

To: NWMO

From: Gordon Dalzell, Chairperson
Saint John Citizens Coalition For Clean Air

Comments Re Nuclear Waste Management Organization Asking the Right Questions prepared prior to Session #1 in Fredericton. These comments prepared in response to reading the document "Are We Asking The Right Questions?"

Introduction:

After carefully reading and reflecting on the document Are We Asking The Right Questions I have come to the conclusion the right kind of general questions are being asked. What is mission are all the sub set of related questions many of which were identified at the two Regional Consultation Sessions of March 10, April 3, 2004 in Fredericton, N.B.

Reference:

Considering one of the study options under section 12 (2) of the act is (b) "storage at nuclear reactor sites" one set of questions not asked is the following.

Comment:

To what extent is it important that for any proposed nuclear site communities, that community comfort and support of an existing facility should be weighed into the recommendation as a suitable site for the long term storage. To what extent is just the opposite true? Should the communities history of support and comfort be taken into consideration even at all when making the final recommendation?

We note that the approaches must fully consider social and economic dimensions and they must be sensitive to the impacts that any approach may have on Canadians way of life and their aspirations. In this area, for example, the CNSC acknowledged in its final report, the extensive level of supportive interventions held at the Public Hearing in June 2003 for the Solid Nuclear Waste Management Facility recently approved and licensed at Pt. Lepreau facility. Since this community overall appears to be generally supportive of its nuclear industry with its 100 million dollar a year impact, does this mean that this could be a factor to make us more attractive and susceptible to being approved for a storage unit at the local nuclear reactor site? It's a question that should be considered. Many people in this region may have a special interest, not only on this question but obviously the answer. It should be noted that even the clean air activist movement is divided on the merits or lack there of the local nuclear facility and its future. Some members have publicly acknowledged the current role nuclear energy plays in helping Canada met its Kyoto commitments, in addition to contributing reducing common air contaminants from fossil fuel use. One question not

asked is one the element of risk in respect to nuclear energy playing a role to reduce greenhouse gases or deal with impact of climate change.

What kinds of social characteristics will be evaluated for any community being considered for a recommendation of storage at nuclear reactor sites? Some communities like this one have just gone through an extensive public regulatory review on expansion of its Nuclear Waste Management Facility without much of any opposition. Will such history or circumstances have any bearing on future recommendation to go with storage at nuclear reactor sites or a centralized storage either above or below ground?

Again the Seaborn Panel Report acknowledge this key social perspective. Its important to analyse this social perspective not just from an oppositional point of view but also a community support perspective.

"Finding a way forward, in which Canadians have confidence is only possible through public involvement". We note the communities of interest for the long term management of nuclear fuel waste are numerous and adverse. Please to see that residents and representatives of communities where used nuclear fuel is generated and currently stored, as well as communities that might be affected in the future (e.g. communities which might host a nuclear waste management facility or waste transfer station will be consulted. We believe the regional consultations of March 10 and April 3 are not comprehensive enough and too restrictive to meet the definition of meaningful public participation.

Since the region of Saint John including Pt. Lepreau already meets that "community of interest" definition with a newly approved nuclear fuel site here, this implies that our community is or could be part of finding a way forward with people from many walks of life needed to drive the study process. Therefore, is this "community of interest" adequately being or going to be part of the study process? If so how? Communities like this one that already have a history and presence of such a nuclear waste storage sites have a lot to offer to the study process and therefore have you spend enough time and effort tapping into that broader community of interest where nuclear fuel is generated and currently stored, I submit many more questions in this area need to be asked to local the community at large. We do recognize that many stakeholders have been consulted to date and their input sought. More could be done to broaden this to the wider "community of interest". We note the many stakeholders identified overall to be included. How many of these broader groups have you engaged, consulted? Many people in our community haven't got a clue about this important study and consultation process. What steps are being planned to consult the Greater Saint John area more broadly?

Since our community could be affected, its time to come to Greater Saint John community and really engage the broader community to seek input at a much wider level. The question for you here is, have we done enough in these unique communities that already have this nuclear fuel waste storage on site? You may have done more

than I am aware here but one thing for certain there has been little public press or official presence of your agency here in this Region other than coming to Saint John last year to inform and meet with some key stakeholders and officials. Because of expected negative reaction to your work, you cannot be hesitant to come to Saint John and face the possibility of some negative feedback as you carry out your mandate. Meetings in Fredericton is not sufficient, you need to come to the Greater Saint John area and let's dialogue on this whole nuclear waste issue in an open and transparent manner with as many local community stakeholders as possible.

Page 38 - Where is the research component cited / see reference to special email on research needs. We are concerned that options for Canada need to be researched by Canadians for Canada to ensure a made in Canada research analysis.

Are we doing enough in the nuclear research field as part of this study? For example in the area of treatment, re processing NWMO should be promoting or seeking research studies into these concepts from a Canadian perspective as per its mandate.

Page 41: Foundations / Nuclear Fuel Waste Act

More information on the legislative mandate is required. Should be posted as an Appendix.

Why this fact? 'taking into account the economic region in which that approach would be implemented ...

Reference: Page 44, we also list some preliminary questions, to spark dialogue and discussion. The NWMO looks forward to your feedback on whether these questions capture key issues. With more input the questions will be refined.

Comment on Above Statement

"By asking the right questions, we will define, for the purposes of this study what is meant by "socially acceptable technically sound, environmentally responsible and economically feasible". An example of this found in Saint John.

As part of this study under socially acceptable, I would recommend you carefully study this regions / community history and experience with nuclear waste including recent community feedback, interventions at the CNSC Public Hearing on the Solid Nuclear Waste Management Facility recently approved and licensed. One would conclude that this community's experience with this waste storage could fit the "socially acceptable" definition. If you agree, then it will be very important to carefully assess this by further examination commencing with interventors at that June 27, 2003 Public Hearing in Saint John. Please refer to the CNSC records to get copy of their interventions and the Regulatory Agency analysis and decision. You may learn a lot by studying this community comments and interventions in respect to nuclear waste storage here.

Comment RE: P. 42 Early Conversations about Expectations and Learning from the Past

We note there are no records of those consultations. Where are references? What group participated? No record or Appendix outlining their input, are they available in this document, another record? If not, why not? Can the points raised by those 250 groups be made publicly available? Will this input be part of your final study report? Should be posted as they are an important public record of interest in this public process.

Comment RE: P. 43 Under Envisioning the Future

There is reference to "Four workshops of several days each were held". We understand a group of stakeholders from the Saint John Region were invited and attended. It looks like it was by invitation only, as I do not recall seeing notice in paper to submit names to attend. Since our group was one of those you had an early face to face conversations with, we were disappointed and put off by fact we were not included or invited to those earlier workshops. We understand one was held in Moncton. Please provide workshop summary for the public record.

We therefore would like to be included as one of the many stakeholder groups to be included at future workshops meetings, consultations with Saint John.

We do note that the scenarios that were developed are available "Scenario Report 27 on NWMO website. This is not the same as Summary of Proceedings or actual record of comments.

Reference: "Scientific and technical experts cannot predict with complete certainty how any management approaches will perform over the many thousands of years required to contain and manage potential releases because data do not exist over this time period". We see this limitation as a need for careful research. Perhaps such research has been done in other countries?

Reference: P. 45 Question, What definition of Precautionary Principles or Precautionary Approach are you using? I notice your do not cite the CEPP Precautionary Principles definition used in Federal environmental legislation. Why not?

You have "the precautionary approach or precautionary principle". These are not the same. Need to be very careful here not to assume precautionary approach the same as Precautionary Principles found in Canadian Environmental Protection Act (CEPA). The Rio definition is the one accepted by Environment Canada.

Should be defined clearly spelled out. See Environment Canada's Definition.

Re: Ethics: Ethics Roundtable See Appendix 1 - Whose ethical philosophy do you use to consider the ethical dimensions?

Re Environmental Expert Workshop Was CEN consulted for delegates? Are any of these people members of CEN? If not, why not? This list of advisory members may not have anyone officially approved by Canadian Environmental Network. This needs to be addressed.

Re: Ethics: Any representative from Canadian Conference of Catholic Bishops or other mainline regions of Canada? Any plan to consult them or the other mainline religious denominations? Whose ethical philosophy is adopted in a pluralistic society. More work on this ethics requested needed.

Comments on your identified "experts" as resource specialists under Environment.

This is the real weakness of this section. Eleven experts were drawn from business and industry, academic, government and not for profit sector. The discussion and suggestions focused on three theme.

I am concerned that these "experts" may not be representative of the environmental community particularly no official delegates from the Canadian Environmental Network (CEN).

Although the environment is a public good and there is no one group has the monopoly on environmental stewardship and protection, I am concerned that the all environmental aspects of used nuclear fuel will not have sufficient voices of experts which will make up the expertise.

I see the lack of bias is identified as one of the criteria to be effective. One could easily conclude that the traditional environmental community is biased against nuclear issues and therefore could not be counted on to render unbiased analysis. This may not be a correct assumption. Failing to have a more comprehensive number of experts could be a problem which could deny or avoid putting these studies through much needed scrutiny. Further, by not engaging these environmentalist in a more concentrated way, the public interest may not be well served. Often the anti nuclear ENGO's have immense technical expertise and analytical skills which may not be brought to bear on the existing themes identified. Their voices need to be listened to as part of the greater national debate even if they are opposed to nuclear energy as a fuel source. We recognize that the environmental community was well represented at the April 3, 2004 Consultation in Fredericton.

RE: Nuclear Communities:

I am pleased to see that it is recognized that the communities which currently store nuclear fuel waste have special experience, insights and perspectives which should be drawn upon to help inform the work of the NWMO. In this respect Saint John community has a lot to offer. Therefore communities where such facilities exist should be given more weight in their opinions compared to communities provinces who do have any existing nuclear facilities.

Re: Exploring Concepts

Ethics - Is this group representative of various ethical philosophical positions. What are the underlying value bases. What are the philosophical foundations of the group on the ethics resource group?

Research: Psychosocial Health impact.

This concept of psycho social health impact needs to be studied carefully. It is a defined (WHO) condition under health. It was identified as a real concern in the Irving Oil Refinery Public Health Risk Assessment (1998) as part of an Environmental Impact Assessment (EIA) for an expansion of the local petroleum refinery. Please refer to that document as it refers to fear, anxiety, worry, living near an industry where there is any potential of a serious catastrophic event. This is not a Mickey Mouse concept but one found in professional references on health impacts. Please explore this concept under health impact as it could be very important to assess especially if storage at existing facilities is one of your recommendations.

Key Questions, Additional Commentary

RE: Question 2

"Does the management approach provide for deliberate and full public engagement through different phases of the implementation"?

Comment: In terms of commitments "to community engagement", I question whether the formal environmental community (those affiliated under the Canadian Environment Network as well as the Provincial Environmental Networks) will be part of this commitment to engage. This is unfortunate I sense you could ignore or avoid reaching out specifically to these environmental stakeholders because they could be challenging to engage and will oppose any efforts that will result in this nuclear energy continuing to produce nuclear waste. This process of "community engagement" needs to take the "bull by the horn" and face these groups to actively engage them not to avoid debating them which I fear will occur. In fact, considering the role nuclear energy has had on displacing fossil fuel emissions that contribute to eliminate change that has and will continue to harm people, one could argue that this fuel source contributes to improving air quality that needs to be debated more actively. Any fuel source that prevents millions of people from getting sick and dying from smog causing pollutants make have a future role at least in a transitional period until renewable take over. This notion is one that society is beginning to recognize in places like Ontario where the five or six coal burning power plants are operating and making citizens sick. It appears Ontario is recommitting itself to nuclear energy. So why all this negative reaction from the environmental community? Lets look into this as one of the questions to be asked and debated by our society. This is not an easy area to engage a debate but its better to have this conflicted debate out in the open so Canadians can understand the opposing views and do their own critical thinking on it. This debate is essential to the long term nuclear waste management issue.

Comment RE: Page 48: Technical Aspects

"The technological and scientific pros and cons of recycling the material; factors to consider include".

In my view this is one of the most important areas of assessment. If this nuclear waste material could be recycled or reused it would obviously reduce the amount to be stored. To what extent are there applications where this material is reused or recycled? Perhaps maintaining this waste material at existing sites is a good option which would allow access to take advantage of these existing and new technologies being developed or now being used.

How far off in time is the technology to neutralize or remove the radioactiveness of this material using chemistry or other advanced technologies presently being considered? We understand 70% of the energy is left after being used and stored? More research needed in Canada on these technical areas.

This whole area of non proliferation is of grave concern to the world especially after we have learned that there is a world trade in nuclear material into some countries including Iran, North Korea, Libya. This is a most worrisome development. Lets not even think of exporting this nuclear waste. Keep it here in Canada where we can manage it responsibly.

To what extent will these studies cover this threat and public concern? In our view this area of study must be thoroughly assessed to reassure a worried public both in Canada, U.S. and the world. Are of security are the utmost concern to us.

Important Lessons Learned:

In respect to risk and uncertainty. This certainly are important issues which need to be addressed in choosing a management approach. Although much is known, there is some risk and uncertainty associated with predicting I would submit that "some risk" is the wrong word, how about a "great deal of risk" and uncertainty". This should be clarified and corrected.

Quite frankly, how nuclear waste management approaches will perform over many thousands of years is just so mind boggling and fraught with uncertainty in respect to the state of the world today both physically and socially with so many conflicts and tensions.

Page 30. Under Important Lessons Learned

Again the reference to alternative social and ethical values need to be clearly identified and assumptions examined.

One assumption that needs to be examined is this notion that nuclear energy is fundamentally wrong or evil as presented by some in society. It has cost more and has prevented alternatives and renewable energy sources from being developed. Along with issues of terrorism threats, serious accidents, are very real issues of concern in society. Lets examine these underlying views in an open objective manner without feeling guilty just debating these reviews. Its role in reducing greenhouse gases has not really be vigorously debated.

Question 6 Human Health Safety and Well Being

- that all forms of stress imposed on individuals (workers and residents their families and the community)

This is important aspect. It has to do with the psychosocial health impacts a formal term described in the Public Health Risk Assessment of the local petroleum oil refinery expansion project in 1998. This type of stress can and does impact on population health due to the fear, anxiety associated living in a community where there is even perceived threat of risk or harm due to a catastrophic event at a nuclear facility.

This entire area needs very careful study and research. There is not a word of this aspect of any future study. This needs to be addressed as part of this analysis.

Respectfully submitted,

Gordon Dalzell, Chairperson
Saint John Citizens Coalition For Clean Air
32 Dorothea Drive
Saint John, N.B.
E2J 3J1

dalmar@nbnet.nb.ca