant asked whether NWMO had set a target for the number of willing host communities it was planning to negotiate with and underlined the expenses inherent in characterizing several possible repository sites. Another participant wanted to know why NWMO believed that any community would be interested in hosting the repository.

One participant objected to the graphic NWMO uses to show the proposed repository: in his view, the final site is unlikely to be located either in an agricultural landscape or close to a city and he would prefer the graphic to illustrate a more likely site scenario. In a different vein, the same participant argued that the repository raised a basic fairness issue, that is, that it was not fair to ask future generations to find a solution to the storage of the waste that we had generated and that we therefore had a moral obligation to start developing this solution now.

One participant wanted to know how the NWMO planned to address the needs of the communities surrounding the host community. Another asked how other countries are managing their own site selection process. Finally, one participant asked how the proposed site selection process accommodated the generation of wastes from the construction of new nuclear plants.

3 Steps in the Site Selection Process

NWMO staff started off the day with a brief presentation of the proposed steps in the siting process (described in detail at pages 18 to 24 of the Discussion Document).

Participants then broke-up into three groups to discuss the following questions:

1. Are the proposed decision-making steps consistent with selecting a safe site and making a fair decision?
2. What are the strengths of the proposed steps?
3. How could the proposed process (considering all steps together and individually) be improved to address any weaknesses? Why are these modifications important to you?

3.1 General comments

There was a significant convergence of views among participants: While participants felt that the proposed steps presented a fair process, they agreed that the role of the provinces needs to be made clear and that the focus on the host community needs to be broadened to include other directly-affected communities.

Participants saw the strong points in the process as the emphasis on community involvement, transparency and safety. Areas participants proposed for improvement include the following:

Greater geographical focus

Several participants noted that NWMO's proposed process relies on a community putting itself forward but that geology and logistics (including cost) work against the repository being located just anywhere in the four nuclear provinces. One participant stated his scepticism that 20,000 truckloads of irradiated fuel bundles would be shipped to a repository in either New Brunswick or Saskatchewan when 90% of the fuel is produced in Ontario. Transportation will be expensive and may require some infrastructure investments. In these participants' view, NWMO should be more directive and develop additional criteria to focus the site selection process from the beginning. Many of these criteria are likely to be socio-economic since geophysical information is expensive to acquire. Such criteria could include population density, transportation/logistics and the community's familiarity with nuclear issues. A more explicit geographical focus would reduce the risk of creating false expectations and leading some communities on.

In a similar vein, several participants felt that it is important to be realistic about what will likely happen and create a process that reflects this anticipated reality more accurately. For instance, if there is a likelihood that the repository will be sited on Crown land, then a different process needs to be crafted that deals with that particular reality (i.e. less emphasis on finding a willing host community; more emphasis on defining and following the regulatory process).

Involvement of regions and provinces

Most participants believed that NWMO needs to explain more clearly how the provinces and regions will be involved in the siting process. In their view, the Discussion Document currently downplays their role. The provinces not only have regulatory powers but are also responsible for regional development, municipal governments, the provision of some infrastructure, and crown lands. For their part, governments need to start thinking about how they will design the environmental and the regulatory framework for the repository as it is essential that this framework (including the role of the Canadian Nuclear Safety Commission (CNSC) and other federal and provincial authorities) be agreed to at the beginning. In the end, NWMO may be involved in two parallel processes: a community-led process, and a second regulatory one.

3.2 Comments about the specific steps

- Step 1: The regulatory framework governing the transportation of the fuel, and the construction and operation of the repository must be agreed at the beginning of the process. Among other things, it will govern the safety criteria NWMO will need to apply.

- Step 2 (initial screening): The initial screening criteria should include third-party review.
- In steps 2, 3 and 4, NWMO will need to engage more than potential host communities but also neighbouring communities and other partners; a regional focus may be more appropriate: the communities beyond the host community will need to see some benefits from the project for them too.
- Step 4 (detailed site evaluation) should take place earlier as it can help inform whether a community would be suitable for a repository.
- NWMO should commit to protecting Aboriginal rights in activities undertaken under Step 4b.
- Step 5 (community decision to accept the repository): NWMO should provide more detailed criteria to define a willing host community.
- Step 6b (negotiation of formal agreement): More detail on what is being negotiated would be useful. It is likely that the province would need to be involved at this step. NWMO may also need to consider whether a regional authority would need to be set up to become a signatory to a siting agreement.
- Step 7 (centre of expertise): Several participants argued that the Document should more explicitly state that the purpose of this Centre of Expertise should be to test safety factors. As currently written (on page 23 (Step 7) and page 27) the Document does not make this intention clear. Participants felt that this demonstration will be an important step in convincing communities of the safety case for this project.
- Step 8 (regulatory review): Most participants argued that provincial and federal regulatory bodies need to be involved before Step 8. Most participants felt that this early involvement would be needed particularly with respect to coordinating the environmental assessment process. Participants suggested that the federal and provincial governments should agree on a process or framework of how they will work together, in advance of the site selection process commencing. One participant felt that the EA process would not work, as currently described in the Document and that the NWMO cannot enter into an EA process without direction from federal government. In his view, the relevant provincial authorities would also need to be involved.

3.3 Proposed additions

Some participants felt that the issue of safety did not receive sufficient attention in the Document. However, a good body of knowledge, including international experience, exists and should be conveyed to explain the safety rationale for a deep repository among other things. One participant recommended that the Document should provide information relevant to the potential national security threats related to both the site storage and the transportation of the used fuel. This participant suggested that there

should be some indication of how Canadian national security authorities will be engaged in this process.

Transportation is likely to be a more important issue than the Document now conveys and there is a risk that communities along a transportation corridor could frustrate the project. An environmental assessment of possible transportation corridors may help define the relevant transportation communities. Consultations with transportation communities should factor the future possibility that some fuel bundles could be retrieved and re-used (and therefore transported more than once). NWMO should consider what incentives can be created to encourage transportation communities to become involved in the process.

3.4 Additional comments

Several participants argued that NWMO has leaned too far towards a “grassroots” approach to the site selection process and that a better balance between a participatory and a directing approach was required, particularly when it came to transportation issues. One participant was concerned that the current proposed process lacked the discipline to move to a successful outcome, in part because NWMO was paying for everything.

One participant felt that NWMO was proposing that too much authority be left in the hands of interested communities, when it was likely that regulators would ultimately make the final decision (and perhaps overturn earlier choices made by communities). This participant felt that the process, as currently articulated, gives municipal councillors a great deal of decision-making power and he questioned whether they have the capacity to make such a significant decision in the national interest.

Additional comments included:

- It is possible that the repository will be sited on crown land. The Document should therefore address the issues about such siting in greater detail.
- The Document should note the possibility of no willing host coming forward. NWMO should explain at the beginning of the site selection process what would happen in such an eventuality (e.g., the federal government may need to make a decision in the national interest based on a balance of convenience).
- One participant noted that the process described in the Document looked “civilized” but that it may in fact be confrontational.

An alternative process

One participant argued for a different siting process than the one NWMO proposes. As now described, NWMO would work with willing host communities in step 5 and build their capacity to make an informed choice. In step 6, NWMO would select which communities it would continue to work with. This transition places NWMO in a potential

conflict of interest if it is seen as encouraging some communities in step 5 and excluding them in Step 6. A better process would have NWMO provide support in step 5 more at arms' length and invite communities in Step 6 to bid for the repository through a call for proposals. NWMO would then negotiate compensation and mitigation arrangements with the most suitable community to recognize the public service that it would perform.

Other participants argued that NWMO should be more directive and consider inviting some communities to present themselves as candidates for siting the repository.

4 Guiding Principles

A member of the NWMO team presented the Discussion Document chapter on principles and asked the group whether these represented a suitable foundation for the proposed siting process.

The discussion of principles was wide-ranging with some participants commenting on NWMO's overall approach while others proposed improvements to the wording of some principles.

4.1 Comments on overall approach

Several participants argued that the Document's current discussion of the provincial role is inadequate. They believe that it is likely that NWMO will need something similar to an MOU with a province before it can move to detailed site investigation. In a similar vein, another participant stated that it may be useful for a province to affirm its explicit support for the process at some point through legislation.

A participant cautioned that, in its desire to be responsive to public concerns, the NWMO will have to be careful not to set nuclear policy through the back door. In his view, nuclear policy should not be held hostage to future decisions about waste.

4.2 Comments about specific principles

Informed and willing host community

A willing host community will not be enough. This principle should be broadened to encompass a willing region and a willing province. Municipal decision-makers may be able to provide advice to NWMO on how a community "demonstrates willingness in a compelling way".

Right to withdraw

One participant asked NWMO to make more explicit the assumptions underlying this principle. Some participants asked what would happen if a community were to change its mind about an earlier decision to be the willing host. Participants encouraged NWMO

to define how stability in such a decision will be ensured over time (e.g. enshrining the decision in legislation).

Siting process led by "interested communities"

There is too much emphasis on community-driven processes. What is the role of our current democratic institutions? What is the accountability of governments for finding a long-term solution to the storage of irradiated fuel?

Definition of interested community

Several participants argued that the Document's definition of the word "community" may not be appropriate. The community may not be a physical community (i.e., a settlement) but multiple overlapping communities of interest. In a similar vein, another participant argued that the language around the willing host community focuses too narrowly on a specific community and needs to be broadened to include the willing region, the province and neighbouring Aboriginal communities.

Inclusiveness

The wording of this principle is too broad as it could be interpreted to include stakeholders with no direct interest in the issue.

Informing the process

NWMO could set up an independent National Scientific Advisory Body to develop a compilation of relevant engineering and scientific information for interested communities. This body could include nominees from the Royal Society of Canada, the Canadian Academy of Engineering, the Engineering Institute of Canada and other nationally or internationally-recognised organisations. It would function as a "national asset" that would be available to any community wanting to enter into any step of the site selection process. This would help to ensure consistency of process across all communities. One other participant cautioned, however, that such an organization could be perceived as biased if it were funded by NWMO.

Regulatory review

The regulatory framework cannot be an after-thought: it needs to be developed in advance. The Document therefore needs to address regulatory requirements in greater depth.

4.3 Proposed new principles

Cost effectiveness

NWMO needs to remember that it is spending ratepayers' money. Why is it proposing to exceed regulatory standards? Doing so is bound to be expensive and may not be

necessary. Cost-effectiveness should be added as a principle and guide every part of the site selection process.

Regulatory performance

NWMO should make sound regulatory performance a new principle.

Needs of other communities

The principles do not seem to address the needs of the transportation communities. The site selection process needs to include transportation issues more explicitly and the role of non-host communities.

Aboriginal peoples

One participant stated that Aboriginal communities should have a veto over the siting of a repository (like they do in a referendum for siting a casino). Another participant, however, argued that an explicit veto power could have unintended consequences and hurt Aboriginal communities in the long run.

Transparency

One participant argued that this was the most important principle that NWMO could apply. Transparency would include making available more information about international successes and failures in nuclear waste management.

5 Proposed Criteria – Safety and Community Well-Being

A member of the NWMO team provided a brief overview of chapter 4 of the Discussion Document, entitled *Ensuring the Safety of a Site and Fostering Community Well-Being*.

Participants then broke into three discussion groups. One group discussed criteria for safety by addressing the following questions:

1. Are the six safety-related questions reasonable and appropriate?
2. What additional safety-related questions or topics, if any, would you like to see addressed? Why are these additional questions important to you?

The other two groups discussed community well-being by addressing the following questions:

1. Is the proposed approach to considering factors beyond technical safety (i.e. community well-being factors and evaluation factors) appropriate?
2. What are the strengths of the proposed community well-being factors?

3. What additional factors or improvements would you recommend for addressing community well-being? Why are these modifications important to you?

5.1 Safety criteria

Participants expressed a variety of views about the Document's treatment of site safety. Some participants felt that the information communities will want to know about is not evident in the Document. These participants felt that the Document needs to provide more information about why NWMO has chosen the deep underground repository as the preferred solution because communities will want to understand the safety case behind this decision. Without this information, communities may be reluctant to express their interest in the project. In contrast, one participant believed that more information on safety would not be required if people knew where to look for it.

One participant argued that the NWMO needs to add quantitative safety performance criteria to the qualitative statements in the Discussion Document. He noted that regulatory agencies use such quantitative criteria in discharging their mandates. At the same time, another participant noted that such agencies are not infallible and their work needs to be overseen as well.

Some participants cautioned the NWMO about the risks of creating scientific advisory or oversight bodies that are unaccountable. They pointed to previous unhappy experience of panels getting bogged down over minor issues.

One participant noted that the Document focuses on safety as a physical issue. He argued that NWMO should consider other dimensions of safety, including mental health and the social pathologies that may arise as a result of the project.

Specific comments

- Question 2 should include a definition of what is meant by stable rock. The Document should note that the host rock should be able to dissipate heat.
- One participant noted that there may be a significant challenge in finding a site that both meets the fourth screening criterion (i.e. absence of economically exploitable natural resources) and also has the geological characteristics identified in the six safety questions.
- Question 4 should include other human intrusion possibilities such as terrorism and national security threats, in addition to future exploration or mining.
- One participant noted that, as currently written, the 5th initial screening criterion (geological and hydrogeological features) cannot be used without data to support the assessment of a potential site. The Document should acknowledge that some site investigation will have to be done even at the initial screening stage.

- One participant recommended the addition of the following safety question on page 26 of the Document: “Does the proximity of the site to special features (such as ground water, surface water, or dense populations) pose high risk consequences in the event of a failure of the repository and/or transportation?” This question could lead the facility to be sited away from large population centres, for example.
- Another participant suggested the addition of the following safety question: “Can the site be marked so as to warn future generations about the presence of spent irradiated fuel?” Participants raised concerns that once the site is decommissioned, future generations may have no way of knowing of the presence of the used nuclear fuel and the continued need for safety.
- One participant asked that NWMO make greater efforts at communicating its technical criteria to a non-technical audience.

5.2 Community well-being criteria

The break-out group that discussed community well-being agreed that the first two factors NWMO proposes to assess (potential environmental and socio-economic effects and potential for enhancing sustainability) are relevant to community well-being. These could be used in the form of an initial checklist for communities to consider. However, the group thought that the next three factors (related to the presence of supporting infrastructure, the need to avoid ecologically sensitive areas and the need to minimize transportation impacts) are decision-making factors for siting rather than criteria of community well-being.

Some participants felt that the approach NWMO put forward came across unintentionally as paternalistic. In their view, it will be up to the community to determine what its well-being is. They therefore agreed with NWMO’s proposal to fund a community to develop its own vision. The criteria to measure well-being could flow from this visioning exercise.

Some participants would also like the federal government to play a more important role in supporting the process and reaching an outcome. Having accepted the NWMO recommendation for Adaptive Phased Management, it has a responsibility for ensuring the process’s success.

NWMO should pay particular attention to how it can help communities retain their youth. Communities should create “pathways for youth” that encourage local youth to stay in their communities by providing them the skills they would need to benefit from the repository’s construction and operation.

One participant recommended that NWMO conduct an economic impacts study of the project’s life cycle and provide more information to interested communities about the project’s economic benefits over its entire life. In addition, NWMO should communicate

from the start that it is ready to compensate communities for the adverse effects they may suffer as a result of the project.

6 Partnership and community support

After a member of the NWMO team introduced Chapter 5 of the Document (*Partnership and Community Support*), participants broke up into three groups to discuss the following questions:

1. Considering the proposed partnership and community support approach for potentially interested and/or willing host communities:
 - a. What are the strengths of the proposed approach?
 - b. What improvements would you recommend, and why are these modifications important to you?
2. Are the other types of communities appropriately involved? If not, how could the process of involving potentially affected communities be improved? Consider the following:
 - a. Surrounding communities & regions
 - b. Communities on potential transportation routes
 - c. Aboriginal peoples
 - d. Public and other interested individuals/groups

Several participants argued that NWMO was proposing to assume too many roles in the site selection process, and that this would lead to confusion. They believe that the NWMO will be a project proponent primarily and cannot simultaneously also play the role of capacity-builder or community partner although it can, of course, support such activities. They argued that it would be more appropriate for NWMO to fund such activities through a third-party, such as a Regional Development Authority, or existing provincial agencies with such mandates. Such agencies already exist in Ontario and help municipalities assess the infrastructure implications of major new developments (e.g., roads, water treatment, schools, etc.). In their view, it would be more appropriate for NWMO to rely on existing community support processes than set up new ones. Because of their experience, existing processes would also be better placed to address the heterogeneous needs of different communities than the NWMO might be able to do.

In a different vein, some participants found the language in this chapter too prescriptive and argued that NWMO should leave room for a greater variety of approaches to community support.

Some participants identified money and information as the two key determinants of successful community support. In their view, the two key questions related to money are: who gets funded, and who makes the funding decisions? While participants did not

agree on the roles that the community, NWMO or government should play on these questions, they did believe that whoever the funder is needs to ensure that the money will be well-spent. The funder should therefore require a business plan and budget from the community as part of any granting process.

The second determinant of successful community support will be the distribution of credible, consistent, information. As a proponent, NWMO is unlikely to be able to play this role (because the information it releases would be seen as self-serving) and may have to look at setting up a separate arms' length body to do so. Several participants felt strongly that the NWMO should set up only one such scientific advisory body even if it was negotiating with different communities. One of the benefits of centralizing expertise for public distribution would be to ensure greater consistency of information. However, NWMO should not expect that it will be able to establish a "single repository of all wisdom"; the issues around nuclear waste are controversial by their very nature and not all stakeholders will accept the information even if it is released by an independent third-party. One of the roles this body could play would be to help moderate public discussions on the technical aspects of a repository. NWMO cannot control the flow of information but it should correct errors of fact and ensure that technically-sound and consistent information is available to the public.

As they had earlier, participants argued for a more expansive definition of a host community to include a regional rather than a single-community focus. This broader definition, however, should not apply to communities along transportation corridors.

When it came to transportation communities, some participants felt that the site selection process should be more top-down and less "grassroots" and there should be a more significant presence of regulators to provide oversight. While NWMO needs to engage transportation communities meaningfully and give them the grounds to achieve a degree of comfort with the proposal, several participants did not believe that these communities should have a veto over transportation routes.

However, NWMO will need to convince communities along potential transportation routes of the safety of transporting the used nuclear fuel. One participant suggested that the Document could reference examples of methods used by other countries to successfully transport used nuclear fuel. NWMO may also need to provide more explicit support to transportation communities given their sense that the risk of transporting the waste will be much higher than the actual storage of the material at the repository.

Some participants felt that the Document needs to discuss in greater depth the considerations related to various transportation modes (e.g. costs and benefits, international models, infrastructure requirements, technology designs). One participant opposed using water as the transportation method because of the risks of water contamination.

Some participants disagreed with the distinction that NWMO makes between Aboriginal and other communities: in many cases, Aboriginal and non-Aboriginal communities exist side by side and may be impacted in similar ways by a repository; in any event, all communities are inherently different from each other and have their own needs. NWMO will not be able to apply a cookie-cutter approach to community support.

Some participants read the Document as implying that community support would occur primarily early in the siting process. They argued that some communities might need assistance at every step of the process.

Other advice that participants offered includes:

- There already exists some expertise in most communities that could be tapped as they embark on the process of evaluating their interest and willingness. This expertise may be found in relationships with nearby universities and colleges, or other sources. Nevertheless, small communities may face substantial capacity issues which may prove challenging to overcome. One participant felt that most towns would not have the capacity to go through the process as articulated now.
- Communities are unlikely to be internally-homogeneous. Rather, there will likely be groups who are in favour and others who oppose a repository. The Document should outline what support mechanisms will be created to support diverse voices within a potentially interested community.
- The rules for community engagement (i.e., how a community expresses its interest or willingness; how it can withdraw) need to be spelled out very clearly upfront.
- Willing host communities will likely face both boom and bust cycles through the project's life cycle. The community visioning exercise (first bullet page 33 of the Document) should acknowledge the potential for these ups and downs in the community.

As they had earlier, several participants emphasized the role that they believe a provincial government would have to play on these issues, particularly if NWMO were considering siting the repository on Crown lands as NWMO may have difficulty finding a local community to engage in this case.

7 Third-party review

A member of the NWMO staff introduced Chapter 6 of the Discussion Document and outlined the three levels of third-party review NWMO was proposing.

Participants were then invited to provide their perspectives in plenary by responding to the following questions:

1. Is the proposed approach for third-party review which is available to communities appropriate?
2. What are the strengths of the proposed approach to third-party review?
3. What improvements would you recommend, and why are these modifications important to you?

Participants asked for greater clarity about how NWMO would implement its third-party review at every step of the process where it applies: What kind of review? For what purpose? By whom? They were interested in particular in knowing when a third-party panel would be available to help communities and when it would act as an independent reviewer.

Participants were divided about the first proposed review group to confirm the site evaluation results. Some argued that NWMO risked “over-engineering” the process and that third-party reviews would be redundant given the degree of regulatory oversight NWMO will be subject to. They questioned whether the review group would be seen as independent if it was established by NWMO. Finally, they cautioned that any review body should be given a clear mandate, that this mandate should be limited to scientific and technical matters only and that greater clarity was needed about its relationship with regulatory authorities.

Other participants, however, saw benefits in establishing such a review group to confirm the site evaluation results. They saw such a group as validating the technical work NWMO conducted and re-assuring communities that were no longer being considered for the repository that NWMO’s technical work had been sound. This group may even be able to propose technical improvements to NWMO’s proposal. Such a group would also be able to address one of the biggest challenges confronting NWMO, that is the provision of information that the public considers credible. These participants argued that an arms length body would likely be more publicly credible than NWMO itself.

Some participants asked who would create such a review group (NWMO, the community?) and to whom it would be accountable. They argued that the group would need to be independent from the community (and therefore not beholden to it) in order to be able to speak independently about siting decisions.

One participant suggested that NWMO illustrate the role of third-party review through a graphic that would show where, and for what, such a review would be employed.

8 Closing remarks

Kathryn Shaver thanked the participants for their thoughtful comments. She explained that Stratos would prepare both a report for each of the multi-party dialogues as well as a consolidated report of all the sessions, both of which would be distributed to participants. During the Fall, NWMO will continue its current engagement activities on the siting process with the Provinces, Aboriginal groups and the public. NWMO will review all input received at the end of the year and aim to release a revised siting process early in 2010. NWMO will also send a copy of this document to participants when it becomes available.

9 Annexes

9.1 Annex A - List of participants

First Name	Last Name	Organization
Andrew	Brook	Carleton University
Pierre	Guimond	Canadian Electricity Association
Jon	Jennekens	
J. A. L.	Robertson	
Judy	Watling	Policy Research Initiative
Jim	Harvie	Canadian Nuclear Society
Alan F.	Penn	Grand Council of the Crees
Yves	Poisson	Public Policy Forum
Fares	Bou Najm	Railway Association of Canada
Paul	Stothart	Mining Association of Canada
Adam	Thompson	Federation of Canadian Municipalities
Colin	Hunt	
Maria	Neil	National Council of Women of Canada (NCWC)
Stuart	Wuttke	Assembly of First Nations
Billy	Two Rivers	NWMO Elders Forum
Barry	Stemshorn	Ottawa University
R. Kerry	Rowe	Queen's University
Sylvie	Bouchard	Independent Consultant
Alan	Nymark	
Ole	Hendrickson	Ottawa River Keeper
Norman	Anderson	Ontario East Economic Development Commission

9.2 Annex B - Agenda

Objective

- To engage interested parties with diverse perspectives in the provinces involved in the nuclear fuel cycle in a dialogue to test and refine the proposed site selection process for Canada's long-term management facilities for used nuclear fuel

EVENING SESSION (6:00 p.m. – 9:00 p.m.)

Greeting & Dinner

Opening Remarks (*Stratos*)

Overview of the Project & Proposed Site Selection Process

NWMO Panel Presentation

Plenary Discussion

Presentation of Next Day's Agenda

Stratos Overview

DAY SESSION (8:30 a.m. – 4:00 p.m.)

Introduction to Session (*Stratos*)

Proposed Steps & Guiding Principles

NWMO Panel Presentation, Breakout Groups Discussion & Reporting Back in Plenary

Break

Proposed Steps & Guiding Principles (continued)

Plenary Discussion

Proposed Criteria – Safety and Community Well-Being

NWMO Panel Presentation, Breakout Groups Discussion & Reporting Back in Plenary

Working Lunch

Partnership and Community Support for Decision Making

NWMO Panel Presentation, Breakout Groups Discussion & Reporting Back in Plenary

Break

Approach to Third-Party Review

NWMO Panel Presentation, Plenary Discussion

Closing Remarks & Next Steps

Plenary Discussion, Participant Written Input, NWMO Closing Remarks