

Advisory Council to the
Nuclear Waste Management Organization

Record of Discussion: November 28, 2012 Meeting

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

Convened at 22 St. Clair Avenue East, Toronto, Ontario,
commencing at 9:00 a.m. EST on November 28, 2012

Advisory Council Members Present:

Hon. David Crombie Council Chairman
David Cameron
Marlyn Cook
Wesley Cragg
Fred Gilbert
Eva Ligeti
Derek Lister
Dougal McCreath
Donald Obonsawin
Michel Rhéaume

NWMO Staff Present:

Ken Nash President & CEO
Kathryn Shaver VP, APM Engagement and Site Selection
Gillian Morris Assistant Board Secretary

Contributing Staff:

Mahrez Ben Belfadhel Director, APM Geoscience
Jo-Ann Facella Director, Social Research & Dialogue
Lisa Frizzell Director, Corporate Affairs
Paul Gierszewski Director, Repository Safety
Chris Hatton Director, APM Repository Design & Development
Neale Hunt Manager, Used Fuel Safety Assessment
Mark Jensen Director, DGR Geoscience and Research (Item 7)
Frank King VP and Chief Engineer OPG DGR Licensing and QA (Items 5-9)
Mike Krizanc Communications Manager
Elena Mantagaris Director, Government & External Relations
Pat Patton Director, Aboriginal Relations
Sean Russell Director, APM Repository Research and Development
Bob Watts Director, Aboriginal Community Relations

Guests:

Dr. Alan Hooper Chair, Independent Technical Review Group (Item 7)

ADVISORY COUNCIL BUSINESS

1. Constitution of Meeting / Approval of Agenda

The Chairman called the meeting to order at 9:00 a.m.

2. Minutes of Previous Meeting

The Advisory Council reviewed and approved the record of the previous meeting, convened on September 10, 2012.

UPDATES FROM NWMO

3. President's Report

Ken Nash provided the Council with an overview of NWMO's ongoing activities discussing:

- a recent Council of Elders meeting with new Co-Chairs Laurence Joseph and Donna Augustine;
- recent meetings with government departments;
- progress in the site selection process with additional communities requesting to move into Step 3 of the process;
- advances in the technical program, and readiness to submit a 4th case study for crystalline rock repository design and safety case pre-project review to the Canadian Nuclear Safety Commission, incorporating ITRG comments;
- continuing work on transportation with the report on public radiological exposure being posted on the NWMO website, and the new transportation brochure being published;
- the OPG L&ILW DGR joint review panel process;
- the International Conference on Geological Repositories that was very well received by participants from Canada and other countries; and
- NWMO's plans to renew international exchange agreements.

Council members discussed and commented on the President's report. Council asked about news coverage out of Sweden concerning questions posed to the implementer SKB by the regulator. Mr. Nash responded that NWMO would continue to follow closely the developments in Sweden to understand the nature of the questions and issues being addressed.

4. APM Site Selection Process

Kathryn Shaver summarized the status of the APM Site Selection process, discussing the communities engaged in the various steps of the process. Council was briefed on the communities that had recently chosen to enter Step 3, for Phase I Preliminary Assessments. Council was also briefed on the status of communities in Step 2 and their initial screenings.

Ms. Shaver provided highlights of some of the Fall engagement activities in the site communities and neighbouring cities. It was reported that all of the communities in the siting process had sent community representatives to the International Conference on

Geological Repositories (ICGR) in Toronto in October. On the margins of the conference, community representatives met for exchanges with NWMO and international visitors.

Council members expressed thanks to NWMO for hosting the ICGR and inviting Council members to attend. Members who attended the conference reported it to be excellent and extremely worthwhile. Council was pleased that the conference was webcast, and that attendees included participants from a range of organizations. Ms. Shaver wished to acknowledge the leadership of Elena Mantagaris in managing and overseeing NWMO's hosting and organizing of the conference.

Council also discussed the appointment of co-chairs for the Council of Elders and strongly supported appointment of co-chairs. Also discussed was the Council of Elders' request to NWMO for technology support. As NWMO considers the list of requests from the Elders, the Advisory Council urged NWMO to ensure Elders are equipped with access to tools for communication and accessing information.

5. Understanding Preliminary Assessments: Process and Interim Findings

On request of Council, the meeting was largely devoted to understanding NWMO's assessment and decision-making process, and a review of interim study findings to-date.

Kathryn Shaver introduced the discussion with the overarching framework of the Preliminary Assessments. Staff reviewed the individual components of the preliminary assessments:

- Ben Belfadhel addressed the geoscientific assessments;
- Paul Gierszewski addressed environment and safety;
- Chris Hatton addressed transportation;
- Sean Russell addressed engineering; and
- Jo-Ann Facella addressed community well-being, including environmental, social, economic and cultural considerations, and the engagement programs being conducted in support of the assessments.

For each of these areas of the assessments, Council engaged staff in detailed review of the different criteria and factors entering into the assessments, and how the findings would be integrated and assessed for each community.

In considering the preliminary assessments in progress, Council offered advice to the NWMO:

- Council discussed the importance of transparent, traceable and clear reporting out on the assessments and urged NWMO to provide for plain language reports back to communities. Staff confirmed that the siting process has been transparent, with the process and siting factors developed through two years of engagement and then finalized and published in 2010, and subsequently reviewed with communities. NWMO undertook to ensure clarity in future reports on assessment findings so that communities would understand the basis of assessments and the study conclusions. Council discussed with staff how the assessments would be reviewed with communities at different points in the process.
- Council asked if views of Aboriginal people would be sought during Phase 1 and be taken into account. Staff confirmed this was the case and reviewed how

outreach and engagement was underway, led by Aboriginal relations staff at NWMO. NWMO described plans to expand engagement with communities and Aboriginal people in 2013.

- Members emphasized the importance of continued capacity building in siting regions with communities and potentially affected Aboriginal people. In responding to Council's questions, NWMO confirmed that capacity building funding is available to Aboriginal communities and treaty organizations during the preliminary assessment phase. Council had a lengthy discussion with staff on engagement of Aboriginal communities that had begun and will continue throughout the multi-year assessment processes.
- Council emphasized the importance of NWMO's communities eventually partnering with NWMO to share the NWMO's values. In this regard, Council suggested that potential host communities should be demonstrating their commitments to reach out to surrounding areas and Aboriginal communities. The ability to engage with their neighbours on the project should be an important consideration in demonstrating their own strengths for hosting this project. Council suggested that the onus is on the community to assume a key role in outreach to Aboriginal people and not defer to NWMO to assume all responsibility for the outreach.
- For communities working with NWMO, they will want to consider NWMO's values that govern the way we work in their communities and lead the process. Council emphasized the importance of NWMO's contractors demonstrating that they too share NWMO's values. The ethics and values of field contractors will be important as they conduct field work as part of the NWMO project.
- Council urged NWMO to develop an Aboriginal procurement policy and initiatives to assist Aboriginal firms with demonstrated experience in integrating Aboriginal Traditional Knowledge into technical reports to provide environmental, engineering, geological or other technical services.

Council stressed that Aboriginal Traditional Knowledge should be considered holistically across technical and social areas of study. NWMO reported that it reaches out to Elders and traditional knowledge holders and will continue to welcome contributions across all disciplines of the assessments. Staff emphasized that much outreach was underway to seek to build relationships with Aboriginal communities and invite their contributions and perspectives to the studies. As field work commences in Phase 2 with interested communities, local traditional knowledge will be important in contributing to the assessments. Council was pleased to know that there would be these opportunities to bring local knowledge to bear as site evaluations continue. The Advisory Council felt that further discussion was required on the topic of Aboriginal Traditional Knowledge and requested that NWMO arrange for a special meeting prior to February to focus on the interweaving of Aboriginal Traditional Knowledge into the work of the NWMO. Further to Council request, staff undertook to schedule this for the new year.

- In terms of implementing the project through partnerships, a Council member proposed that NWMO remain open to considering the potential for co-management of the project as part of discussions with siting communities and Aboriginal people.

Council requested opportunities to continue the discussion of preliminary assessments and integration of desk-top studies at its upcoming meetings. The NWMO committed to build this into agendas of meetings for 2013.

6. Preliminary Assessment Workplan for 2013

Kathryn Shaver discussed the work involved in 2013 in working collaboratively with communities on the site selection process. She reviewed the plan to continue engagement with communities, Aboriginal people and surrounding areas as the desktop studies are completed for the eight communities engaged in the Step 3 assessments. Plans were reviewed to initiate assessments with communities recently entering Step 3.

The discussion included considerations for the future screening-down process to identify a small number of strong communities to advance to Phase 2 (Field Work). Council members asked about the process of narrowing down communities and the timing of this process. Ms. Shaver responded by reviewing the process by which findings from the Step 3 Phase I desk-top preliminary assessments would guide decision-making on the smaller number of communities, potentially 4 or 5, to be selected to proceed to Phase 2 field work phase should they communities wish to continue on. The timing of this identification of a small number of communities for field work will be the subject of ongoing discussion with the Advisory Council and Board of Directors. Stocktaking throughout next year will continue to assess readiness to begin screening down decisions, potentially beginning by late 2013.

7. Independent Technical Review Group (ITRG) Report

Mr. Nash introduced Mark Jensen (Director, DGR Geoscience and Research) to the Advisory Council, as NWMO's main liaison with the ITRG. Mr. Nash also welcomed Dr. Alan Hooper, the Chair of the ITRG to the meeting.

Dr. Alan Hooper reported to Council on the findings of the ITRG considering the APM technical program. He reported that previous recommendations made by the ITRG have either been implemented or their implementation is underway, although in some cases the ITRG has emphasized where more work may be required. Dr. Hooper reported that the scientific research that has been carried out to date, or that is planned, will provide strong support for what is recognized by the NWMO to be an ambitious set of planning assumptions for siting an APM facility.

Dr. Hooper reported that the ITRG believes that for the current stage of the program, considerable (but appropriate) attention is being given to optimized design solutions for the transport of used fuel to the repository, its encapsulation in repository containers and the emplacement of these containers as part of the overall engineered barrier system in the repository. The ITRG considers that the planned activities in the engineering design area of the technical program may well lead to improvements in design solutions following completion of the scientific and technical underpinnings.

Council members sought clarifications on the differences between different container designs under study. In response to a question about applicability of designs in both crystalline and sedimentary settings, NWMO explained that they are developing both a Mark 1 design (a design which closely resembles the SKB concept in order to take advantage of lessons learned by SKB) and a Mark 2 design (one which is optimized for CANDU fuel and takes advantage of manufacturing advances in the last 20 years) for each of the two geospheres. Council asked how the container designs factor into the site

community assessments. Staff suggested that the container designs that they are developing are generic in nature and will have little bearing on the community assessment.

Mr. Nash noted that the time frames for container designs were integrated into the business plan timelines to ensure the siting process timelines could be met.

8. APM Technical Update

The APM Technical Program update report was taken as written.

9. Review of NWMO Support to OPG L&ILW DGR

The report on the review of NWMO support to the OPG low and intermediate level DGR was taken as written.

12. In Camera Session

The Council held an *in camera* session without the presence of staff or management.

Termination of Meeting

The Chairman declared the meeting terminated at 4:30 pm.

Dated the 11th day of February, 2013

Vice President, APM Engagement and Site Selection