

A Brief on Nuclear Waste Governance in Canada

Respectfully submitted to the House Committee on Environment and Climate Change
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Clerk of the House Committee on Environment and Climate Change

Thank you for this opportunity to contribute comments to this important study by your Committee. I participated in many consultations and presentations during the developmental stages of the on-going process on long-term management of nuclear fuel waste by the Nuclear Waste Management Organization (NWMO). I made several presentations to the Environmental Assessment Panel on AECL's Geological Disposal Concept for High Level Radioactive Waste (Seaborn Panel), which was a challenge for both the Panel and presenters as the mandate was unusual, complex and far reaching.

In respect for the years of effort and input of technical, natural science and social science expertise by so many, I draw your attention to the summary of recommendations of the Seaborn Panel report in reference to the concept of waste management, which I suggest you consider in terms of relevancy to overall nuclear waste governance under your consideration.

For example,

- Broad public support is necessary in Canada to ensure the acceptability of nuclear waste governance.
- Safety is a key part, but only one part, of acceptability. Safety must be viewed from two complementary perspectives: technical and social.

To be considered acceptable, nuclear waste governance must

- a) have broad public support;
- b) be safe from both a technical and a social perspective;
- c) have been developed within a sound ethical and social assessment framework;
- d) have the support of Aboriginal people;
- e) be selected after comparison with other options; and
- f) be advanced through parliament and provide for sufficient layers of oversight including a trustworthy regulator.

Further, the Seaborn Panel identified some specific areas of nuclear waste governance missing or in need of change at that time, and recognized that public confidence in nuclear waste governance was low. Unfortunately, the government actions to date have not reflected the well-informed detail of the recommendations. For example, the Seaborn Panel recommended the establishment of a nuclear waste management agency to be at arm's length from the utilities, whereas in the Act that followed, the NWMO represents the utilities, thereby failing to address the basic intents of the recommendation.

Parliament needs to make additions to and changes in the present legislation, policies, and regulations relating to nuclear power and radioactive wastes management:

- Parliament must have a key active role of oversight to ensure good governance in matters of both nuclear power and radioactive waste.
- The nuclear waste agency must be independent of industry and agencies that promote the industry; and the nuclear waste agency should report directly to Parliament on a stated regular basis, not just to a Minister.
- The nuclear regulator (presently CNSC) should be under Environment Canada, not under the Minister of Natural Resources, and should report directly to Parliament on a stated regular basis. The nuclear regulator must be, and seen to be, independent of the nuclear industry and its promoters.
- Radioactive wastes from uranium mining and milling form the initial high-risk waste stream of the nuclear chain, therefore they must be included in nuclear waste governance.
- Complete records of the radioactive waste legacies must be archived effectively, as stated repeatedly by the Organisation for Economic Co-operation and Development (OECD).

The Committee reports on these important hearings need to contain relevant discussion on radioactive waste governance issues and exclude comments of a promotional nature, that have dominated the testimony by some presenters and the questioning of these presenters by some committee members, unless the points are specifically related to the challenges presented by the increased quantity of waste, different nature of the wastes, heightened risks or other issues directly linked to nuclear waste governance issues.