

Multi-Party Dialogues – Saint John Session, October 13-14, 2009

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Stratos Inc.

nwmo

NUCLEAR WASTE
MANAGEMENT
ORGANIZATION

SOCIÉTÉ DE GESTION
DES DÉCHETS
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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.

Disclaimer:

This report does not necessarily reflect the views or position of the Nuclear Waste Management Organization, its directors, officers, employees and agents (the "NWMO") and unless otherwise specifically stated, is made available to the public by the NWMO for information only. The contents of this report reflect the views of the author(s) who are solely responsible for the text and its conclusions as well as the accuracy of any data used in its creation. The NWMO does not make any warranty, express or implied, or assume any legal liability or responsibility for the accuracy, completeness, or usefulness of any information disclosed, or represent that the use of any information would not infringe privately owned rights. Any reference to a specific commercial product, process or service by trade name, trademark, manufacturer, or otherwise, does not constitute or imply its endorsement, recommendation, or preference by NWMO.

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

**Saint John Session, October 13-14, 2009
*Final Report***

Submitted to:

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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 collectively 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, organize, 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 Saint John, New Brunswick on October 13 and 14, 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 22 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

Kathryn Shaver, Vice-President APM Engagement and Site Selection, welcomed the participants at the Saint John session and underlined the importance that NWMO attaches to hearing a diversity of views on its proposed site selection process. She provided a brief summary of NWMO's engagement activities leading up to the development of the proposed site selection process. After introducing the members of NWMO team in attendance, she stated that NWMO wanted to hear from participants whether NWMO "had gotten it right."

François Bregha, the Stratos facilitator, then reviewed the session's agenda and noted that the dialogue's purpose was to test NWMO's proposed site selection process, specifically by reviewing each of the major sections of NWMO's document *Moving Forward Together: Designing the Process for Selecting a Site* (hereafter referred to as the Discussion Document).

Ms. Shaver and her colleagues gave a detailed presentation in which they provided an overview of NWMO and its activities to date, described the Adaptive Phased Management (APM) project, described recent engagement activities, and outlined the proposed process for site selection. A video of NWMO's presentation at one of the dialogues is available on its website (www.nwmo.ca).

After the presentation, participants asked questions related to the project and the proposed site selection process. Detailed discussion of several of these questions was deferred because they addressed specific points in the Discussion Document that were to be reviewed on the second day.

One participant asked whether, in response to a concern he had raised in a previous dialogue, NWMO had engaged Passamaquoddy First Nation, whose lands are adjacent to the Point Lepreau Nuclear Station.

Other participants raised the following questions and comments about the process:

- What weight can citizens place on commitments the nuclear industry or politicians may make given the past track record of certain promises not being kept?
- Why does the proposed process not define broader exclusion zones from the very beginning – for example, by providing a map of areas that are unsuitable for a deep underground repository?
- NWMO needs to engage New Brunswick municipalities more frequently as many remain unaware of the project.
- What are the underlying assumptions behind the NWMO project?

A few participants commented on broader issues concerning nuclear energy policy and other aspects of the nuclear cycle:

- NWMO's project would solve the problem of nuclear waste if there was a promise to not produce more used fuel.
- Continuous transportation of used fuel over long distances, if Canada continues to produce more of these wastes, is not acceptable.
- This process is about earning a social license to operate. Whether one is pro-nuclear or not, all need to work together to find a solution to this problem.
- The Quebec National Assembly has ruled out a central repository in that province, which should help focus the site selection process geographically.
- What are the implications on transportation and security for this project of the possible repatriation of used fuel from Candu reactors located abroad?
- NWMO's activities do not address the risks associated with the seven-year period during which used fuel is stored in water-filled pools at reactor sites. According to some, there are safer approaches to handling used fuel at this stage.

3 Steps in the Site Selection Process

NWMO started off the day with a brief overview of the principles and steps of the proposed site selection process, as described in chapter 3 (pages 15 to 24) of the Discussion Document.

Participants then broke 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

Most participants found the process to be appropriate in general and noted its strengths, including third-party review and consistency with the principles enumerated in the Discussion Document. Notwithstanding this general support, some participants requested changes to certain steps and others asked for an additional pre-screening step before step 1.

A few participants expressed concern about the timeframe of the proposed process, which will span both changes in political leadership and multiple generations. NWMO should try to compress the process or take other steps to ensure support and trust are maintained, such as establishing broad grassroots support earlier in the process,

avoiding long time periods with no results, and validating results on an ongoing basis through third-party review.

Another participant stated that while he understood the concerns about timelines, he took some comfort in NWMO following an approach and schedule that is not inconsistent with other used nuclear fuel management programs, such as those in Switzerland and France. Related to this point, another participant remarked on the progress being made in Sweden and the fact that the facility there will be only 100km from Stockholm, a major population centre.

Several participants felt that the process needs to provide standards on the information to be conveyed to interested communities at each step. These standards would provide one level of assurance that a community is indeed "informed" as it moves through each step of the process.

3.2 Comments on the specific steps

Additional pre-screening step

Many participants felt strongly that NWMO needs to do more work on exclusion criteria if it cannot identify easily where are geologically suitable areas for a repository. The early identification of excluded areas was seen both as a cost-saving measure for NWMO and a way to reduce potential burden and stress for communities. It would be most helpful if this information was presented on maps. The maps could include a broad range of geographical aspects (physical, economic, political, cultural), such as population density, groundwater resources, and significance to Aboriginal peoples, to inform the identification of unsuitable areas. To avoid having non-excluded regions feel targeted, some participants recommended that NWMO clearly communicate the identification of exclusion areas as being driven by safety considerations. A few participants suggested that NWMO consult stakeholders to define the criteria for exclusion areas.

Step 1

Notwithstanding the suggestion that NWMO do more to define excluded areas, participants generally agreed that awareness-building is an appropriate first step, and identified a number of aspects, in terms of process and content, that they would like to be part of this step:

- Participants felt that the Canadian public, including youth, women and Aboriginal people, is not well-informed about these issues, and needs to become more aware of nuclear waste management.
- Some participants were concerned that this lack of awareness might lead some communities to engage in the process without fully understanding the implications.
- Participants felt that early communication with communities needs to be simple, concise, and clearly state the potential risks and benefits of the project (i.e. not to "sugar coat" the messaging about the project). Others in the group felt that it

would help to promote this project as a world-class laboratory or facility, rather than a “dump.”

One participant stated that awareness-building should involve a communication plan to disseminate information on the costs of producing nuclear power, the costs of storing used nuclear fuel, and the associated risks and benefits of both. Another emphasized the need to clearly and transparently communicate information to the Niigani elders, in order to build trust with Aboriginal peoples.

Step 2

Several participants expressed concern about the length of the site selection process, especially for steps 2 to 6; the process could stall and trust could be lost within communities over time due to changes in political leadership and loss of institutional memory.

To address this concern, some participants proposed the concept of a “demonstration of interest by residents” (a non-binding precursor to the more formal “demonstration of willingness”) that could take the following form:

- If the community satisfies the initial screening criteria at step 2, the accountable authority would be required to engage its citizens and show broad support for moving through the process.
- If the demonstration of interest is successful, an MOU would be signed to document the community's support for the process (but not necessarily for the project) and the terms for moving forward.
- Municipal organizations could be leveraged to support communities in determining both the method by which they could demonstrate their willingness and in the development of the terms of the MOU.

Another approach, suggested by one participant, is to add “Demonstration of interest by residents” to the list of initial screening criteria on page 25 of the Discussion Document.

Step 4

Some participants suggested that an ethical analysis of the implementation of the process needs to be explicitly added to the study of social, economic, and cultural impacts at step 4. This approach was recommended to address the potential for, or perception of, bribes and political interference, and also to protect vulnerable communities.

A few participants felt that the evaluation of factors beyond safety, by its nature, would engage the community more than the technical evaluation of safety. Therefore they saw value in conducting the evaluation of factors beyond safety first and using it to inform their decision on whether to conduct the detailed technical evaluation in Step 4.

Other comments related to step 4 included the following:

- Some participants stated they wanted more detail on responsibilities for the technical site evaluation due to potential ethical conflicts.
- A few participants expressed concerns about capacity limitations in scientific and technical analysis: in small markets, where there are only one or two companies that typically do this work, and in Canada more broadly, in the case where multiple communities are being evaluated concurrently. No solutions were offered, other than that NWMO may need to help build such capacity in the future.
- One participant emphasized the importance that the site selection process be clear about consulting Aboriginal communities at all levels, and not leave the impression that consultations will be limited by conventional political boundaries.

Many participants recommended that the environmental assessment (EA) start earlier in the process, possibly at Step 4. The EA process may reveal information that is important for communities in their decision-making. While it was recognized that a full-fledged panel review would not be possible early in the process, an EA could still be initiated early on and become more rigorous in subsequent steps.

Step 5

Most participants agreed that an interested community's expression of willingness is appropriately located at Step 5, after the detailed evaluation of the site is complete.

Step 6

Several participants urged NWMO to include more information in the Discussion Document on how site selection will be done at Step 6 – specifically, how technical, social, economic, and cost criteria will be considered when deciding between multiple candidate communities. One suggestion was to have a dedicated text/graphics box explaining this process.

One participant suggested that the formal agreement and the demonstration facility should only proceed after regulatory approval.

3.3 Other comments

Participants offered a number of suggestions for improving the presentation of the steps and the Discussion Document itself:

- A few participants suggested a parallel table or column next to the steps should be added, identifying the risks associated with each step, so that an interested community could manage these risks, for example by addressing them in their agreements with NWMO.
- Research documents available on the NWMO website that relate to elements of the site selection process should be referenced in the Document. An electronic version of the Document could make use of hyperlinks.

- The proposed process should identify a list of resources available to communities at each step, such as the multidisciplinary peer review at step 4.
- Threats and risks for the project, especially the threat of terrorism, need to be communicated in the Document and to communities.

Some participants stated that the Document seems like it was “written to get buy-in rather than to inform.” They suggested that it be presented more like an environmental assessment document: in a factual style, with definitions of terms up front, and a description of potential impacts and benefits. The NWMO should also provide more details across the entire document, and not underestimate the capacity of communities to digest such detail.

One participant stated that there should be an appeal process for communities that are excluded at Step 2. Another participant stated it is important that process be clear on the role of provincial authorities and that their willingness to host a repository be demonstrated early in the process.

4 Guiding Principles

Participants discussed the principles described on pages 16 and 17 of the Discussion Document by addressing the following questions in plenary:

1. Having worked on reviewing and improving the decision-making steps in the last hour, do you think that the proposed siting principles (consider “guiding” and “operational”) are fair and appropriate?
2. What are the strengths of the nine operational principles?
3. How could these operational principles be improved, and why are these modifications important to you?

The discussion on principles was not extensive; participants suggested a few improvements to specific principles, and a few participants asked for new principles, such as cost, to be added. Several participants stated that the principles in general are suitable and relevant to the steps of the proposed process.

Special case of Crown land

In their interpretation of this principle, several participants felt that the interests of various other communities could be undermined by considering the provincial government to be the interested community. They raised the following specific concerns:

- One participant asked NWMO to remove the reference to *unorganized territory* out of concern that the province, as the interested community in this case, would not adequately represent the people who are using, or living in these territories.

- One participant noted that Aboriginal peoples are a federal responsibility. She was concerned that the reference to Aboriginal peoples in this principle may lead to the perception that engagement and consultation with Aboriginal people was being handed over to the province.
- One participant stated that the principle gives the impression that Aboriginal peoples are the only potentially affected people that the province would need to consult.
- New Brunswick is unique in that there are local service districts with no decision-making power and where the (provincial) Minister is effectively the mayor. More explanation is required to ensure that the principle addresses communities that are on or adjacent to crown land.

Cost as guiding principle

Several participants agreed that transportation costs should be socialized among the waste owners, recognizing that the transportation distances to the repository will be different for each reactor site. While one participant stated that cost and a commitment to socializing transportation costs should be enshrined as a principle, another participant emphasized that the site selection process should still recognize the value proposition of an interested community that can offer a shorter transportation route.

Other comments on principles

While most participants limited their comments to the proposed set of principles, a few participants asked for additional principles to address the following aspects:

- openness and transparency in all aspects of the process
- environmental integrity
- competence
- fostering trust between NWMO, regulating authorities, and communities

One participant stated that transparency and protection of the environment are already addressed in the proposed principles, but could be highlighted by including these terms in the titles of the principles.

Other comments and suggestions from individual participants included the following:

- Compensation for negative impacts needs to be addressed in the guiding principles.
- It is important for the Discussion Document to show that the principle of inclusiveness will be upheld throughout the process by, for example, making resources available to various groups early in the process.
- In light of one province's recent expression that it will not host a repository for Canada's used fuel, will the focus on the four provinces involved in the nuclear cycle rule out the selection of a potentially safer site in another province?

5 Proposed Criteria – Safety and Community Well-Being

Members 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. Two groups discussed the proposed safety criteria 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 group 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 had a wide-ranging discussion about safety and were generally supportive of the proposed approach. However, several participants felt that the Discussion Document needs to provide a stronger definition of safety by describing what is meant by a safe site, what a community can expect, and how the safety criteria address various risk scenarios. While some participants stated that the evaluation factors to address the safety-related questions were good overall from a geological perspective, others felt that the Discussion Document needs to address transportation in more detail.

Transportation

Participants raised the following comments, questions, and suggestions concerning transportation:

- Some participants found the evaluation factors related to transportation to be weak or insufficient. The Discussion Document left them with the impression that NWMO may be underestimating the challenge of getting support from communities along the transportation route. Transportation factors should be treated with the same rigour as geological factors, 'safe transportation' should be defined, and the risks should be characterized.
- While participants generally agreed with the prioritization of safety criteria, some also expressed an expectation that the site selection process optimize the costs of transportation, and that the Discussion Document indicate how transportation costs will factor into evaluating an interested community.

- Several participants stated that the least amount of handling and transportation would be best, especially in terms of social acceptability, even if the impacts of distance travelled on technical safety are marginal. A few participants noted that this approach may lead NWMO to consider more than one repository site or to give preference to a site that is close to most of the waste.
- Some participants were of the view that each transportation mode and route would need its own assessment. NWMO should use a worst-case scenario in evaluating each route and ensure that appropriate emergency-preparedness protocols be in place for potentially affected communities (e.g. like those for communities near pipelines, which define “circles” of risk and associated safety protocols for residents in each zone).
- A few participants stated that transportation needs to be addressed earlier in the site selection process.

One participant stated that concerns about transportation safety may be overrated, given the quantities of radioactive materials that are currently being transported around the world.

Other issues related to safety

Participants sought more clarity in the Discussion Document regarding the following questions and issues:

- Are some safety criteria more important than others and will they be weighted? Are some of the criteria “pass/fail”?
- How will the initial screening criteria on page 25 of the Discussion Document be measured?
- How will NWMO ensure that its values and the principles of the site selection process are upheld by those conducting detailed evaluations of the site and the community, recognizing that many contractors and other organizations will be engaged to do this work?
- Monitoring is crucial to measure the long-term performance of the repository. How will NWMO address deficiencies that are detected, such as a slow leak? A few participants suggested that NWMO should develop a repository closure plan upfront and post a performance bond that would fund any compensation.
- NWMO refers to a 500-metre depth for the repository in its presentation and in the project description in the Discussion Document. The section on *Criteria to Ensure Safety* (pages 28 to 30 of the Document) should clarify whether the 500-metre depth is a design criterion, or if lesser depths are acceptable.

5.2 Discussion on community well-being

Participants found the sections on fostering community well-being and on criteria to assess factors beyond safety to be helpful and a good start at designing the site selection process. However, some felt that the table on page 32 of the Document needs to be more specific about the social and physical criteria that will be used to evaluate

and compare different communities, particularly for the first two sets of factors. One participant argued that a detailed definition of the term 'community well-being' is needed, considering the weight that community well-being is given in the document.

Emphasis on planning processes

Several participants emphasized the importance of a community's planning processes to be able to determine the positive and negative effects of the project. They recommended that the fourth bullet under the first set of criteria be modified to read: "Community administration, *planning*, and decision-making processes."

These participants cited New Brunswick's recent *Benefits Blueprint*¹ long-term planning exercise to determine the potential impacts (positive and negative) of a second oil refinery plant in Saint John as an exemplary process.

Evaluating a community's complementary assets and institutions

Several participants agreed that the process would benefit from having a community identify existing assets and institutions that could support the project directly and indirectly ahead of time. Examples of such assets and institutions included housing, health care, high-tech industry, arts and culture, and other services and infrastructure specific to the needs of the project. This kind of evaluation would help to determine if one community is more suitable than another one.

Maintaining the infrastructure

In discussing the third set of factors on "physical and social infrastructure," several participants stated that it will be a challenge to maintain, and not just create, this infrastructure over long periods of time. To underline the importance of maintaining infrastructure, the following changes to the first and third bullets in the third row of the table on page 32 were recommended:

- "The availability of physical infrastructure required to implement *and maintain* the project"
- "The NWMO resources required to put in place *and maintain* needed physical and social infrastructure to support the project"

One participant suggested that universities, as long-lived and stable institutions, are well-suited to having a role in sustaining the physical and social infrastructure that support the project. It was suggested that the evaluation factors could explicitly refer to universities as institutions where resources could be invested.

¹ "Benefits Blueprint is a broad-based community initiative that brings together stakeholders from across New Brunswick. Benefits Blueprint is a call to action for governments, agencies, and communities to optimize the economic and social benefits resulting from investments in major capital projects."
http://www.benefitsblueprint.org/index_english.html

Using Aboriginal Traditional Knowledge to define sensitive and significant areas

One participant suggested that Aboriginal Traditional Knowledge should be incorporated into the fourth set of factors on page 32 by modifying the text in the table as follows: "Potential to avoid ecologically sensitive areas and locally significant features, *including factors identified by Aboriginal Traditional Knowledge.*"

However, she also cautioned that Aboriginal communities may not want to map out precisely where sacred areas are located, but would be willing to identify general areas of importance that need to be protected.

Transparency

Some participants felt that transparency and trust in the relationship between a community's government/responsible authority and its residents are key factors to ensuring a community's well-being. They suggested that transparency be introduced as an evaluation factor on page 32 with text such as: "The degree to which a host community has disseminated and shared its information with its residents."

Examples from other communities

Some participants felt that readers of this section of the Discussion Document could benefit from examples of processes and projects that illustrate what has worked well and what has not in terms of fostering community well-being. They suggested the following examples:

- The exponential growth of the community of Fort McMurray due to the development of oil sands resources
- Planning processes used for the construction of winter roads to Aboriginal communities near James Bay
- The ongoing maintenance of former nuclear plants in Hanford, Washington State
- The *Vital Signs* project of the Community Foundations of Canada, which measures the vitality of Canadian cities

Other questions and comments

- Some participants stated that the community would be unlikely to have the capacity to operate the facility, and that the Discussion Document needs to clearly state that the community will not be responsible for operating the repository.
- One participant suggested that fostering community well-being needs to address the mitigation of psycho-social impacts arising from the project. There is a growing body of literature in this field.
- A few participants identified safety concerns arising from the economic impacts of the projects, such as increased vagrancy, for example.

5.3 Overarching comments on safety and community-well being

Some participants expressed a preference for the terms “technical safety” and “beyond technical safety” used in NWMO’s presentation rather “safety” and “beyond safety” used in the Discussion Document.

A few participants discussed the implications of retrievability and reprocessing on both the criteria for both safety and community well-being. While these participants acknowledged that reprocessing is currently not permitted or economical, they believed that it may be considered in the future. Comments related to this issue included the following:

- As future society, including the host community, will be very different and possibly less stable, there may need to be a larger body, such as an international organization, that makes the decision on retrievability and reprocessing.
- Do any considerations related to reprocessing, such as the site footprint required for reprocessing facilities, need to be part of the site selection/safety criteria?
- NWMO should include a fact sheet on reprocessing in its communications material.
- The decision to decommission the facility should belong to a larger group than simply the community.

6 Partnership and Community Support for Decision-Making

After a member of the NWMO team introduced Chapter 5 of the Discussion Document (*Partnership and Community Support*), participants broke 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

Many participants expressed general support for the partnership approach and the range of resources being proposed to support a community’s decision-making and the

involvement of surrounding and transportation-route communities. They believed that these measures would help to build informed consent for the project.

6.1 Interested and willing communities

Resources to support community decision-making

Some participants stated that, while it is good that NWMO is proposing to offer resources to help communities seek independent expert advice, it should be a mandatory part of the process that communities engage expertise to help them understand technical information and assessment results. Similarly, two participants suggested that many of the resources described on page 33 of the Discussion Document, such as a NWMO presence in the community through a community office, be mandated.

Some participants urged NWMO to describe a more robust framework on how funding will be distributed, including expectations for those applying for funding, accountability mechanisms for those receiving funding, and an audit process. These participants agreed that NWMO should make the decision on who gets funding.

One participant suggested that other external sources of funding for interested groups, such as those available in the EA processes, be referenced in the Discussion Document.

Community visioning exercise

Many participants liked the proposal that an interested community conduct its own community visioning exercise. A strength of this approach is that it provides a lasting benefit to all communities participating in the process, and not just for the selected community. Several communities already have *integrated sustainability plans* (they are a precondition for receiving federal infrastructure funding) that could form the basis for a visioning exercise.

One participant stated that the resources and information for the community visioning exercise should not be provided by NWMO but rather by a third party.

Community benefits

A group of participants discussed community benefits for the host community and offered a range of suggestions on how to ensure appropriate and lasting benefits to the community:

- Community benefits could take many forms, including training, local procurement, compensation, and research. It is important that NWMO work to make these benefits as long-term as possible. They should be foundational investments which will contribute to the long-term sustainable development of the community. This also applies to compensation for damages. NWMO and the community should define criteria to guide such expenditures to ensure that they will yield lasting benefits and that decision-makers will be accountable for them.

- R&D is important to economic development. The project needs an explicit R&D component in order to create desirable long-term jobs. Involving a university in the repository might help foster scientific research and create economic opportunities for the community.
- Hydro-Québec is a project developer with a well-developed policy to create local benefits from hydro development that could serve as a model.
- NWMO and the community should set up bodies to monitor the performance of the repository and the implementation of benefits plans.
- NWMO should support giving local people the opportunity to compete for the professional and skilled jobs involved in planning, constructing, and operating the facility, and not just manual jobs. One suggestion was to add “build capacity of local residents” to the list of resources that NWMO would provide to potentially interested communities (on page 33 of the Document).
- When considering community benefits, NWMO should look at international practice and emulate good examples, including those from the few communities that will be hosting similar facilities in other countries.

One participant suggested that NWMO’s partnership with the community should result in benefits agreements on a range of issues such as training, benefit sharing, employment, and community investment.

Defining ‘willingness’

Some participants recommended that the site selection process provide communities with more guidance on how to demonstrate willingness. They recognized that it would not be appropriate to be overly prescriptive, but felt that guidelines or checklists, examples of actions to demonstrate willingness, and a basic threshold of what constitutes willingness would be helpful for communities. Communities need to understand how they will be assessed.

6.2 Surrounding communities and regions

Participants agreed that the regional study of social, economic, and cultural effects described on page 34 of the Discussion Document is an appropriate step for involving surrounding communities, but some felt that this study should be moved to step 3 to ensure earlier engagement of these communities.

One participant supported the NWMO’s proposal to make funding available to both individuals and groups, but argued that this funding should extend to individuals conducting site-specific studies as well as studies that are general in nature. In certain communities, individuals not affiliated with organizations may possess valuable expertise.

A few participants felt that the Chapter 5 of the Document, especially the section on involving surrounding communities, places considerable focus on involving Aboriginal

peoples, and should be broadened to also include NGOs, youth, and underrepresented groups. Participants offered a range of comments on this issue:

- Small informal meetings involving trappers, hunters, and others in remote areas – and facilitated by Aboriginal elders – provide a good model for building knowledge in, and networking with, surrounding remote communities.
- NWMO needs to be aware of, and support those “without a voice,” particularly Local Service Districts in New Brunswick, which have no formal representation and encompass approximately a third of the province’s population.
- Engaging and building the capacity of youth through schools, universities, and other educational institutions will support the continuity of the process across generations.

Several participants stated that benefits must be shared with the surrounding communities, and that the equitable distribution of benefits is as important as their actual size. Examples were given of projects where only the local community benefited, creating tensions with neighbouring communities. The area surrounding a host community should be mapped on the basis of anticipated impacts. The nature, extent, and severity of these impacts should determine who qualifies as a surrounding community eligible for project benefits.

One participant suggested that NWMO strike a *community of interests* panel with broad representation to ensure that the interests of surrounding communities are taken into account. Panel members should be responsible for engaging their respective constituencies, and the panel’s activities should be fully transparent.

6.3 Communities along the transportation route

Several participants stated that the section on involving communities on potential transportation routes needs to establish minimum requirements for engaging these communities. They found the language in this section to be non-committal. One suggestion was that a risk assessment be conducted for each transportation route being considered.

Other participants felt that it is very hard to discuss in the abstract what support the communities along potential transportation routes should receive. These communities will get some benefits but will also endure some risks, for which they should be compensated. They should be involved in the assessment of risks posed by the transport of used fuel, but if there is no measurable adverse impact, they should not get compensation.

Participants also stated that it is important that relevant authorities (e.g. Ministries of Transport for roads, and Transport Canada for ports) and transportation experts be engaged to address infrastructure requirements and transportation risks.

One participant suggested that an alternative to the word "route" be used, as it suggests road transportation more than other modes.

7 Third-Party Review

A member of the NWMO team 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?

In general, participants supported a role for third-party review in the process, though they had different views on the specific roles and composition of third-party review bodies. They offered few specific comments related to the three types of third-party review presented in the Discussion Document.

Composition

A few participants agreed that it is important for the membership of the Advisory Council to be diverse and to represent interests beyond those of the power companies, given its proposed role in the site selection process. Specific suggestions included having a member or observer from the Canadian Environmental Network, and a member with international experience in used fuel management.

Several participants agreed that NWMO should draw on the academic community and on other jurisdictions with experience in used fuel storage to build third-party review groups. Drawing on international expertise should be used to ensure that state-of-the-art technology is being applied to the NWMO project.

One participant stated that there needs to be a public discussion regarding the composition of third-party review groups for the site selection process. In the case of many environmental assessments, third-party review groups are limited by their terms of reference and by inadequate resources.

Roles

Participants saw value in third-party review for validating site evaluations and helping communities to understand complex information related to these studies and the project in general. However, two participants warned that there is a risk of third-party review

creating yet another forum for people to debate a variety of issues, or triggering yet another level of review. They felt that third-party review should focus on technical issues to keep reviews as objective as possible.

One participant suggested that the process could benefit from a public intervenor, who would be well-versed in technical terminology and have the power to engage technical expertise on the public's behalf – similar to the role of an ombudsperson.

8 Closing Remarks

Several participants expressed their appreciation for the dialogue process and encouraged NWMO to continue and expand its engagement activities, not to shy away from animated discussions, and to meet in a diversity of locations in New Brunswick to enhance awareness. The success of the process could be jeopardized if NWMO does not get its information out into the public.

Several participants suggested that NWMO increase the diversity of participants at its dialogue, including more engagement with youth, with francophones in New Brunswick, and more sessions involving both Aboriginal and non-Aboriginal people.

Other comments from individual participants included the following:

- NWMO needs a good communication plan going forward and should consider an even more simplified document (one-page) to inform the broader public.
- NWMO should be cautious in how it communicates the safety of waste storage at current reactor sites, and recognize that issues related to the current storage facilities could affect NWMO's process and credibility.
- Participants would like to see how their comments have been used to change the proposed site selection document.
- Transparency and coherence are crucial to the nuclear waste management process. There needs to be coherence between NWMO, CNSC, AECL, and the government. NWMO should consider broadening its mandate to include all nuclear wastes.
- NWMO should consider looking at the National Energy Board hearing for the New Brunswick pipelines as a case study in public engagement.

Kathryn Shaver thanked the participants for their thoughtful comments. She explained that Stratos will prepare 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, including open houses in Saskatchewan. NWMO will review all input received at the end of the year and aim to release a revised site selection process document 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
Brenda	Kelley	Bathurst Sustainable Development
Tom	Al	University of New Brunswick
Donna	Augustine	Niigani
Raymond	Murphy	Union of Municipalities of New Brunswick
Neil	Craik	Canadian Nuclear Society
John	Herron	Atlantica Centre for Energy
Gordon	Dalzell	Citizens Coalition for Clean Air
Susan	Farquharson	DueSouth Strategies - Business Development and Management
Michel	Duguay	Université Laval
Danny	Harrigan	Harrigan Insurance Agency Ltd.
Ruth	Levi	MAWIW Council
Hendricus	Van Wilgenburg	
Brad	Sappier	MAWIW Council
Chris	McFarlane	Atlantic Geoscience Society
David	Thompson	Fundy Baykeeper
Jacques	Martin	Cities of New Brunswick Association
Claude	Tessier	Hydro-Québec Équipement et SEBJ
David	Hanson	Union of Municipalities of New Brunswick
Carrie	Dedam	MAWIW Council
Bob	Manning	Enterprise Saint John
Imelda	Gilman	Saint John Board of Trade
Kerry	MacQuarie	University of New Brunswick
Tim	Vickers	Atlantic Coastal Action Program (ACAP)
Jane	Barry	The Greater Saint John Community Foundation

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 (<i>Stratos</i>)
Overview of the Project & Proposed Site Selection Process <i>NWMO Panel Presentation</i>
Plenary Discussion
Presentation of Next Day's Agenda <i>Stratos Overview</i>

DAY SESSION (8:30 a.m. – 4:00 p.m.)
Introduction to Session (<i>Stratos</i>)
Proposed Steps & Guiding Principles <i>NWMO Panel Presentation, Breakout Groups Discussion & Reporting Back in Plenary</i>
Break
Proposed Steps & Guiding Principles (continued) <i>Plenary Discussion</i>
Proposed Criteria – Safety and Community Well-Being <i>NWMO Panel Presentation, Breakout Groups Discussion & Reporting Back in Plenary</i>
Working Lunch
Partnership and Community Support for Decision-Making <i>NWMO Panel Presentation, Breakout Groups Discussion & Reporting Back in Plenary</i>
Break
Approach to Third-Party Review <i>NWMO Panel Presentation, Plenary Discussion</i>
Closing Remarks & Next Steps <i>Plenary Discussion, Participant Written Input, NWMO Closing Remarks</i>