**Record 2013-2**

Advisory Council to the
Nuclear Waste Management Organization

# Record of Discussion: February 11, 2013 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 February 11, 2013

Advisory Council Members Present:

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| Hon. David Crombie | Council Chairman |
| Wesley Cragg | |
| Fred Gilbert | (via teleconference) |
| Eva Ligeti | |
| Derek Lister | |
| Dougal McCreath | |
| Donald Obonsawin | |
| Michel Rhéaume | |

Regrets:
David Cameron
Marlyn Cook

NWMO Staff Present:

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| Kathryn Shaver | VP, APM Engagement and Site Selection |
| Gillian Morris | Assistant Board Secretary |

Contributing Staff:

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| Mahrez Ben Belfadhel | Director, APM Geoscience |
| Angelo Castellan | VP, Environmental Assessment & Corporate Support (Item 10/11) |
| Jo-Ann Facella | Director, Social Research & Dialogue |
| John Fraser | Director, Community Engagement |
| Lisa Frizzell | Director, Corporate Affairs |
| Mark Jensen | Director, DGR Geoscience and Research (Item 10/11) |
| Frank King | VP, Chief Engineer OPG DGR Licensing and QA (Items 10-11) |
| Mike Krizanc | Communications Manager |
| Pat Patton | Director, Aboriginal Relations |
| Sean Russell | Director, APM Repository Research and Development |
| Norm Sandberg | Relationship Manager, Engagement & Communications |
| Bob Watts | Director, Aboriginal Community Relations |
| Derek Wilson | VP, L&ILW DGR Design & Construction |

## *ADVISORY COUNCIL BUSINESS*

### 1. Constitution of Meeting / Approval of Agenda

The Chairman called the meeting to order at 9:00 a.m. Some changes were made to the agenda to allow substantive items to be completed in the morning to accommodate a member's schedule.

### 2. Minutes of Previous Meeting

The Advisory Council reviewed and approved the record of the previous meeting, convened on November 28, 2012. Council members requested some changes which will be incorporated by staff.

## *UPDATES FROM NWMO*

### 3. Dispositioning of 2012 Council Advice

Kathryn Shaver reviewed the summary of Advisory Council advice provided in 2012 and NWMO's dispositioning of that advice. Ms. Shaver invited the Council to provide comment on the summary tracking matrix before it is tabled with the Board of Directors and posted on the NWMO website.

Several members provided feedback on the tracking matrix. (*) In this discussion, Council members requested additional commentary for the tracking matrix to highlight the focus Council has placed on the magnitude of challenges associated with engagement and societal acceptance of transportation aspects of the program.

Council members requested that the Council's advice tracking matrix be presented on a quarterly basis at each meeting for review. (*) The draft 2013 matrix will next be brought to Council in May.

### 4. Planning for Triennial Report, 2011-2013

Kathryn Shaver introduced this item, noting NWMO's next triennial report will be published in March 2014. She introduced Lisa Frizzell, Director, Corporate Affairs, who reviewed statutory reporting requirements and production timelines as context for Council's development of its comments that are to be included in that report. Council discussed its preliminary planning and approach to developing comments.

In discussing its workplan, Council agreed to engage a writer of its choice to assist them with its report preparation, and provided direction to staff on next steps. Council requested that their writer attend the May meeting. (*) Council also requested that NWMO make available for the May meeting the listing of reference documents that would assist in the preparation of the Council's triennial report comments, including a review of the steps in the siting process. (*)

## 5. Topics of Interest to Council

Due to time constraints, Council opted to defer discussion of this item until its May meeting.

## 6. Program Overview and Risk Assessment

As requested by Council members, as context for Council's advice and discussion, management highlighted key areas of risk. Ms. Shaver and Mr. Russell discussed the risks and invited Council's comments.

Council members recommended the risk framework be refined to address:

- the challenges and risks associated with messaging and dialogues occurring through digital media; and
- the importance of NWMO's operations continuing to be strongly grounded in its core values and ethical framework, including its commitments to transparency in NWMO's decision-making process and operations. Council members discussed the importance of maintaining the trust in NWMO that has been built up over the years. NWMO is advised to continue to reiterate its commitments to its core values and ethical framework, and principles embedded in the site selection process.

Members reiterated that progress on OPG's repository for low and intermediate level waste would be important for acceptance of the APM project. Council members discussed the pre-project reviews with the Canadian Nuclear Safety Commission and the CNSC's timelines for managing this work.

## 7. Status Update on Site Selection

Kathryn Shaver reviewed the status of the communities in the site selection process. She reviewed the initial screenings now completed, and the status of phase 1 preliminary assessments underway. She reviewed possible timelines for the preliminary assessment phases and selection of communities to advance to phase 2, and the activities in progress in each of the communities.

In the discussion ensuing Council members discussed and sought clarification on the organization's initial proposals for phasing decision making and completing assessments for communities that entered the process on different timelines.

Council agreed to management's proposal to devote a significant part of the May meeting to review of the siting criteria and assessment approach, with review of interim work.

Council members also discussed the importance of communication plans as NWMO reports out on assessment results, emphasizing that communities must have respectful communications and treatment as they receive the results, recognizing not all communities will be invited to continue on to phase 2. It was noted that the management would further discuss the topic of communications with communities in the siting process with Council at its May meeting.

## 8. 2013 Workplan

Kathryn Shaver outlined the 2013 workplan which prepares NWMO to advance to important next milestones in the siting process. Work in 2013 will involve completing phase 1 assessments for some communities, taking initial decisions on communities to proceed to phase 2, and completing preparations to commence the Phase 2 field studies in 2014. Ms. Shaver reported that there will be ongoing readiness reviews with the Advisory Council, Siting Committee and the Board of Directors. Council members were invited to comment on the preliminary readiness matrix with a view to highlighting gaps or offering advice on how NWMO should proceed with the proposed activities.

Council proposed minor editing to one section consistent with earlier comments proposed for its tracking matrix.

Council members commented that additional meeting time may be required during the year in light of the number of important items being brought forward to Council. The Council Chairman requested their May meeting be extended to two days in order to accommodate time to discuss community assessments and work on their triennial report comments. (*)

## 9. External Landscape

Staff highlighted activities under way to build relationships in support of siting and manage risks in the external landscape discussing a range of engagement activities was discussed with Council including:

- the next meeting of the Council of Elders;
- progress with the engagement of Aboriginal communities;
- municipal meetings;
- activities of engaged individuals and groups in the various communities in the siting process;
- recent media coverage and calls from the media; and
- the broader landscape including the Idle No More movement.

Ms. Shaver reported on international activities noting that NWMO would be presenting several sessions at the 2013 Waste Management Conference in Phoenix and a delegation from Japan was planning a visit to NWMO to discuss the APM program and siting process.

## 10. APM Technical Program Update

The Independent Technical Review Group (ITRG) had presented its 2012 report to the Council at its November meeting. Mark Jensen joined the meeting to discuss NWMO's dispositioning of the ITRG's 2012 recommendations. Mr. Jensen reviewed the areas of ITRG comments, and invited Council members to discuss NWMO's dispositioning of the recommendations. In response to a Council question, Mr. Jensen clarified the nature of the ITRG recommendation #3 concerning packaging.

## 11. Review of NWMO Support to OPG L&ILW DGR

Frank King reviewed the status of work in the regulatory approvals phase of the OPG L&ILW DGR. He reported that the licensing process is still in the public review phase and an additional technical session will take place in March as requested by the Joint Review Panel.

Angelo Castellan discussed recent engagement in Bruce County related to the OPG L&ILW DGR.

Derek Wilson updated the Council on the work in the design and construction phase.

Council members asked about the number of information requests received from the Joint Review Panel and how the quantity compared to other projects. Council members asked if any gaps in information were emerging that would benefit the APM project in the future. Mr. King reported that NWMO will complete a "lessons learned" report. Council asked for a copy of this report when available. (*)

Council members asked questions and discussed where the responsibilities of the duty to consult Aboriginal people lies. Mr. King reported that the CNSC is the crown consultation coordinator representing the federal government on the duty to consult for the OPG L&ILW DGR project. Council emphasized the importance of having clarity on lead federal agency responsibility for the duty to consult.

Mr. King also discussed the request that has been made to the Joint Panel to consider the cumulative effects of APM and the OPG L&ILW DGR in Bruce County. Council requested a copy of the document submitted in this regard (*).

## 12. *(In Camera)* Review of Letter to the Minister

The Council held an *in camera* session without the presence of staff or management to discuss and finalize its annual letter to the Minister of Natural Resources.

## 13. *(In Camera)* Council's Workplan for Triennial Report

The Council met *in camera* to discuss and plan for preparing the Council's report for inclusion in the NWMO Triennial Report to be submitted in March 2014.

## Termination of Meeting

The Chairman declared the meeting terminated at 1:30 pm.

Dated the 27th day of May, 2013

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Vice President, APM Engagement and Site Selection