

Advisory Council to the
Nuclear Waste Management Organization

Record of Discussion: May 20, 2004 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)

held at Toronto, Ontario, commencing at 10:00 a.m. and concluding at 5:00 p.m. on May 20, 2004.

Present

Advisory Council:

David Crombie	Chairman
David Cameron	Member
Helen Cooper	Member
Gordon Cressy	Member
Fred Gilbert	Member
Eva Ligeti	Member
Derek Lister	Member
Donald Obonsawin	Member
Daniel Rozon	Member

NWMO:

Elizabeth Dowdeswell	President
Kathryn Shaver	Corporate Secretary
John Neate	(Item 5)
Jo-Ann Facella	(items 5 and 6)

NWMO Assessment Team:

Dr. Michael Ben-Eli	(Item 5)
Mr. Tom Isaacs	(Item 5)

PART I

ADVISORY COUNCIL BUSINESS

1. Constitution of Meeting / Approval of Agenda

The Chairman called the meeting to order at 10:00 a.m.

The agenda was reviewed and approved.

2. Minutes of Previous Meeting

Minutes from the March 23rd, 2004 Council meeting were brought forward for approval.

The minutes of the March meeting were approved with one minor editorial change.

3. Council Updates

Dr. Lister tabled a summary note of the EURADWASTE'04 proceedings that he had attended March 29, 2004 to April 1, 2004.

He provided the Council with highlights from the meetings which addressed community and socio-political considerations, stakeholder engagement, and research and development. He reported that the conference was very informative and flagged the substantial amount of collaborative research under way in Europe on nuclear waste matters.

Dr. Lister has provided NWMO with a compendium of abstracts for the various papers presented at the conference, available to those interested in following up on details.

Advisory Council members thanked Dr. Lister for attending and reporting back on the findings.

PART II

UPDATE FROM THE PRESIDENT

4. Discussion Document 2

The President introduced the Annotated Outline for Discussion Document 2, that had been distributed to the Advisory Council.

To set the context for the agenda items to follow, the President reviewed the proposed objectives, format and content of each of section of the Document.

The principal objectives of Discussion Document 2 are to:

- Report out on the dialogues and acknowledge the input that NWMO has received in response to Discussion Document 1.
- Share the results of NWMO's preliminary assessment of management approaches.
- Invite comment on the assessment.
- Indicate NWMO's next steps.

In this regard, Discussion Document 2 will:

- Share with Canadians descriptions of the methods that the NWMO has proposed for study – and communicate NWMO's reasons for setting aside other technical methods previously listed in Discussion Document 1.
- Articulate how the assessment framework was developed – with its origins in the 10 key questions originally put forward in Discussion Document 1, and shaped by the many comments and priorities shared by Canadians in early conversations and a range of focused engagement initiatives.
- Outline the methodology used for the assessment.
- Highlight the results of the assessment of the alternative approaches considered by the NWMO.
- Invite further input from Canadians, to assist NWMO in refining its assessment and further developing the management approaches.

Council members inquired as to the planned release date and the timeline provided for public comment on the Document. The President responded that NWMO was working toward a target release date of August 15, 2004, followed by a period of several months of public consultations on the issues raised in the Document. Input received on Discussion Document 2 will help to inform the development of NWMO's draft recommendations and study report that will be issued in early 2005.

5. Assessment

The President introduced Dr. Michael Ben-Eli (Team Leader) and Mr. Tom Isaacs, two members of the Assessment Team who had been invited to present the Team's work to the Advisory Council.

Dr. Ben-Eli opened the presentation with a review of the Assessment Team's terms of reference. As Team Leader, in reviewing the membership of the Team he complimented the President on the selection of members. He reported that the multi-disciplinary backgrounds of Team members provided for an excellent range of perspectives and skills. Council members noted that they had earlier applauded and complimented the President on the impressive appointments to the Team.

The Assessment Team members spoke to the background context for the Team's work. They noted that in selecting an appropriate methodology for the comparative assessment of management options, the Team was guided by a number of factors:

- Consideration of social and ethical dimensions was to be an important part of the analysis. Consistent with NWMO's direction, the Team required a methodology that allowed for the systematic integration of ethical and social considerations into the assessment framework. The assessment required a system view, to fully understand qualitative and quantitative factors.

- The assessment would entail a complexity of issues, involving long time horizons and presenting implications for present and future generations. The analysis would encounter areas of uncertainty. Further, the Team recognized that there are many legitimate views when it comes to considering ethical and social assessments of management options.
- The NWMO required that the assessment framework take as its foundation the ten key questions presented in Discussion Document 1. These questions had been developed and validated by Canadians through earlier NWMO engagement activities as the key areas they felt that should be addressed in comparing the management options.
- The Team sought a methodology that would allow use of the objectives in a visible way, providing transparency in the assessment process and the trade-offs implicit in this type of assessment. It would be important to be able to explain how the assessment was undertaken, and present it in such a way that would allow others to review and suggest alternative interpretations. NWMO would be sharing this preliminary assessment publicly as a work in progress, inviting Canadians to offer different views and perspectives.

With these considerations taken into account, the Assessment Team chose to adopt multi-attribute utility analysis for the comparative assessment of management options. The Team reported that this is a methodology which is reputable and has been applied internationally. It was noted that a feature of this methodology is that it allows the integration of qualitative and quantitative considerations. The Team noted that they benefited from working directly with one of the leading experts on this methodology.

The NWMO's ten key questions formed the basis for the review of options. The Team proceeded to convert these questions into an operational set of objectives and influencing factors to guide the assessment of alternative management approaches. The Team described how the analysis is enriched by incorporating, on an ongoing basis, the findings and input from NWMO's dialogues with the Canadian public. In this way, the Assessment Team seeks to keep its assessment aligned with the key values emerging from the public.

Dr. Ben-Eli noted that the Team was addressing the three methods in the *Nuclear Fuel Waste Act*, and would also be reporting on whether additional methods were also determined to be appropriate for further study by NWMO.

The Assessment Team previewed its findings to date with the Advisory Council, and reported that it was working to complete its assessment by the end of June 2004. In sharing their insights, Team members emphasized that the manner in which any option is implemented will be as important as the choice of technical method, in regards to meeting societal expectations.

The Advisory Council Chairman opened up the meeting for discussion. Council members asked questions of the Assessment Team:

- Council members asked for elaboration on how the ten key questions from NWMO Discussion Document 1 were mapped against specific objectives in the assessment framework.

- There was discussion on how future generations were taken into account in the analysis.
- Questions ensued about the process by which the Assessment Team would consider and advise on suitability of other technical options for inclusion in the NWMO study.
- Council questions explored the methodology, and how a range of influences are taken into consideration in assessing the performance of each option against the objectives.
- Council members discussed the methodology from the point of view of facilitating public review and the extent to which it would lend itself to public scrutiny, to allow others to review the options from their own perspectives.
- Council members inquired as to the types of sensitivity analyses being undertaken by the Assessment Team, to test the robustness of the insights flowing from the preliminary work against differing assumptions about the future.

6. National Citizens' Dialogues

The Chairman welcomed Judith Maxwell, President, Canadian Policy Research Networks, and her project director, Judy Watling.

Ms. Maxwell addressed the Advisory Council on the preliminary findings from the National Citizens' Dialogues, convened by CRPN in partnership with NWMO.

She described the analysis in progress to interpret the transcripts and to identify and synthesize key findings with respect to the set of commonly-held values. This work will assist NWMO in understanding the ethical and social values framework for its work.

Ms. Maxwell noted that this work will complement NWMO's other activities under way that are informing NWMO's understanding of Canadian values. The particular contribution of CPRN's work will be the focus on values from unaffiliated Canadians, as proxies for the general public.

Following a summary of the preliminary findings, Ms. Maxwell invited Council comments. She also thanked Council members for observing some of the National Dialogues to hear the discussion first hand and for sharing their comments with her. In closing, Ms. Maxwell noted that CPRN was in the process of refining the findings and the report.

The Chairman thanked Ms. Maxwell, and opened the floor up for Council discussion:

- Council members asked about details on some of the findings and scope of common ground.
- Council members who had attended some Dialogues exchanged comments on some of the themes emerging in those sessions.

General discussion ensued on the amount of information appropriate to support such dialogues with the public, and the associated challenges of providing sufficient contextual background to support discussions. There was discussion on finding the right balance between open dialogue and having available experts to answer questions that may arise from the public. The Council reflected on the experiences with the National Dialogues in terms of guidance for NWMO in considering the next phase of public engagement.

The President spoke to how NWMO is using the findings from the National Citizens' Dialogues, and how the insights from the Dialogues feed into the Assessment Team work. NWMO and CPRN are planning to have the report on the Dialogues ready for public release in the summer. The findings will also be summarized in Discussion Document 2.

7. Discussion Document 2

Further to the introduction of the draft annotated outline for Discussion Document 2 (provided under Agenda item 4) the President invited Council comments on how it wished to be involved in the reviews of Discussion Document 2.

Council indicated support for continuing the process established for the earlier document - offering comments on a document outline, a first draft and a refined draft. There was agreement that having a face-to-face meeting would facilitate discussion of the draft. The President undertook to arrange these meetings. (*)

The President reviewed the objectives for the Discussion Document.

- The Document will provide the public with traceability, by explaining how the assessment framework derived from the ten key questions from Discussion Document 1, since validated by the public in the engagement activities of recent months.
- While Discussion Document 2 will share findings from NWMO's preliminary comparative assessment of options, it will be important to note that the assessment is still continuing. NWMO has not formed any recommendations. The preliminary analysis will reveal the results that emerge as the options are assessed using that framework and set of objectives. However, NWMO acknowledges that the Canadian public may view the options differently, or may suggest additional issues to be considered in the final assessment.
- NWMO will outline the study components that will be the focus in the next six months, including development of the implementation plans.

Upon release of Discussion Document 2, NWMO will invite comments on the assessment work to date, and will flag the range of implementation issues to be addressed in the next phase of the study as NWMO considers the governance, financial and decision-making frameworks required to support implementation and sustainability of each management approach.

At the Chairman's invitation, Council discussion ensued. There was discussion on:

- The range of target audiences for the document, including the public at large.
- The need for a plain language document, which is of reasonable length for supporting general public dialogues.
- The importance of sharing of preliminary assessment results, as a means of inviting further input to assist NWMO finalizing the review and drafting recommendations.
- Presenting the Document as a stand-alone report, not requiring reference to Discussion Document 1.
- The importance of drawing links to the study requirements of the legislation wherever possible when reporting on NWMO's work in Discussion Document 2. Notwithstanding the important role for an integrated assessment of qualitative and quantitative considerations, for purposes of reporting out in the Discussion Document the Council advised that NWMO provide explicit reference and profile

of its consideration of social and ethical issues and work with aboriginal peoples, to clarify NWMO's responsiveness to these very important areas of the *Nuclear Fuel Waste Act*.

Council members expressed support for the proposed outline. Following discussion, the President invited Council to forward any additional comments on the outline to NWMO.

The President noted NWMO's intention that Discussion Document 2 be a focus for the next round of public engagement. NWMO will be designing a broadened program of public engagement to invite Canadians to participate in structured discussions and workshops, community dialogues as well as other less structured fora that invite general public participation.

The President noted that the next phase of public engagement will include some different consultation approaches than used in previous phases. This reflects NWMO's intention to take its preliminary assessment results – the first substantive finding – to the broader public at large, given an anticipated growing interest in the work. The President noted that some structured dialogues will be continuing, such as those established with reactor site and aboriginal communities, but consideration must now be given to the most meaningful and productive way of engaging Canadians broadly, as envisaged in the legislation.

Advisory Council members discussed the important focus given to consultation with the general public and aboriginal peoples in the *Nuclear Fuel Waste Act*. Preliminary discussion ensued on a variety of engagement approaches that might be considered by NWMO. Council members concurred that a wide-ranging engagement program will be appropriate and required to support the post-Discussion Document 2 phase of the NWMO's work. They counseled that NWMO take every possibility to consult by providing a range of opportunities for the public to engage.

The Council tabled an interest in pursuing further its advice with respect to NWMO's next phase of public engagement. In addition to designing new consultation opportunities, Council emphasized that it is important that NWMO follow up on suggestions tabled in workshops and meetings to date. It was agreed that time would be set aside during Council's in camera session on June 5th to address the topic of public engagement. (*)

8. Update on NWMO Engagement

The President provided a number of updates to the Advisory Council:

- A summary of nuclear regulatory and policy activities under way or planned in different Canadian jurisdictions, shared with Council to highlight the external developments occurring in parallel with NWMO's study.
- NWMO's discussions with the nuclear reactor site communities.
- The latest paper from the NWMO Roundtable on Ethics, presenting a draft Ethical and Social Framework for the NWMO.

PART III

ADVISORY COUNCIL BUSINESS

9. June 5th In Camera Session

At the request of the Advisory Council, NWMO tabled a draft Agenda for a special session scheduled for June 5, 2004. The Chairman invited Council comments on a draft Agenda. Council thanked NWMO for providing the draft agenda and supporting notes. The Chairman invited members to forward further suggestions on the agenda to the Corporate Secretary.

To assist NWMO with planning future meetings, the President invited Council comments on its preferred structure for its meetings, including briefing opportunities. Council members expressed support for additional guest presentations, such as that provided by the Assessment Team, which members had found to be informative and engaging.

Council expressed an interest in having similar opportunities to engage more actively in discussions on the ethical dimensions of the study. Council members suggested it may also be appropriate for NWMO to consider regrouping with participants from earlier planning sessions regarding aboriginal outreach.

10. Review of Upcoming Meetings

The Chairman reviewed the schedule of upcoming Council meetings.

- June 5th , in camera special session
- June 22nd, 1-5 pm EST
- July 5th Conference Call, 10 am -11 am EST

Termination of Meeting

The Chairman declared the meeting terminated at 5:00 p.m.

(* denotes action required)

Dated the 22 day of June, 2004
Corporate Secretary