

Advisory Council to the
Nuclear Waste Management Organization

Record of Discussion: November 27-28, 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 November 27 and 28, 2013

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 and CEO
Kathryn Shaver VP, APM Engagement and Site Selection (Items 9-15)
Gillian Morris Assistant Board Secretary

Contributing Staff:

Mahrez Ben Belfadhel Director, APM Geoscience (Items 1-9 by conference call)
Angelo Castellan VP Environmental Assessment & Corporate Support (Item 13)
Jo-Ann Facella Director, Social Research and Dialogue
John Fraser Director, Community Engagement (Items 1-9 by conference call)
Lisa Frizzell Director, Corporate Affairs
Paul Gierszewski Director, Safety & Licensing (Items 10-15)
Chris Hatton Director, APM Repository Design Development (Items 10 and 11)
Mark Jensen Director, DGR Geoscience & Research (Item 10)
Mike Krizanc Communications Manager (Items 1-9 by conference call)
Elena Mantagaris Director, Government & External Relations
Sean Russell Director, APM Repository Research and Development
Bob Watts Director, Aboriginal Community Relations
Derek Wilson VP, L&ILW DGR Design & Construction

Guest

Suzanne Barrett Writer for Advisory Council

ADVISORY COUNCIL BUSINESS

1. Constitution of Meeting / Approval of Agenda

The Chairman called the meeting to order at 9:00 a.m. The agenda was agreed as written.

2. Minutes of Previous Meeting

The Advisory Council reviewed and approved the record of the previous meeting, convened on September 16-17, 2013. Council members provided some suggestions for edits to the minutes. Council had a lengthy discussion about the use of “western Science” when talking about “western science and Aboriginal Traditional Knowledge” in the September minutes. Some Council members would prefer to use the words science and Traditional Knowledge. In working with scientists internationally, some scientists object to the term “western science”. Council agreed to use science and Traditional Knowledge for use in the Council’s minutes.

Council members also had some feedback on their Advice Tracking matrix.

STANDING ITEMS AND UPDATES FROM NWMO

3. President’s Report

Mr. Nash reported on recent activities in the NWMO work program:

- Mr. Nash recognized NWMO staff member Robert Watts who was recently acknowledged in the House of Commons as a recipient of the 2014 Indspire Award which acknowledges the achievements of outstanding Indigenous Canadians;
- NWMO recently completed the narrowing down of the first 8 communities to 4 communities. Community reaction has been positive, supportive and media reporting has been balanced;
- APM technical work continues on optimizing design and assembling proof testing program;
- Meetings continue with Dr. Binder, the head of the Canadian Nuclear Safety Commission (CNSC) regarding pre-licensing activities for APM;
- the Joint Review Panel hearings for the OPG L&ILW DGR were recently completed after 25 days of intensive hearings;
- the 5th case study for an APM DGR in sedimentary rock is on schedule for submission by the end of the year;
- an internal organizational transition plan is almost complete as a result of the retirement of two senior staff, duties have been re-assigned;
- developments in the Canadian nuclear industry include the announcement by the Minister of Energy that the new Darlington nuclear facility would not be proceeding; and
- Mr. Nash provided an update on the status of other international used fuel management programs. Internationally, other than Sweden and Finland where site selection is complete, Canada is the only country currently making significant progress on a voluntary site selection process.

Advisory Council members discussed the report including:

- the 5th safety case for APM in sedimentary rock;
- the status of ongoing cooperation amongst waste owners on low and intermediate level waste;
- the status of Yucca Mountain in the U.S.; and
- resolutions passed by various city councils on storage of nuclear waste near the Great Lakes.

4. APM Program Overview and Risk Assessment

Staff presented the risk report noting that going forward staff will update the risk report on a semi-annual basis (February and September). At the May and November meetings a verbal update will be provided on any changes in risks.

Council members reviewed changes in NWMO's risk report since the September meeting and discussed the risks related to the OPG Low and Intermediate Level Waste (L&ILW) Deep Geological Repository (DGR) project and whether they were increasing or decreasing as the project progressed. A Council member also suggested that a greater profile could be given in the risk report on risks related to the social aspects of transportation.

5. Status of Site Selection Process and Release of First Eight Assessments

Staff discussed the status of the APM site selection process including the completion of the first 8 preliminary community assessments, the overall reaction, response from the communities, media, Aboriginal communities and governments. It was reported that the extensive communications rollout of the announcements went very smoothly. Reactions from all communities, including those who were exiting the process, were positive. Media coverage was also reported to be very balanced.

Council members congratulated NWMO for a very well executed rollout of the decisions on the first 8 preliminary assessments. A Council member suggested that NWMO keep those communities eliminated from the process on the map of communities, perhaps indicating them in a different colour (*).

6. Building Relationships

Staff provided reports on the external landscape, engagement, the Council of Elders, and a media analysis and invited Council questions and comments.

Council members asked questions about whether there had been any impact or confusion in Saugeen Shores about the APM process during the OPG L&ILW DGR hearings. Staff noted Saugeen Shores has a Community Liaison Committee that is working to ensure the community is well informed and NWMO continues to offer information and briefings. A Council member asked about reprocessing and whether the topic arose at the OPG L&ILW DGR hearings (staff reported that it had). NWMO staff reported that it was working on a mini-conference on reprocessing that is hoped to take place in 2014.

7. Report on Youth Engagement

Elena Mantagaris discussed the annual NWMO report on Youth Engagement. She discussed the way youth were involved in NWMO's engagement program. As NWMO's siting process progresses, youth engagement will evolve to include individuals at the

local and regional levels residing in communities involved in the siting process and who are learning more about becoming a potential host for the deep geological repository. 2014 priorities for the program have been identified as: outreach to youth to build understand of APM and further developing communications materials and resources.

Council members discussed the report suggesting that:

- further youth activities could be built into NWMO's capacity building projects; and
- A Council member expressed concern that the Federal government is withdrawing funding for youth programs in First Nations communities. He suggested that NWMO's future corporate social responsibility program could focus on schools in the interested communities (recognizing that this is difficult with a large number of communities in the process). Mr. Nash noted that NWMO's CSR program is modest compared to that of mining or other "for-profit" companies.

8. Phase 2 Preliminary Assessments: Early Activities

Staff reviewed NWMO's preliminary plans for activities in the Phase 2 Preliminary Assessments. Work falls into the following programs:

- work with those in the area to plan and implement technical studies required to further explore potential to find a suitable site;
- build a stronger understanding of the project and safety fundamentals among people in the area, using a collaborative approach as developed with the community, Aboriginal peoples and surrounding communities;
- work with those in the area to explore potential to foster well-being in the area;
- engage those in the area and build collaboration among parties; and
- continue a regular program of communication.

Advisory Council members discussed the planned activities and asked questions about what further work would be done on economic modeling? Staff reported that economic modeling was done in 2010 and will be refined once communities are further narrowed down. Advisory Council members asked that NWMO send electronic links to the 2010 work done on economic modeling. (*) Council members see updated economic modeling as an important tool for communities.

A Council member suggested that, in addition to the duty to consult, there are broader regulatory requirements that may be triggered when NWMO begins seeking permits and NWMO should investigate what processes might be triggered as it may also engage others outside of the interested communities.

A Council member asked NWMO to consider conducting a third party audit in the communities which goes beyond the accountable authorities. NWMO noted that it has worked with a third party to circle back to the mayors and that there are many comments in the public domain by the mayors of the interested communities.

A Council member asked about permitting processes and suggested there was a lot of expertise in this area on the Council.

9. Capacity Building for Phase 2

Bob Watts discussed an overview of the capacity building programs planned for Phase 2. He reviewed the purpose of the resources program, types of funding and the

principles for the program established by NWMO. He reported that NWMO will be seeking input from communities on the program.

Council provided feedback on NWMO's plans. A discussion was had regarding funding for interested communities to engage outside experts for independent advice.

Council member also discussed the incorporation of Aboriginal Traditional Knowledge and Law in Phase 2 activities and wish to gain a better understanding of what the Aboriginal law component entails. Council members asked for a presentation at an upcoming meeting. (*)

10. Independent Technical Review Group (ITRG) Report

Ken Nash introduced Mark Jensen who has taken responsibility for the work with the ITRG. He reported that the ITRG met in September, completed their report in November and stated that the independence of the group was maintained. Mr. Jensen reviewed the findings of the ITRG with the Advisory Council.

Council members discussed the Mark II container design and how the long life of the canisters would be demonstrated. Staff reported on the various corrosion programs that examine what may affect the container and natural analogues of copper. NWMO accesses data from around the world on corrosion.

11. APM Transportation Technical Plan and APM Technical Program Update

Chris Hatton discussed the transportation technical plan which has the overall objective of advancing technical and social studies to the point where a decision can be made to narrow down to one or potentially two locations. He discussed the proposed program over the next three years and the staffing plan.

- Council members discussed transporting used nuclear fuel by water and suggested if NWMO will not be studying this method to make that clear in its plans.
- Council urged NWMO to start early to probe key transportation issues and concerns of the general public. In this regard, staff discussed a possible focus group on transportation to probe these issues, including discussion of transportation by different modes including water.

On the APM Technical program Mr. Hatton reported that work continued on the preparation of a 5th Case Study postclosure safety assessment of a conceptual APM repository in sedimentary rock which is on track for submission by the end of the year. He also updated the Council on the work related to the Mark 2 container design.

12. Environmental Integrity

At the request of Council, NWMO staff discussed how environmental integrity is being addressed in the APM program. It was a focus in each of the recently completed preliminary assessments.

Council members suggested:

- As the environmental assessment approaches for APM there will be a number of regulatory issues to address and NWMO would be well served to investigate these at an early stage;

- NWMO should explore the environmental benefits that go beyond meeting the minimum requirements of the environmental assessment such as energy conservation and constructing roads in an environmentally safe way; and
- Council looks forward to regular updates at its meetings on NWMO's work on the environment.

13. Observations from the L&ILW DGR Hearings

Staff provided the Council with observations from the OPG low and intermediate level waste DGR hearings. It was reported that socio-economic factors were a focus of the hearings. Other key areas of discussion at the hearings included: the design and safety case; community engagement; Aboriginal participation; waste inventory; retrieval and the licensing process.

Council members discussed: the types of containers used for low and intermediate level waste; how transportation was considered in the hearings; and the role of the Canadian Nuclear Safety Commission in the regulatory process.

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

The Council was provided with a written update on NWMO's work to support OPG's L&ILW DGR. Staff welcomed questions from the Advisory Council on the reports.

Council members asked about the next steps to get to a construction license.

15. Topics of interest to Council

Council members were provided an opportunity to raise topics they may wish to see on the February meeting agenda. None were raised.

16. Council's Work on the Triennial Report (*In Camera*)

The Council met on November 28 *in camera* to discuss to continue preparing their comments on the Triennial report due in March 2014.

Termination of Meeting

The Chairman declared the two-day meeting terminated at 3:00 pm on November 28, 2013.

Dated the 3rd day of February, 2014

Vice President, APM Engagement and Site Selection