



## **PROTECT OUR WATERWAYS-NO NUCLEAR WASTE (POW-NNW)**

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### **Report on our interactions and issues with the NWMO team regarding the site selection process for the Adaptive Phase Management project March 2021©**

#### **Background**

Protect our Waterways-No Nuclear Waste (POW-NNW) is a group of concerned citizens residing in South Bruce who are opposed to our community becoming the DGR site for storing all of Canada's nuclear spent fuel waste. The group was formed in February 2020 after a surprise announcement by the Nuclear Waste Management Organization (NWMO) regarding their acquisition of 1300 acres of farmland just 2 kms from the town of Teeswater, in the municipality of South Bruce. Immediately upon the establishment of the group, a door-to-door campaign was initiated in the community to determine how the residents viewed the project. The Municipality of South Bruce is a community of 5600 residents and is an economically depressed community with a declining population, low economic development and many empty store fronts. POW-NNW were surprised by the response encountered during our visit to over 1000 households in the community; 1500 eligible voters signed a petition to stop the implementation of a DGR in our community. They did not want to be a willing host community for the DGR. The group was able to visit approximately 60% of the household in South Bruce before the COVID-19 pandemic stopped our door-to-door campaign. However, more than 64% of the residents we were able to reach did not approve the implementation of a DGR and signed the petition. The group presented our petition to the South Bruce Council at their June 9 2020 meeting and forwarded the petition to the NWMO at the same time. No action to our petition from our council or the NWMO has occurred. POW-NNW are continuing our opposition to the project and have attached our report for your information and perusal.

As a lead into our report, POW-NNW have extracted a quote from Laurie Swami's introductory message in the NWMO annual report "Moving Towards Partnership" dated March 2020 to the Honorable Seamus O'Regan. Her quote is as follows;

"With Canada's plan, we committed to a collaborative process to select a site for the long-term management of Canada's used nuclear fuel. As the process bears out, we see it was the right choice. The progress we have made together with the communities fills me with pride".<sup>1</sup>

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<sup>1</sup> <https://www.nwmo.ca/~media/Site/Reports/2020/03/06/19/24/NWMO-Triennial-Report-201719.ashx?la=en>

In this NWMO report six fundamental values were given that highlight the approach to be employed by the NWMO team "for informing and guiding our work" for the project.

The attached report provides Protect Our Waterways- No Nuclear Waste's review of NWMO's performance in the Municipality of South Bruce. In summary, Protect our Waterways- No Nuclear Waste do not support the claims that a collaborative process has been followed nor have the NWMO successfully met the intent of the fundamental values specified "for informing and guiding their work".

This report will focus on 3 of the 6 values listed in the NWMO Moving Towards Partnership report namely; integrity, collaboration and transparency.

Protect Our Waterways-No Nuclear Waste Directors

8 signing members of POW

[Redacted signatures]

## **EXECUTIVE SUMMARY**

The Nuclear Waste Management Organization's (NWMO's) 9 Step process is not community driven. It is NWMO driven, with the sole objective of successfully developing, managing, and operating the world's first high-level radioactive waste deep geological repository (DGR). The NWMO's process has not been created to earn the social license of the community to approve this project. The process has been created and implemented to manage community opinion such that a very small group of decision-makers, such as a majority of the Council of the Municipality of South Bruce, will vote to approve, despite community objections.

Numerous examples are listed in the report where the NWMO does not meet their specified fundamental values contained in the document "Moving Towards Partnership".

NWMO claim that the Deep Geological Repository (DGR) is Canada's plan for disposing of the nuclear spent fuel waste. It was determined based on years of input from Indigenous people, Canadian citizens, International scientific consensus and global best practices. However, the process used to arrive at this conclusion was flawed. Only three options were presented to the citizens and two of those options had the same basic issue and that was storing it above ground indefinitely was not a permanent solution. The International scientific consensus, noted above, which also included the NWMO, were all promoting the DGR concept. Hence the only solution remaining for these Canadians to choose was the DGR. There were other options available, such as "Rolling Stewardship", but none were mentioned. In POW-NNW's opinion, the statement that the DGR is Canada's plan is misleading and only intended to give credibility to the concept of a DGR for the rest of the citizens of Canada.

Although the NWMO have completed an extensive amount of research, and developed a number of computer-generated formulas, there is no operating experience where high level radioactive spent fuel has been stored in a DGR to validate any of their data. There are numerous operational procedures besides the technological unknowns about the DGR that result in the whole process as being classified as an experiment.

It is POW-NNW's recommendation that policy changes should be considered by NRCan that ensure projects of this magnitude treat the social and economic impact for a community as a priority and are completed at the outset of the proposal. Another policy change we feel is imperative is that the NWMO should not be permitted to fund municipalities to help the NWMO in the education process of the project. This is the job of the NWMO and the municipality must remain neutral and independent. South Bruce has received over \$3.M to help the NWMO to promote the technical capabilities of a DGR. In addition, the municipality has received more than \$1.5M for activities not related to the project with no doubt of the hope of winning support from the community for their project. In our opinion, these are changes required to improve the engagement process for such major undertakings. Given that the NWMO have a major political need to find a solution for disposing of the highly radioactive spent fuel waste and that the Municipality of South Bruce are seeking a solution to their lack of economic growth and development, it appears that the objectives are both aligned with a DGR implementation and therefore not independent of each other as stated in reports from the NWMO and the South Bruce Council and Municipality.

## **Reasons why Protect our Waterways-No Nuclear Waste have lost confidence in the NWMO team**

In the report mentioned above, NWMO's description for integrity is "We act with openness, honesty and respect"

### **OPENNESS**

On the value of openness there have too many times that our team has been met with surprises and lack of full disclosure on an activity or information. The following are just a few examples of this experience;

The NWMO was busy acquiring land along the 8<sup>th</sup> concession of South Bruce during the fall/winter of 2019, yet, it was all done without anyone but the prospective landowners, who would sell, knowing what was happening. In our municipality, if a change in the purpose of a farm is proposed, neighbours are sent a letter and signs are posted so that everyone is aware of what is happening. In this case, landowners were told not to discuss their deals. Just days before, NWMO were specifically asked if any land had been purchased and the answer was no, but, on January 24, 2020 South Bruce residents first read about it in the Toronto Star.<sup>2</sup> How is that transparent or show openness?

Included in step 5 of the NWMO process is the following; "Although accountable authorities will speak for communities in the initial stages of the siting process, ultimately a compelling demonstration of willingness will be required involving residents of the community in order to host this project."<sup>3</sup>

Yet, despite repeated requests, there has been absolutely no definition given for what a "compelling demonstration of willingness" is and how it will be measured and determined. This lack of definition for a compelling willingness is not a new problem. It has been identified by many groups for several years. NWMO also claim that the community must be an informed community but again there is no methodology or measurement to determine what is an informed community. Based on the Visionary workshop activities, the NWMO and South Bruce have created 32 statements of work to be completed by hired consultants and the NWMO. One of the 32 studies is for South Bruce to develop a community process for defining and assessing Willingness.<sup>4</sup> Nowhere in this work statement does the word "Compelling" exist or any information on how to measure when a community is informed. Yet as noted above in step 5, the NWMO process states a compelling demonstration of willingness will be required.

Our requested approach is that we employ the democratic approach to determine if the community is a compelling willing host and hold a binding referendum to determine this condition. Both the NWMO and the South Bruce council are ignoring this request and the standard answer we receive from both parties is that it is too early for a referendum<sup>5</sup> as we need to become an informed community first. Recent correspondence<sup>6</sup> continues to show no commitment on behalf of the Municipality of South Bruce to hold

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<sup>2</sup> <https://www.thestar.com/news/canada/2020/01/24/rural-ontario-landowners-agree-to-testing-initiative-for-proposed-nuclear-waste-storage-facility.html?rf>

<sup>3</sup> <https://www.nwmo.ca/en/Site-selection/Steps-in-the-Process/Steps-4-to-9-Site-Confirmation-Construction-and-Operations>

<sup>4</sup> <https://www.town.southbruce.on.ca/content/news-updates/oct-28.20-south-bruce-guiding-principles.pdf>

<sup>5</sup> [Appendix 1: Letter to Council from David Donnelly Dated Feb 4 2021](#)

<sup>6</sup> [Appendix 2: Letter to POW-NNW from Patrick Duffy Dated Feb 23 2021](#)

a binding referendum. POW-NNW's belief is that both the NWMO and South Bruce council are purposely delaying the process so that they can find a way to avoid a binding referendum and the accepted democratic way of determining a major life altering decision for the community.

When an organization delays or skirts a fundamental question about a requirement they created, one is left with the impression that they are not open or honest with their actions.

## **HONESTY**

We have several situations where the answers to questions are vague or incomplete and in other cases misleading or incorrect. Here are a few examples of this issue;

In a June 2020 NWMO flyer<sup>7</sup> under the banner of The NWMO and South Bruce Learning Together was distributed to all the households in the municipality of South Bruce containing the following statement; "Countries that currently have operating deep geological repositories for radioactive material include Finland, South Korea, Sweden and the United States. All existing deep geological repositories are highly regulated and operating safely". According to the definition<sup>8</sup> by the CNSC, Finland, South Korea and Sweden are not deep geological repositories as the depth of which do not exceed 200 meters, making them near surface repositories. Also, none of these repositories store high level radioactive spent fuel. This is not factual information as claimed in the flyer. No correction to these mistakes were ever acknowledged.

In a similar flyer issued by the NWMO in July<sup>9</sup> under the heading "DID YOU KNOW" the following statement appeared; "There are several locations where natural radioactivity has been contained for millions of years by the surrounding geology. These natural systems provide strong evidence supporting the concept of containment within a deep geological repository under similar conditions". This statement is misleading. No doubt the intention was to give the residents of South Bruce a warm comfortable feeling about the DGR design and its ability to contain and isolate used nuclear fuel. There are several misleading facts in this statement. First the level of radioactivity in used fuel versus uranium ore, according to a chart produced by the NWMO<sup>10</sup> is 10,000 times greater than uranium ore even after the used fuel has been decaying for 50 years. A key issue with placing spent fuel in a DGR is the heat generated by the used fuel can fracture the rock if placed too soon in the cavity thereby allowing water to enter the cavity. There is no comparison to the heat being generated or the chemical makeup of the spent fuel versus uranium ore. Other issues with DGR's that disallow this comparison are, the effects of Excavation Damage Zones, gas generation associated with container degradation and other interactions at the depth, and releases through the shaft vents into the atmosphere, as well as eventual releases underground, upon the inevitable corrosion of fuel bundle containers through time. Current studies on the impact of released radionuclides upon multiple and interconnected levels of the environment are only in the early years of study.

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<sup>7</sup> [Appendix 3: The NWMO and South Bruce Learning Together June 2020](#)

<sup>8</sup> <https://www.canada.ca/en/nuclear-safety-commission/search.html?q=dgr&gcwu-srch-submit=Search>

<sup>9</sup> [Appendix 4: Did You Know July 2020](#)

<sup>10</sup> <https://www.nwmo.ca/en/Canadas-Plan/Canadas-Used-Nuclear-Fuel/Radiation-Risk-and-Safety>

The most recent survey, conducted by IPSOS<sup>11</sup> on behalf of Bruce Power, concluded “Awareness of and support for the process to select a nuclear waste site has significantly increased since the company’s previous polling on this topic in 2017”. The question asked in the 2021 survey was “Would you say that you support or oppose this consultation and study process?” Prior to this, the question was “Would you say that you support or oppose this proposal?” These are two different questions but the report concluded that there is increased approval.

There are more examples where the NWMO fail to reveal all aspects of the information they are publishing.

## **RESPECT**

On September 2020 Protect Our Waterways-No Nuclear waste circulated a flyer<sup>12</sup> to South Bruce and a number of other communities. The flyer contained information about the NWMO plans to potentially create a DGR in the South Bruce community. The flyer identified several potential issues with the DGR implementation. On September 24 2020, a letter<sup>13</sup> was written by Dr Ben Belfadhel, Vice President of site selection for the NWMO, and sent to all the local newspaper claiming that misinformation was contained in the flyer and that the flyer was based on fear not facts. The NWMO never informed our group what was considered by the NWMO to be misinformation prior to his letter to the editor being published. Dr Belfadhel stated in his letter that the site selection process is designed to be fair and inclusive. In our view, POW-NNW does not consider the process to be fair and inclusive as the site selection process is designed to ensure that the mandate of the NWMO is achieved. The process is geared to convince a desperate community, in need of financial help, to be a host community and rid the nuclear industry of a political problem, namely the nuclear spent fuel waste, which has plagued the industry for more than fifty years. Dr. Belfadhel went on in the letter to state POW-NNW are the “Not Willing to Listen “group and our campaign is considered fear-mongering.

We do not think it is respectful to apply a label to a grassroots group that have spent months of their personal time learning about the Adaptive Phase Management (APM) program and have come to a realization that they do not agree with views or conclusions of the NWMO.

## **COLLABORATION**

NWMO VALUE STATEMENT for collaboration is “We engage in a manner that is inclusive, is responsive, and supports trust, constructive dialogue, and meaningful partnership”

**INCLUSIVE** (For this value, POW-NNW is using the meaning that the information being shared is encompassing everything concerned and is comprehensive.)

In numerous NWMO documents, the statement made is that the APM plan is Canada’s plan based on years of input from Canadians, Indigenous people, international scientific consensus, and global best practices. This sounds like an all-inclusive claim and that all the bases are covered and everyone agrees with the approach. These types of statements are to make a person feel comfortable about the approach as with all these efforts, pointing in this direction, it can’t be wrong.

However, how did the Canadian and Indigenous come to agree that it was Canada’s plan?

<sup>11</sup> <https://www.ipsos.com/en-ca/news-polls/bruce-power-continues-to-receive-strong-support-from-residents-in-grey-bruce-and-huron-counties>

<sup>12</sup> [Appendix 5: Protect Our Waterways flyer Sept 2020](#)

<sup>13</sup> [Appendix 6: Letter to Editor – Vice President Ben Belfadhel](#)

The process followed by NWMO to determine this was to give citizens of Canada 3 options to choose from; (i) create a DGR, (ii) leave it where it is, (iii) move it to a central location and keep it above ground. The lay people engaged in this kind of discussion must have been confused. Why were these experts in the industry asking us ordinary citizens this type of question? Do they not have the answer? It turns out that the NWMO did have the answer based on their research and the answer was create a DGR. So yes, the people agreed with the NWMO that creating a DGR was the answer.

The other claim in these statements was there is consensus among the International scientific community. This is partially true as there does appear to be agreement among DGR proponents, who are mostly the waste generators, albeit with support from some nuclear agencies. However, there are scientists all over the world that do not believe this is the right approach. Regarding the last claim in the statement there is no DGR operating anywhere in the world therefore no experience is available to validate the global best practices claim.

Why not just state this is NWMO's and the Nuclear industry's plan and we, the NWMO, convinced our Government and the citizens of Canada to accept our plan? Why hide the fact it is your plan? Is that being honest or up front with communications?

Lately the NWMO is delivering flyers to the South Bruce households called "The Facts"<sup>14</sup> One of the Facts is "our lakes and waterways will be protected". The project will be built 400 meters deeper than the deepest point of Lake Huron, located further from the lake than used nuclear fuel is currently stored.

This is not an inclusive statement. What is missing from the statement is that as long as we have power generated by Nuclear reactors, used nuclear spent fuel coming out of the reactor must be stored at the lake for 30+ years before being placed in a DGR. The other issue with these statements is that there have been no detailed geological studies completed on the South Bruce site so how can one be absolute about any conditions regarding the DGR at this site. Also missing is that the current above ground storage systems are monitored and fully accessible for remediation of any failures to the containment systems. It also states -quite categorically- the depth at which the repository would be located, despite the absence of any detailed geological studies, as noted above.

The Atomic Energy of Canada Limited (AECL) was criticized in an Ontario commission report for making statements that appear to be absolute fact. The report stated that such an approach inhibits the ability for parties involved to have a dialogue around a point of contention.

We find the flyer and other information circulated by the NWMO with the connotation of being absolute fact results in the same lack of effective communications.

## **RESPONSIVE**

How can an organization be considered responsive when two of the most fundamental conditions for choosing a final resting spot for a DGR has no definition or a methodology to measure the outcome? NWMO state that they will not choose a site unless there is a compelling demonstration of willingness and the community must be an informed community. These conditions were established by the NWMO yet when asked in multiple emails and years ago to define these requirements, none has been forthcoming.

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<sup>14</sup> [Appendix 7: NWMO The Facts](#)

██████████ one of our team members took part in the NWMO open house meeting in late November 2020. He had a number of questions for the NWMO personnel present at the event who did not have the answers but promised to get back to him with the answers. On December 4 2020, ██████████ did receive an email from ██████████, community relationship manager at NWMO, providing a link to one of the questions. ██████████ responded to ██████████ email on the same day with this comment:

“Thank you for this follow up email. I do appreciate you taking the time to send this information regarding the containers. As referenced the proposed containers were one of several such topics of concern which I raised in Formosa and by no means my biggest concern.

Although I do appreciate this email, it misses the larger issues and problems associated with this project. It's an issue of sustainability in general for the nuclear industry as a whole and again this concentration on one small component of the project (containers) is representative of where NWMO as an organization is failing Canadians and also failing the entire nuclear industry and the men and women who count on it for employment. ██████████ as I expressed in Formosa, I recognize the economic benefits nuclear power generation has brought regionally to Bruce County and surrounding areas”

To date there has been no response. This is just one of many issues where we do not receive a reply or the answers provided are insufficient in detail.

## **SUPPORTS TRUST**

Marketing propaganda<sup>15</sup> sent out in flyers and to the media with statements such as “Your Safety is our Purpose” or “our generation has enjoyed the benefits of electricity produced by the nuclear industry so it is your responsibility to deal with the waste now and not leave it to the future generation to solve “

NWMO’s published mandate in their documents is;

The Nuclear Waste Management Organization (NWMO) was established in 2002 by Canada’s nuclear electricity producers in accordance with the [Nuclear Fuel Waste Act \(NFWA\)](#). Operating on a not-for-profit basis under the *Canada Not-for-profit Corporations Act*, we are responsible for designing and implementing Canada’s plan for the long-term management of used nuclear fuel.

Although safety is a major requirement for the APM project it is not the purpose of the organization as noted above. NWMO’s purpose is to find a community willing to accept toxic radioactive material in their community for short term economic gains. The implementation and operation of a DGR will result in radioactive material entering the biosphere. No matter if it is classified as safe levels, this pollution of the environment does not exist in our neighborhood today. Besides the radioactive emissions we will also be incurring, during the construction period, high levels of dust from the excavation, numerous trucks and heavy construction vehicles releasing carbon into the air and noise from the blasting activities in creating a mine as well as radon gas emitting from the excavated rock.

How does this translate into the claim that” Your safety is our Purpose?”

On the issue of our generation must deal with the waste, POW-NNW are mystified why waste generated by the Nuclear industry is our problem to deal with now or at all. South Bruce consumes less than 5 % of the electricity produced by the Nuclear industry so if we are responsible for disposing of the waste created by our use of electricity why does South Bruce have to deal with 100% of the waste. These marketing propaganda statements do not lead to a trusting environment.

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<sup>15</sup> [Appendix 8: NWMO Your Safety is Our Purpose](#)

The other factor that makes trusting the NWMO difficult is the level of funding provided to the community which is not associated with the implementation of the project. South Bruce municipality has received from the NWMO \$1.5 M for what is called the “Well Being Fund” These funds are under strict control of the NWMO and are used to improve a number of the facilities in the community and other goodwill activities.

What is the real purpose of providing this level of funds and what is expected by the NWMO in return?

Another \$3M plus has been provided to the municipality over the period from 2012 with the express desire of the NWMO to be used by the municipality in helping the NWMO educate the residents of the community. In the last year, two additional full time staff members were hired by the municipality who are fully funded and dedicated to the NWMO APM project. These staff members are in addition to an existing staff member also dedicated to the APM task plus the fees charged by a lawyer assigned to the APM project.

All dedicated staff members of the municipality, by their involvement, promote the values of the APM project.

## **CONSTRUCTIVE DIALOGUE**

In January 2020, two members of the POW-NNW team attended the Visionary workshop in Teeswater, Ontario to learn more about NWMO’s Adaptive Phase Management plan for a high-level nuclear waste facility in our community. It was clear, very early that NWMO had a much different goal for that day than what their goal was. As mentioned, they thought they were at a workshop to “learn more” about the project, when in actuality the information brought out was slanted to “vision “all the great things that would happen to our community if this project came to South Bruce. The topics NWMO highlighted were all about the economic gains for the community, the growth, added jobs, infrastructure and money for businesses and increased education. They had to give positives that they saw if the project came to South Bruce and these were written on papers and put up on the wall. What about the risks, the hazards and dangers of this project? NWMO never wants to discuss these topics and they were informed that there will be environmental impact studies done including the impact the project might have on the quality of their drinking the water at a later date.

The purpose of the Visionary workshop according to the NWMO and South Bruce was to develop the “Guiding Principles” for the Municipality to determine the merits of becoming a willing host community. From the NWMO document “Values and Principles to Guide Partnership Discussions” the following highlights were extracted;

“Values and Principles to Guide Partnership Discussions”

Values and principles are important because they will guide the way South Bruce and the NWMO talk and work with each other during more detailed conversations about the project.

Values and principles might include:

- the commitment to all ideas being considered;
- the need to report out regularly to community members to ensure transparency
- treating benefit to the community as paramount;
- engaging in the spirit of mutual respect”

As noted above by the two attendees at the visionary workshop, which was also experienced by other attendees, the commitment to all ideas, treating benefit to the community as paramount, and engaging in the spirit of mutual respect were all lacking in the workshop engagement process.

Ideas, contrary to selling the concept of a DGR, were all quickly dismissed. Those attendees in favor of the DGR project no doubt thought the exercise was great and on target to meet their objectives.

As part of Step 3 in the NWMO 9 step process, the Municipality of South Bruce was requested by the NWMO to create a Community Liaison Committee<sup>16</sup> and did so in 2012. The Committee was identified as being independent of the NWMO and according to their mandate was to help the community make an informed decision about South Bruce's continued participation in the siting process. The members of the committee are to remain neutral in their approach because of the belief that the citizens of South Bruce can only make a decision of this importance when all the facts are made available to them.

What we find based on attending these meetings is that the South Bruce Community Liaison Committee (SB CLC) is totally aligned with the mandate of the NWMO. The findings of a search on the content of the CLC meetings indicate that the South Bruce Community Liaison Committee (SBCLC) has not endeavoured to educate themselves in an unbiased manner. The speakers procured for educational purposes have been entirely one-sided; pro-deep geological repository. In the early days of the Committee there was some discussion of having presenters of an alternate viewpoint speak at the meetings, however after 2015 that was never mentioned again. Of the 60 speakers who have presented at SBCLC meeting, 56 out of the 60 were hired by the NWMO or are NWMO employees and all were biased to a DGR implementation. Three speakers were impartial members of the federal regulatory body Canadian Nuclear Safety Commission (CNSC). but they also were in support of a DGR approach. Only one speaker, [REDACTED], has highlighted some of the technical issues with the APM project and is in opposition of the concept.

From 2012 to February 2020, approximately 10 meetings per year were held and for each of the year less than 100 residents attended annually. Of particular note, questions from members of the public were limited to one or two questions following the guest presentation. After a number of complaints about this situation in 2020, the public were allowed to ask a few questions starting in the March 2020 meeting. More often than not, the presenters could not provide adequate responses.

How can a committee be unbiased or informed about the merit of a project if you only listen to an organization who is attempting to sell you a bill of goods? How can you have a constructive dialogue if you are only presenting the positive capabilities of an undertaking and claim that all the information being presented are "absolute facts"? How can it be considered a learning process when few questions are allowed and sometimes not answered? In any reasonable way of thinking this approach does not lead to being informed or to having a dialogue with the residents of the community; constructive or not.

Another claim on page 113 of the NWMO March 2020 report to the Honourable Seamus O'Regan states that "the site selection process is community -driven and underpinned by safety, fairness, collaboration, and shared decision-making" This statement leads to the conclusion that the NWMO and the Municipality of South Bruce have a shared vision that being the implementation of a DGR. However, our council claims no decision has been made on the project to date. More importantly, citizens who have concerns about the proposed DGR are not receiving adequate answers to their questions, so how can it be claimed that there is a shared vision as the report states.

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<sup>16</sup> [Appendix 9: South Bruce CLC January 2014 Flyer](#)

## **MEANINGFUL PARTNERSHIP**

The events sponsored by NWMO in 2020 had very low attendance when considered the population of South Bruce is just over 5600. The events included the South Bruce Visionary Workshop, Environmental Workshops # 1 and #2, Open Houses in Teeswater, Mildmay, and Formosa as well as the NWMO Mobile Learning Units and the Youth program. The attendance numbers were confirmed by [REDACTED] from NWMO.

1. The consultant for the Visionary Workshop was AECOM, hired by the NWMO. These workshops occurred on different dates and locations throughout the municipality. Although it states in the Aecom report that the workshops were well attended the total attendance was only 144 people and some of those counted were South Bruce Community Liaison Members (CLC) (19), Municipality staff (10) and Youth (from grade 7 to post -secondary-21). Included in the total number is that a few of the leadership team (Community Liaison Committee, the Mayor, and members of the Council) attended more than one workshop. See page 6 for the attendance report on the South Bruce Project Visionary Report. The link to the report is:

<https://www.town.southbruce.on.ca/content/news-updates/final-project-visioning-report.pdf>

2. Open houses in Teeswater, Formosa, and Mildmay from October 26<sup>th</sup> to November 6, 2020 had 76 participants.
3. NWMO Learn More mobile units from September 22 to 29, 2020 had 200 participants. This mobile unit travelled to towns and villages in South Bruce.
4. Environmental Workshop #1—9 workshops were held from August 2020 to October 2020 for a total of 29 participants.
5. Environmental Workshop #2—2 virtual and 3 in-person workshops held in November 2020 with 16 participants
- 6 Youth Workshop had 2 meetings attended by 4 students and 3 students respectively.

The take away from the level of attendance at these various events is that a meaningful partnership with the residents did not happen. However, whenever we attend an NWMO or South Bruce hosted activity or send a letter /email to either of these parties the standard answer coming back is “we thank you for your continued interest in the APM project “. We realize at this moment we are just being treated as a person in support of the project and a number on the record of how many people attended this event. The message being promoted by the NWMO is, isn't it great regarding the number of residents who are showing interest in the project?

The other concern with all of these events was they were not driven by the community but rather by the NWMO and the consultants hired by the NWMO, who actively participated in the major meetings and produced the reports and the summary of the conclusions from the meetings.

**TRANSPARENCY** value statement as described in the NWMO document “Moving Towards Partnership” is; “We communicate openly and responsibly, providing information about our approach, processes and decision making”

## **COMMUNICATING OPENING AND RESPONSIBILITY**

The landowners around the proposed site for the DGR in Teeswater experienced no communication about the proposed purchase of land for the DGR. The purchased land was not originally done under the NWMO title but through numbered companies thus it was not possible to define the extent of purchased land until all the acreage needed was purchased and announced. Again, landowners adjacent to and in close proximity of the site, were not included in any communication of the process, unless agreeing to sell/option their land.

NWMO paid or offered a price 25% above market value as an enticement to owners in selling their farms or agreeing to an option clause. The value of the surrounding farmland should be of no less value but that is not the case. Having the land deals kept as a discussion only between buyer and seller does not create openness or fairness. Some of the surrounding landowners were feeling very stressed about being approached to sell/option their land. By NWMO offering to purchase the land at prices well above market value and their agent making continuous contact, many landowners were feeling very pressured to sell.

A "partnership committee" was formed in May 2019 with the following members, the South Bruce Mayor, Deputy Mayor, CAO of the municipality, a NWMO representative (not named ever) and a lawyer consultant of the municipality paid by the NWMO with strong ties to the Nuclear industry. Despite requesting minutes of these meeting on at least 2 occasions, no minutes of this committee were ever produced. Why were no reports/records of the partnership committee findings reviewed with council or minutes written? We were informed that these meetings were about discussing topics related to ongoing questions about the APM project. However, the real purpose of these meetings was to finalize a funding agreement between the NWMO and the municipality that was formalized in April 2020.

To this day we do not understand what the secrecy of these meetings was all about and we certainly do not think this type of behaviour is consistent with the definition of being open.

On January 18 2021 the residents of South Bruce received a request to respond to a survey commissioned by the NWMO with the support of the South Bruce municipality. The lead in to the survey provided four paragraphs describing the NWMO mandate and information about Canada's plan for the APM project. Contained within these paragraphs was the following statement "The repository design provides the option of retrieving the used nuclear fuel" However, at the November 2020 South Bruce CLC meeting, Derek Wilson, NWMO's chief engineer, provided an answer to the following question;

Q. So it's there to be in place forever? We'd forever have this underneath South Bruce?

A. Yes, the repository is intended to be permanent at whichever site is selected. A deep geological repository uses a combination of engineered and natural barriers to safely contain and isolate used nuclear fuel, essentially forever. Once all of Canada's used fuel has been emplaced in the repository, the facility can be actively managed and monitored for as long as society wishes to do so.

During ■■■ presentation ■■■■■ stated that the containers of the spent fuel could be removed, if necessary, but it is best to do that early in the life of the project as the DGR was not designed with the intention of removing the nuclear spent fuel containers. When there are two different answers to a DGR capability it leaves the residents of South Bruce wondering what answer or statement is the correct one?

Based on the 36 Guiding Principles, which were developed in the Visionary Workshops, 32 work statements were created in December 2020 and sent out to consultants to quote on the work to be performed. The Guiding Principles and the resulting work statements were developed to help the South Bruce community in making an informed decision on whether the community want to become a compelling willing host community for the APM project. However, after reviewing all of the work statements, it turns out the NWMO wrote 20 out of the 32 work statements and are responsible for delivering the study material and conclusions. 7 of the work statements were developed jointly with South Bruce and the NWMO and both have the responsibility of managing the necessary work to complete the study detail. Only 5 work statements were written by the South Bruce individual and he is responsible or a consultant he hires to complete the task.

What is strange about all of this is if these studies are created as a result of the residents input how come so many are assigned to the NWMO to complete? Also, it turns out that 20 of the studies are required by the NWMO as input to meet the requirements for an eventual Impact Assessment review of the project. So was the visionary workshop and the resulting 32 work statements all orchestrated to meet the needs of the NWMO and not that of South Bruce.

The South Bruce municipality and the residents of South Bruce will not determine the approval of the technical and environmental requirements of the project as that will be decided by the Federal Regulatory teams. The only real activity for the South Bruce administration is whether the project will deliver on the promise of economic growth projected by the NWMO. The major component of the South Bruce economic study is the NWMO work force numbers that are required for the 4 phases of the project. These work force numbers have been advertised and documented by the NWMO for more than a year now.

Why then has the South Bruce council not commissioned some form of study in the early stages of this project to validate the economical benefit claims that the NWMO are advertising? We are now nine years into the life of this engagement and the municipality's only statement is there will be economical growth within the community and jobs created for our people.

Is the delay in doing the study because they are blindly following the 9 step process of the NWMO?

## **CONCLUSIONS**

This report produced by the Protect Our Waterways No Nuclear Waste (POW-NNW) concludes that **several of the fundamental operating values described in the NWMO document "Moving Towards Partnership" have not been met.**

The 3 out of 6 values listed in the document reviewed by POW-NNW were integrity, collaboration, and transparency. This summary will highlight the experiences of each of the above value statements.

It also reaches this conclusion: the Nuclear Waste Management Organization's (NWMO's) process is not community driven. It is NWMO driven, with the sole objective of successfully developing, managing, and operating a high-level radioactivity waste deep geological repository (DGR). The NWMO's process has not been created to earn the social license of the community to approve this project. The process has been created and implemented to manage community opinion such that a very small group of decision-makers, such as a majority of the Council of the Municipality of South Bruce, will vote to approve, despite community objections.

The NWMO definition for the integrity value contains the words openness, honesty, and respect. The report identifies that on multiple occasions, that the NWMO are not always open with their communications. The lack of a definition and methodology to determine whether a community will be a compelling and willing host community is just one example where the NWMO conduct fails to meet the intent of the value statement.

On several occasions the NWMO has published information which was sent to all the households in South Bruce that contained incorrect or misleading information in an effort to minimize the unknown, dangerous factors regarding the proposed DGR

For the requirement of treating people with respect, one just needs to read the letter to the editor from Dr Ben Belfadhel, NWMO Vice President of site selection, dated September 24, 2020. In this letter, Belfadhel makes derogatory comments about POW-NNW. Having spent hundreds of hours reading numerous reports and listening to 50 + pro DGR presenters, we were labeled in his letter as the “Not Willing to Listen group”. His statement that our campaign amounts to fearmongering is clearly disrespectful. Belfadhel’s comments position our opposition to the DGR as a nuisance, uninformed, and not worthy of serious consideration.

Under the value statement called *Collaboration*, NWMO claims they engage in a manner that is “inclusive, responsive and supports constructive dialogue, and meaningful partnerships”. As evidence, NWMO states they have collaborated with thousands of Canadians to determine Canada’s plan for dealing with the nuclear spent fuel waste. Upon examining this claim, we find that only 2 alternatives were ever presented to these Canadians for managing this toxic waste versus the status quo of leaving it where it is today. Where is the evidence that thousands of Canadians even heard about the original three options, which included the DGR option?

The sum of NWMO’s activities demonstrate the option of a DGR has always been its focus. Since it was the NWMO’s experts that have been making this pitch, the people agreed that the DGR approach was the best solution. No alternative solutions were mentioned during these discussions even though approaches such as “Rolling Stewardship” was a known methodology for successfully managing the waste.

In the same letter, mentioned above, Belfadhel states that “We owe it to future generations to implement a long-term sustainable solution. We have the answer”.

With no NWMO testing having been undertaken at the proposed DGR site in Teeswater how can this type of absolute statement be made? This style of engagement is not consistent with being “responsive and supporting constructive dialogue”. The NWMO has started a campaign where flyers have been distributed called “THE FACTS” claiming the information published by POW-NNW is misinformation. Yet, any facts that NWMO publishes are presented as absolute. Such absolutism inhibits the ability of having a constructive dialogue.

The NWMO have long stated that the DGR project will not proceed in a community where the community is not informed and if a community has not demonstrated that they are a compelling willing host community.

However, despite numerous requests for the definition of what is a compelling host community and what methodology will be used to determine these criteria, the NWMO have provided no answers to these questions. How can one trust an organization that establishes criteria to determine acceptability

of a project, yet does not provide a definition or methodology on how these criteria will be met? This, once again, does not meet the stated values of being “responsive and supporting trust”.

The purpose of the Visionary Workshops held in the community was to create what is being called the “Guiding Principles”. These principles were to be used by the community to determine if the project meets its needs. However, at the NWMO-hosted visionary workshops, when attendees wanted to discuss the cons of the project, they were told that this was not the purpose of the workshop. Once again, this approach does not enable a constructive dialogue.

According to the NWMO literature, the siting-process is to be a community-driven event. Yet all activities associated with the DGR within the community have been organized by, reported on and directed by the NWMO. The siting process is solely NWMO driven. Its 9-step process is not designed to foster community engagement, but to manage community opinion. NWMO’s mandate, now, is to develop and manage the DGR, not to do what is best for the community in which it intends to operate.

The result is that the Municipality of South Bruce is following the NWMO’s 9-step process to ensure that this mandate will be met. To that end, the NWMO’s goal to find a community so desperate for revenue that it is willing to accept high level radioactive waste in exchange for economic gain.

Not only is the Municipality of South Bruce following this NWMO process, but the municipality has also accepted funds from NWMO to hire three new staff members. These employees know that their continued employment is wholly dependent on continued NWMO funding. If these employees are involved in activities such as working in partnership with the NWMO at meetings, open houses, surveys, workshops and educating the residents of the merit of the project, then how can this be considered as an independent event and a community driven activity?

A prime example of this is the South Bruce Community Liaison Committee (SBCLC) activities that are an integral part of the NWMO process. At every meeting since 2012, NWMO personal have been attending, 56 of the 60 presenters at these meetings have been NWMO-hired scientists or consultants. Each of these have been pro DGR. Only after extensive complaints from the community, the SBCLC finally allow one presenter in opposition of the DGR. How can a committee be unbiased or informed about the merit of a project if the information they receive is only provided by the organization who is attempting to sell the community on accepting their project? This is another example of the NWMO-driven process that is designed for approval, not meaningful engagement.

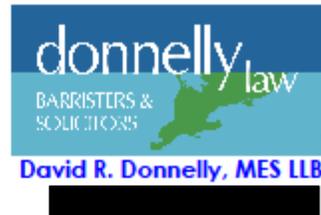
To have a meaningful partnership, you might expect that the engagement process would involve a reasonable percentage of the residents of the community. In all the activities hosted by NWMO in the Municipality of South Bruce, the number of attendees has been less than 200 residents. Often the same residents have attended various events. With such a low level of participation by the community residents, how can one consider this to be a meaningful partnership?

During the period of the land acquisition, which occurred in the fall of 2019, adjacent property owners were kept in the dark. NWMO’s strong need to acquire land for the DGR project resulted in them paying a 25% premium above the market price. Activities such as the funding of dedicated staff within the South Bruce municipality and providing \$1.5 million for the well-being fund of the community, which is not connected in any way to the project, all point to the fact that money seems to be the catalyst for getting the community and the residents to buy into the concept of the DGR. Is this what the NWMO expects in return for their generosity?

In summary, the engagement process followed by the NWMO and South Bruce municipality has focused for the last 9 years on the technical capabilities of the project with little or no attention to the social and economic impacts. Although understanding the technology risks, which there are many, are important to the residents of the community, the final decision on whether this project will be safe and environmentally acceptable will not be made by the South Bruce residents. As Mayor Buckle has stated don't worry, these approvals will be determined by the Federal Agencies for the project.

Members of the POW-NNW have requested the South Bruce municipality to produce any preliminary economic study details, for the project, but none have been received. It is our opinion with a project with such a major culture and economic change to the community, such a study should have been completed at the initial start of the project. What we find has occurred is that the South Bruce municipality has been driven by the NWMO 9 step process which delays these studies very late in the process despite the main component of the study being available years ago, namely the work force numbers for the project. The residents of the community do make (we hope) the final decision on this component of the project. So why does this come so late in the NWMO 9 step process?

## Appendix 1: Letter to Council from David Donnelly Dated Feb 4 2021



February 4, 2021

Mayor and Council  
21 Gordon Street E.  
Teeswater, ON N0G 2S0

*Sent via email to: clerk@southbruce.ca*

Dear Mayor and Council,

**Re: Proposed Deep Geological Repository**

Donnelly Law ("we" or the "Firm") represents Protect Our Waterways – No Nuclear Waste ("Protect Our Waterways" or the "Client"). The Nuclear Waste Management Organization ("NWMO") has secured just over 1,500 acres north of Teeswater, Ontario for a deep geological repository ("DGR") to store 5 million, high level nuclear fuel bundles. According to the NWMO, the DGR facility will require 250 acres for "facilities on the surface,"<sup>1</sup> about the area of 125 CFL football fields.

Our Client secured legal and planning opinions that state The Municipality of South Bruce ("South Bruce") is legally obliged to obtain *Planning Act* applications from NWMO for at least some of these surface "facilities." It is our opinion NWMO should undertake a planning exercise pursuant to adopting the DGR in your Official Plan.

In addition, NWMO pledges to locate a DGR only in a "willing host" community, to be "supported by a compelling demonstration of willingness." South Bruce Council embraced this principle but hasn't committed to a process to establish the threshold of support.

We write to pose two critical questions: **Question #1: Will Council commit to the *Planning Act* approval process? Question #2: Will South Bruce confirm a**

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<sup>1</sup> <https://www.nwmo.ca/en/More-information/News-and-Activities/2020/10/13/18/57/The-NWMO-continues-progress-with-landowners-in-South-Bruce>

**“compelling” demonstration of willingness to host a DGR as a binding referendum, requiring a two-thirds majority?**

### **Willing Host Determination**

On January 20, 2021, Protect Our Waterways convened a well-attended virtual public meeting to discuss the process established by the Municipality of South Bruce (“South Bruce”) to determine the acceptability of the proposed DGR. In addition, a recent poll of residents confirmed 64% oppose the DGR, with only 16% approving. More than 1500 residents of South Bruce and more than 11,700 residents of Ontario have signed a petition to oppose hosting a DGR in South Bruce.

According to South Bruce's Community Liaison Committee website, “Our intention is not to promote Canada's plan for the long-term management of used nuclear fuel.”<sup>2</sup> Protect Our Waterways is concerned that in fact, the CLC webpage has been used to promote DGR. Now that the site is undergoing a refresh, will Council meet with our Client to discuss the work of the CLC and communications before the site re-emerges?

Community members have repeatedly made the point that Council is not being transparent regarding how it will establish whether the community is a willing host, particularly in light of the fact it is obvious a majority of residents do not want the DGR.

### **Peer Review and Participant Funding**

The NWMO site selection process is designed to address a broad range of technical, social, economic and cultural factors. During step 4, detailed site evaluations are to be completed for the candidate sites.

Peer reviews are an important aspect of any major planning study or significant undertaking such as the NWMO's Site Selection Process. Peer reviews provide an opportunity to evaluate the work of one or more people with similar competencies as the producers of the work (peers) and are used to maintain quality standards, improve performance, and provide credibility. Peer reviews function as a form of self-regulation by qualified members of a profession within the relevant field.

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<sup>2</sup> <https://clcinfo.ca/southbruce/>

The Municipality of South Bruce does not have the Staff or financial resources to undertake peer reviews of the NWMO reports. Nor does the Municipality have the financial resources to retain experts to conduct peer reviews.

The funding of peer reviews is normally provided by the proponent of a major planning study or significant undertaking. In many jurisdictions funding of peer reviews is a requirement of a *Planning Act* application e.g. Windsor, London, Burlington, Oakville, etc.

Residents have lost confidence in the Municipality of South Bruce to remain detached from the DGR promotion campaign and to remain neutral. It is essential that independent peer review be conducted by experts chosen by Protect Our Waterways, free from close associations with the nuclear industry.

The Government of Canada claims to offer 3 different funding programs for participants in the impact assessment process. There are three traditional grounds that support federal regulation of some aspects of nuclear energy. First, that federal legislation has declared nuclear energy to be a "work" for the general advantage of Canada under s. 92(10)(c) of the *Constitution Act, 1867*; second, the power over nuclear energy falls under the general power for "peace, order and good government" set out in the preamble to s.91 of the *Constitution Act, 1867*; and third, that it falls under matters of national defense. Although not the subject of this opinion, it seems obvious that some aspects of a DGR approval are a federal jurisdiction, begging the question why a municipality is being cast in a quasi-approval role?

Regardless of the source of funds, it is our respectful submission that the Municipality of South Bruce must:

- i. update its fees by-law to require cost recovery for peer reviews as part of any future *Planning Act* application(s); and/or
- ii. require NWMO to provide the municipality and residents with funding for peer reviews; and
- iii. For the studies to be undertaken by the municipality, experts bidding on the studies should not be permitted to apply for future work on the project.

The Municipality should refuse to be a "willing host" community if NWMO declines to fund the peer review work, whether conducted by the municipality or concerned residents.

## Planning Act - Legal Opinion

The law of Canada has evolved considerably regarding municipal regulation of traditionally federal facilities like airports, ports and nuclear power plants.

The question of overlapping jurisdiction has been addressed in several court decisions involving the predecessor to the Hamilton Port Authority and the City of Hamilton (5) (*Hamilton Harbour Commissioners v City of Hamilton*). The trial level decision was issued in 1976 and the Court of Appeal handed down its decision in 1978. The Court of Appeal endorsed the following portions of the trial level decision:

In my opinion, land-use control within a harbour has both provincial and federal aspects. I conclude that the City pursuant to s. 35 of the Planning Act may validly pass a zoning by-law affecting land use within the harbour so long as it does not explicitly attempt to prohibit or regulate the use of land for purposes related to navigation and shipping [emphasis added].

Based on the above, it is clear that municipal zoning is applicable to the DGR proposal provided any zoning regulations do not affect or impair the core of the federal power to license and regulate the use for a nuclear waste repository or create an operational conflict with federal laws.

Similarly, other municipal regulations and requirements beyond municipal zoning may also be applicable. Site alteration permits, grading and drainage permits, driveway entrance permits and site plan approval are examples of some of the municipal requirements that could be applicable.

The South Bruce Zoning By-law 2011-63 does not authorize a nuclear waste repository in the Municipality. A nuclear waste repository is not a service or utility referenced in subsection 3.1.1 (i) or (ii) nor is the NWMO considered an agency or department of the Federal Government.

Municipality of South Bruce Zoning By-law 2011- 63 also includes the following additional provision for public uses, buildings and/or structures:

### 3.2 PUBLIC USES, BUILDINGS AND/OR STRUCTURES

Despite Section 3.1.1, the erection of any building or structure designed for use as an office, storage or other uses, and the use of land for outside storage, by the Corporation; any telephone, cable or communications utility company; any agency or department of the Federal, Provincial or

County Government; any company holding a Provincial license to transport or distribute natural gas; an electric service provider; a railway company and any local or County Board or Commission must conform to the provisions of this By-law.

The Public uses provision from South Bruce Zoning By-law 2011-63 does not authorize a nuclear waste repository in the Municipality. Rather, this section requires any use, building or structure to conform to the provisions of the zoning by-law.

Both the Bruce Nuclear Power Development and Darlington Nuclear Power Plant are governed in part by the *Planning Act*. What this means in layman's terms is that NWMO should apply under the *Planning Act* for amendments to the South Bruce Zoning By-law. The primary benefit of this regulation would be the opportunity for the public to participate in a transparent process.

#### Conclusion

It is our respectful submission that South Bruce must require certain DGR facilities to comply with the provisions of the South Bruce Zoning-By-laws and *Planning Act*.

In addition, the site selection process does not currently enjoy public confidence. For this reason, Protect Our Waterways is seeking an immediate commitment to Participant Funding for the purpose of completing peer review of select technical studies.

Finally, Protect Our Waterways requests an immediate answer from Council: will it commit to a binding referendum, with a "compelling" willingness to host a DGR to be set at two-thirds (66%) majority vote?

Please do not hesitate to contact me at 416-572-0464, or by email to [REDACTED] cc'ing [REDACTED] and [REDACTED] should you have any questions or concerns.

Yours Truly,

[REDACTED]

David R. Donnelly

cc. Client

## Appendix 2: Letter to POW-NNW from Patrick Duffy Dated Feb 23 2021

### **Stikeman Elliott**

Stikeman Elliott LLP  
Barristers & Solicitors  
5300 Commerce Court West  
188 Bay Street  
Toronto, ON Canada M5L 1B9

Main: 416 889 5500  
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Patrick G. Duffy  
Direct: +1 416 889 5257  
pduffy@stikeman.com

February 23, 2021  
File No.: 145682.1001

**By E-mail**  
david@donnellylaw.ca

Donnelly Law  
276 Carlaw Avenue  
Suite 203  
Toronto, ON M4M 3L1

Attention: David R. Donnelly

Dear Mr. Donnelly:

#### **Re: Proposed Deep Geological Repository**

We are counsel to the Municipality of South Bruce with respect to the Municipality's participation in the site selection process being undertaken by the Nuclear Waste Management Organization (the "NWMO") for a proposed Deep Geological Repository and associated infrastructure (the "Project").

We have been provided with a copy of your letter to Municipal Council dated February 4, 2021 on behalf of Protect Our Waterways – No Nuclear Waste ("Protect Our Waterways"). We have been asked to respond to the points raised in your letter on behalf of the Municipality.

As you are aware, the NWMO has committed that it will not locate the Project in South Bruce unless the community is an informed and willing host for the Project. In 2012, Council passed a resolution to participate in the NWMO's site selection process and learn more about the Project. As it has moved through the site selection process over the past eight years, the Municipality, both independently and in conjunction with the NWMO, has sought out community participation in the site selection process through surveys, open houses, public meetings, workshops and regular meetings of the Community Liaison Committee ("CLC") as well as updates and reports to Council.

There have been a number of significant developments in the site selection process over the past 18 months that are relevant to the topics identified in your letter, including:

- November 2019 – The NWMO narrowed the number of remaining communities in the site selection process from five to three communities and announced that South Bruce will continue in the process with the objective of selecting a site in 2023.
- December 2019 to February 2020 – The Municipality undertook a project visioning exercise that included nine community workshops facilitated by AECOM to explore the community's expectations and aspirations for the Project if it were to be located in South Bruce. The workshops also aimed to understand the community's vision for a Centre of Expertise to be associated with the Project.
- January 2020 – The NWMO announced that it had secured sufficient land in South Bruce to advance the community to the next and final stage of site selection along with the Township of Ignace.

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- May 2020 – A Draft Project Visioning Report prepared by AECOM based on the earlier workshops was provided to Council and released for public comment and input.
- June 2020 – Council approved a Multi-Year Funding Agreement (the “MYFA”) with the NWMO to cover the Municipality’s costs of participating in the site selection process (including technical studies and assessments) for a three-year period (2021, 2022 and 2023) and providing an annual community benefit payment of \$300,000.
- July 2020 – Utilizing the funds provided under the MYFA, the Municipality hired David Rushton as Project Manager and Steven Travale as a Communications/Public Relations Officer to assist the Municipality in the site selection process.
- August 2020 – Council received the final Project Visioning Report and prepared a list of 34 draft principles (the “Draft Principles”) to guide the Municipality’s participation in the site selection process and assist the community in making a determination of willingness. The Municipality posted the Draft Principles for public comment and input.
- October 2020 – Following the public comment period, Council adopted a resolution endorsing 36 principles (the “Guiding Principles”) that incorporated the 34 Draft Principles and two additional principles responsive to public input. The accompanying staff report explained that the process to evaluate the Guiding Principles will be informed through a series of reports, studies and task forces, including peer reviews done by third party independent experts.
- December 2020 – The Municipality released an Expression of Interest for the provision of a variety of professional services to assist the Municipality in the site selection process. As a result of the Expression of Interest process, the Municipality has retained a team of consultants (GHD, Redbrick Communications, MDB Insights, Tract, and Burnside and others) to provide a variety of expertise in various study areas.
- February 2021 – The Municipality and the NWMO initiated a process to undertake approximately 60 studies and inputs in South Bruce and the surrounding area to ensure the community has the information needed to make an informed decision about whether to host the Project.

With that background, we will address each of the topics raised in your letter in turn.

### **1. The Municipality’s Jurisdiction**

Your letter raises questions about the regulatory jurisdiction for the Project and the Municipality’s role in the regulatory process. These are important considerations that have framed and guided the Municipality’s participation in the site selection process.

The Project is a federal undertaking under the *Constitution Act, 1867* and must comply with the licensing regime of the federal Canadian Nuclear Safety Commission (“CNSC”). Before the CNSC can issue a licence for the Project, the NWMO will be required to complete a federal impact assessment under the *Impact Assessment Act*. The federal impact assessment will consist of a public regulatory process that will review the Project in extensive detail and take many years to complete. Construction and operation of the Project will only proceed after the assessment and licensing processes are complete.

While the federal government holds primary regulatory authority over the Project, the Municipality can exercise its jurisdiction over the Project provided it does not displace or frustrate the purpose of federal regulation. This provides the Municipality with a limited but important role in regulating local impacts of the Project such as aspects of land use and transportation.

In addition, the Municipality has an essential role to play in determining if the community is an informed and willing host for the Project as part of the site selection process. At this time, Council has not made any determination as to whether the community is a willing host for the Project. To date, the Municipality's focus has been on assembling all the necessary information to make this important decision and ensuring that the information is made available to the public. In this regard, the Municipality has undertaken a number of initiatives as part of the site selection process to assist community members in understanding and assessing the potential impacts and benefits associated with the locating the Project in South Bruce.

As discussed in more detail below, the Municipality has recently commenced an extensive process of peer reviews and independent studies to understand the potential impacts of the Project on the community and to determine appropriate measures to address such impacts. In undertaking this work, the Municipality will not be acting in the role of regulatory authority which, as noted above, is the responsibility of the federal government and the CNSC. Rather, the objective of this work is to address the matters identified in the Guiding Principles so that community members have a comprehensive understanding of the Project when considering willingness.

The Municipality also expects that, if the Project were to be located in South Bruce, it would secure a number of benefits for the community as part of the Project as set out in the Guiding Principles. The benefits identified by the Municipality were drawn from the project visioning exercise and include:

- public access to the Teeswater River for recreational purposes (Principle 6);
- the development and funding of agricultural promotion program (Principle 13);
- the development and funding of tourism strategy (Principle 14);
- the creation of youth opportunity programs (Principle 15);
- locating the Centre of Expertise in South Bruce (Principle 19);
- the establishment of a local employment and training strategy for the Project (Principle 20);
- the establishment of a business opportunities strategy for the Project (Principle 21);
- the establishment of a local procurement strategy for the Project (Principle 22); and
- the provision of community benefit payments (Principle 23).

At the appropriate time, the Municipality will be commencing discussions with the NWMO on providing the benefits identified in the Guiding Principles.

All commitments made by the NWMO, whether in providing benefits or addressing impacts, will be secured through appropriate mechanisms and will be presented to the public for consideration in determining willingness. Further details on the process of securing these commitments will be released once developed.

### **2. Determination of Willingness**

Your letter addresses several matters related to the community's process for determining willingness.

The Municipality understands and has acknowledged the importance of an open and transparent process in determining whether the community is willing to host the Project. This is captured in Principle 9 of the Guiding Principles, which states: "*The Municipality will, in collaboration with community members,*

*develop and establish an open and transparent process that will allow the community to express its level of willingness to host the Project."*

Council has not yet decided how willingness to host the Project will be determined. The Municipality is working with its lead consultant GHD on a process to seek community input on what mechanisms should be used to assess willingness. The community input process will be modeled on the earlier project visioning exercise adapted to be compliant with COVID-19 protocols. The Municipality is aiming to announce additional details about the willingness process in the near future.

To be clear, the purpose of the upcoming process will be to seek input on what mechanisms should be used to assess willingness, not to determine whether the community is a willing host. The eventual determination of willingness will need to be coordinated with the technical studies and peer reviews being undertaken by the Municipality, the securing of benefits from the NWMO, and the decision-making processes of other stakeholders in the site selection process. Each of these processes will provide important inputs into the community's eventual determination of willingness.

Your letter asks the Municipality to commit to a referendum with a requirement for a two-thirds majority in favour of the Project. Please note that if the Municipality were to decide to hold a referendum, it would need to comply with the legal requirements for the submission of by-laws and questions to the electorate under the *Municipal Elections Act, 1996*. Amongst other things, the *Act* requires that the by-law or question presented to the electorate be within Council's jurisdiction and specifies conditions which must be met before a referendum can be conducted. Section 8.2 of the *Act* provides that the results of a referendum are binding where at least 50 per cent of the eligible electors in the municipality vote on the question and more than 50 per cent of the votes on the question are in favour of those results.

### **3. Peer Review and Participant Funding**

Consistent with the practice used for other large infrastructure projects, the Municipality required and has secured funding from the NWMO to undertake appropriate peer reviews and independent studies of the potential impacts on and benefits for the community associated with the Project.

In this regard, Principle 25 of the Guiding Principles states: *"The NWMO will fund the engagement of subject matter experts by the Municipality to undertake peer reviews of Project reports and independent assessments of the Project's potential impacts on and benefits for the community as determined necessary by the Municipality."*

As detailed above, the Municipality has secured funding from the NWMO through to 2023 to undertake peer reviews and independent studies as part of the MYFA. The Municipality has recently retained the technical experts necessary to undertake this work and is working with the NWMO on a study plan that includes over 60 separate studies and inputs. The results of this work will be presented to Council and released to the public so as to inform the community's decision on willingness.

The Municipality's role in the Project will not cease at the conclusion of the NWMO's site selection process. The Municipality intends to fully participate in the impact assessment and licensing process for the Project. Principle 26 states: *"The NWMO agrees to cover the costs of the Municipality's preparation for and participation in the Project's regulatory approval processes, including the Canadian Nuclear Safety Commission's licensing process and the assessment of the Project under the Impact Assessment Act (or other similar legislation), that are not otherwise covered by available participant funding."*

The Municipality also intends to secure a role in the long-term governance of the Project if it is located in South Bruce. Principle 34 states: *"The NWMO will provide the Municipality with an ongoing and active role in the governance of the Project during the construction and operation phases of the Project."*

Your letter requests that Protect Our Waterways be provided with participant funding to undertake its own peer reviews. The Municipality is not in a position to provide Protect Our Waterways with participant funding. We can assure you that the Municipality has hired independent and experienced consultants to undertake the planned independent studies and peer reviews. The results of this work will be shared with the public, including the members of Protect Our Waterways.

We note that your client may be eligible for participant funding as part of the impact assessment and licensing processes. Such inquiries should be directed to the Impact Assessment Agency of Canada and/or the CNSC.

**4. Planning Act**

Your letter asserts that the Project is subject to the municipal planning process under the provincial *Planning Act* and that the NWMO should apply for an amendment to the South Bruce Zoning By-law.

The issue of municipal planning authority over the Project has been addressed in Principle 33, which states: "The NWMO will comply with the Municipal Official Plan and zoning by-law and seek amendments to the Official Plan and zoning by-law as necessary to implement the Project."

Consistent with Principle 33, the Municipality expects that the NWMO will comply with the South Bruce Zoning By-law for all activities undertaken within the community and seek appropriate variance or amendments to the applicable zoning as needed.

However, the Municipality views the *Planning Act* process as an unsatisfactory tool for public participation in assessing willingness as part of the site selection process. A zoning by-law amendment for the use of the site as a Deep Geological Repository would not be required until a building permit for the facility is needed, which will be after the federal impact assessment process is completed and the NWMO is ready to commence construction on the Project. This timing is obviously unsuitable for use in the site selection process.

As described above, instead of relying upon the *Planning Act*, the Municipality will be designing a specific process to identify the appropriate mechanisms to determine if the community is a willing host. All stages of the process will be transparent and provide an opportunity for public participation as would be the case with any application under the *Planning Act*.

\* \* \* \*

We hope that you and your client will find this response helpful. We would be happy to answer any further questions your client may have about the Municipality's participation in the site selection process. We encourage members of Protect Our Waterways to participate in the upcoming willingness process and assist the Municipality charting a course forward on this important initiative.

Yours truly,



PGD/rw  
cc. Client

## Appendix 3: The NWMO and South Bruce Learning Together June 2020



The Nuclear Waste Management Organization (NWMO) is responsible for implementing Canada's plan for the safe, long-term management of used nuclear fuel in a manner that protects both people and the environment. The NWMO is working to identify a single, preferred location for a deep geological repository for used nuclear fuel, to be located in an

area with informed and willing hosts. Technical site investigations and social studies are underway in two areas; the Municipality of South Bruce in southern Ontario, and the area around Ignace in northwestern Ontario. The NWMO expects to identify a single, preferred location by 2023.

### Site selection process: Next steps for South Bruce

Canada's plan is about protecting people and the environment for generations to come, and to do so, we will study the potential site to determine whether it meets the project's robust safety requirements.

As part of our work to assess safety, we will soon begin site investigations at the potential repository site in South Bruce. Studies will include borehole drilling, 3D seismic surveys, working with the community to develop baseline environmental monitoring, and other activities such as Indigenous cultural verification.

### Update on Land Access Process

In May 2019, the NWMO publicly launched the Land Access Process. This process invited interested landowners to consider signing agreements to make land available for study. In January 2020, we announced that we had worked with interested local landowners to aggregate nearly 1,300 acres (526 hectares) of land northwest of Teeswater – enough to begin further site investigation work.

We are continuing negotiations with interested landowners to complete the potential site (~1,500 acres). We will share a complete map once we've aggregated enough land for a potential repository site.

The siting process is dialogues-driven. That means questions, suggestions and concerns we hear from people in the area help inform our work. We are committed to engage and work with landowners in the vicinity of the potential site over the coming months and years to address their questions and concerns.

### Environmental baseline monitoring program

The NWMO plans to involve people in the community in developing an environmental baseline monitoring program. We have also begun reaching out to government agencies and local industry to acquire baseline data.

Input from community members is important to help us understand current stresses on the local environment and what questions the environmental monitoring program needs to answer. We are exploring online engagement tools to directly involve residents from South Bruce in shaping the environmental monitoring program.



### Borehole drilling and testing

Borehole drilling and testing work is part of the NWMO's site evaluation program. We are planning to begin field studies including deep borehole drilling to further understand the geology at the potential repository site northwest of Teeswater. Health and safety is our top priority, and we will implement site preparation and borehole drilling and testing in a way that is mindful of public health provisions related to COVID-19.

The NWMO recently awarded a contract for the borehole drilling and testing program in South Bruce. Together with the NWMO, the contractor will develop a comprehensive plan for this work. An early step will be talking with local businesses and suppliers – we want to shop locally for the services, equipment and materials that we will need for this work.

We will provide more information on borehole activities and plans in the coming months.

### Opportunity to comment: Extended to July 3, 2020

#### Implementing Adaptive Phased Management 2020 to 2024

In April 2020, we shared our five-year strategic plan and invited comment. The plan outlines objectives and priorities as we continue to implement Canada's plan. This planning period is the first to look beyond our expected site selection date of 2023 – a significant milestone – and the work outlined marks a transition to a new series of activities. The release of this plan presents an opportunity for you to provide input and help shape our work – and now is an important time to hear from you. Please reach us by mail, email, fax, or through our website.



**nwmo**  
nuclear waste management organization  
1-800-249-0900  
www.nwmo.ca

reçu de nos renseignements  
en français  
1-800-249-0900  
www.nwmo.ca

The NWMO and South Bruce – Learning together mini-newsletter is a community-oriented feature designed to encourage learning and discussion about Canada's plan for the long-term management of used nuclear fuel and the site selection process. We welcome your questions. Please forward your questions to askthornwmo@nwmo.ca or call us at 1.800.249.0900. Find us on Facebook, Instagram, LinkedIn, and Twitter.

For more information about the NWMO and Canada's plan for the safe, long-term management of used nuclear fuel, please visit: [www.nwmo.ca](http://www.nwmo.ca)

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[@nwmo](https://www.facebook.com/nwmo)  
[/company/nwmo](https://www.instagram.com/nwmo)

## Frequently asked questions

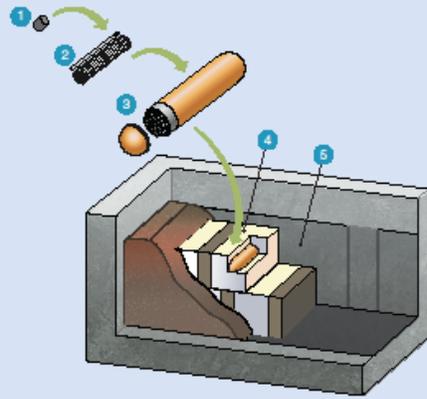
### Why a deep geological repository? Are they safe?

Deep geological repositories are the safest method that we have today for safely and securely managing used nuclear fuel. It is the method that is being implemented by all countries with commercial nuclear power programs around the world. This approach is the culmination of more than 30 years of research, development and demonstration of technologies and techniques.

In Canada, this method emerged from many years of dialogue with Canadians. During that dialogue, alternative management methods were also analyzed, including interim storage at reactor sites, which is the current management approach. The deep geological repository is the method that best met people's values and objectives of safety, and the protection of future generations.

Countries operating deep geological repositories for radioactive material include Finland, South Korea, Sweden and the United States.

### ENSURING SAFETY: The NWMO's multiple barrier system



Within a deep geological repository, a series of engineered and natural barriers will work together to contain and isolate used nuclear fuel from people and the environment. Each of these barriers provide a unique and stand-alone level of protection. If any of the barriers deteriorate, the next one comes into play. For more information on the multiple-barrier system that the NWMO is using to safely contain and isolate used nuclear fuel, please visit [www.nwmo.ca/multiplebarriersystem](http://www.nwmo.ca/multiplebarriersystem).

### The facts on deep geological repositories around the world

Countries that currently have operating deep geological repositories for radioactive material include Finland, South Korea, Sweden and the United States. All existing deep geological repositories are highly regulated and operating safely.

Our goal at the NWMO is to provide factual information to ensure people in the area can make an informed decision about Canada's plan. Over the last few months we've been asked about the Asse II mine in Germany, and the Waste Isolation Pilot Project in the United States. Here is a bit of information about each facility.

The *Asse II mine* in Germany was not built as a repository for radioactive waste. It is a former salt mine where, between 1967 and 1978, Germany placed low- and intermediate-level radioactive waste. The former mine was subject to mining laws until November 2008 when Germany decided it would be treated as a repository under Germany's Atomic Energy Act. In January 2010, the decision was made for all radioactive waste to be retrieved from the mine.

The Asse II mine is not at all consistent with the requirements of a deep geological repository like the one we are working towards in Canada. Typical waste in Asse II consists of mixed waste that was deposited into metallic drums in a setting not designed to last for a long time. In contrast, Canada's used nuclear fuel is a solid material that will be stored deep underground in a suitable rock formation, and in a purpose-built container designed to contain and isolate fuel over the long term.

The *Waste Isolation Pilot Project (WIPP)* in New Mexico is a deep geological repository licensed to store transuranic radioactive waste that is unique to the U.S. nuclear defense program. This is a different kind of waste than the NWMO will be managing. The fuel from Canadian reactors is a solid ceramic and not reactive - it is not classified as flammable, explosive or fissile material.

The WIPP facility experienced two operational accidents in 2014.

- 1) A truck fire in the underground portion of the WIPP facility led to the evacuation and shutdown of the facility. There was no connection with radioactive waste and no release of radioactivity.
- 2) A waste container was packed with an inappropriate absorbent prior to delivery to the WIPP facility. This led to a chemical reaction that caused pressure to build, the container to fail, and released minor doses of radioactivity (equivalent to less than a chest X-ray) that affected 22 employees. No radioactivity was detected off-site or in surrounding communities, and radioactivity at the facility's surface remained well below regulatory limits.

The WIPP facility has reopened since these incidents and continues to operate safely today. The full report on these accidents at the WIPP facility is available from the U.S. Department of Energy ([www.wipp.energy.gov/wipprecovery/recovery.html](http://www.wipp.energy.gov/wipprecovery/recovery.html)). Any release of radiation is cause for concern. Both WIPP and the industry as a whole have learned from this event.

The NWMO has taken into account learnings from the WIPP incidents and from the storage issues experienced at the ASSE II mine to ensure they are incorporated into our work.

For answers to other frequently asked questions, please visit [www.nwmo.ca/youaskedus](http://www.nwmo.ca/youaskedus).

# The NWMO and South Bruce

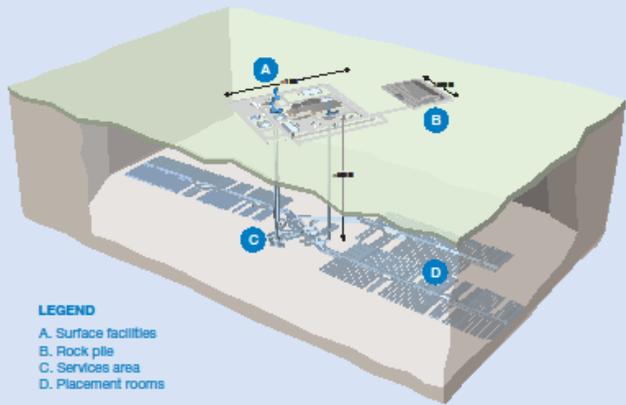
Learning together

JULY 2020

## NWMO's commitment to local farmland

It's clear that South Bruce is proud of their agricultural roots. If the project is sited in this area, we are committed to working together with the community to ensure these special features are preserved and enriched through the project's implementation. The deep geological repository requires 1,500 acres of land underground; however, the project will only disrupt approximately 250 acres for facilities on the surface. In South Bruce, farming will continue to be the primary economic activity on the remaining 1,250 acres.

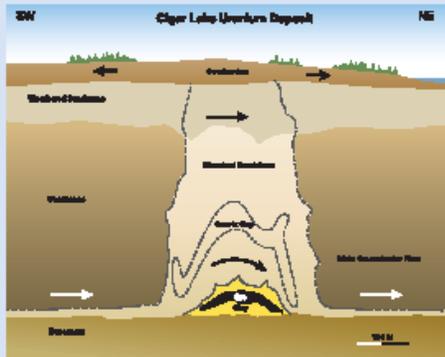
In fact, our guarantee that farming activities may continue is a key part of land agreements we put in place with landowners in the area over the past year, and of our commitment to support economic activity and local community well-being. We're committed to protecting the environment and farmland, and minimizing disruption to local businesses.



### Did you know?

There are several locations where natural radioactivity has been contained for millions of years by the surrounding geology. These natural systems provide strong evidence supporting the concept of containment within a deep geological repository under similar conditions.

The Cigar Lake Uranium deposit in Saskatchewan is one billion years old. It was buried 450 metres below the surface, surrounded and protected by a layer of naturally occurring clay, with no trace of radioactive components from the deposit at the surface. This is an example of how the deep geological repository can contain and isolate used nuclear fuel.



### You asked, we answered

**Does the Land Access Process mean that the NWMO has selected the Municipality of South Bruce for the deep geological repository?**

No. The NWMO is also conducting site investigations at a potential repository site in the Ignace area, in Northwestern Ontario. We expect to identify a single preferred location with geology that both meets the project's stringent safety requirements and has informed and willing hosts by 2023.

**How will you protect property value?**

As responsible landowners, the NWMO will not allow the project to negatively impact property values of our neighbours if the project proceeds in South Bruce. We will work with adjacent landowners to understand their concerns and address this question as part of the well-being studies we will complete together with the community. The NWMO is committed to implementing the project in a way that preserves and enhances the well-being of the community.

### Contact us!

We continue to invite anyone interested in learning more about Canada's Plan for the safe, long term management of used nuclear fuel to visit [www.nwmo.ca](http://www.nwmo.ca) or follow us on social media @NWMOCanada.

## Appendix 5: Protect Our Waterways Flyer Sept 2020

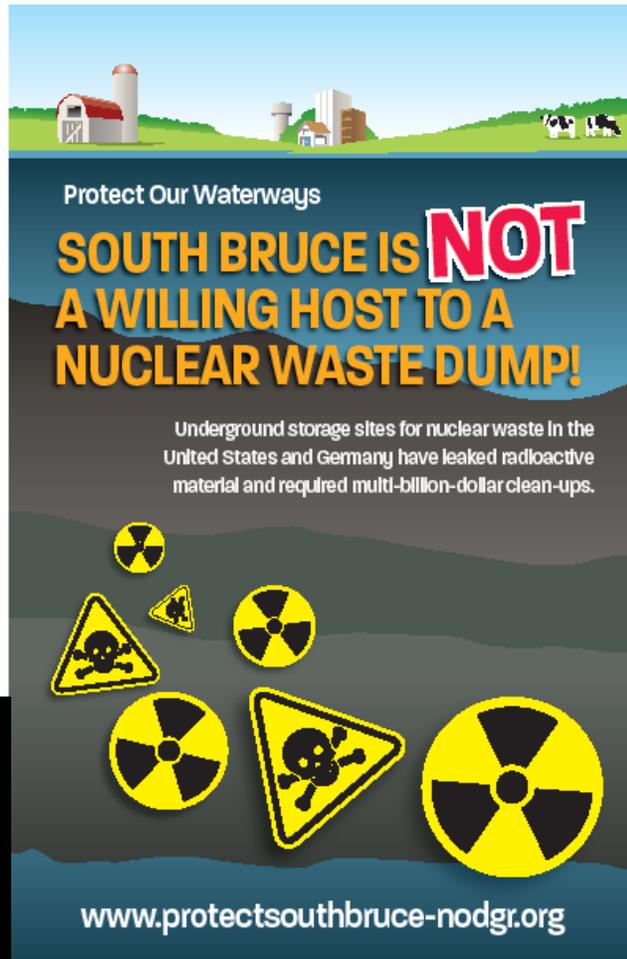
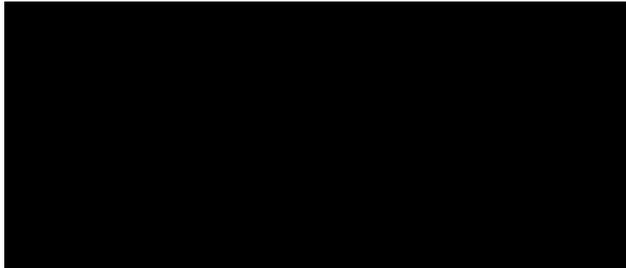
### TAKE ACTION!

**YOU CAN HELP STOP  
THE NUCLEAR WASTE  
DUMP IN SOUTH  
BRUCE**

Protect Our Waterways is a group of South Bruce residents who oppose having a nuclear waste dump in our community.

- 1 Tell Ben Belfadhel, NWMO's vice-president for site selection: **"WE ARE NOT A WILLING HOST!"**
- 2 Tell Mayor Robert Buckle and South Bruce councillors: **"Hold a clear yes/no community vote on the proposal to site a nuclear waste dump in South Bruce."**
- 3 Tell MPP Lisa Thompson, MP Ben Lobb and Minister Seamus O'Regan: **"Nuclear waste should NEVER be abandoned deep below the surface."**

#### How to contact them:



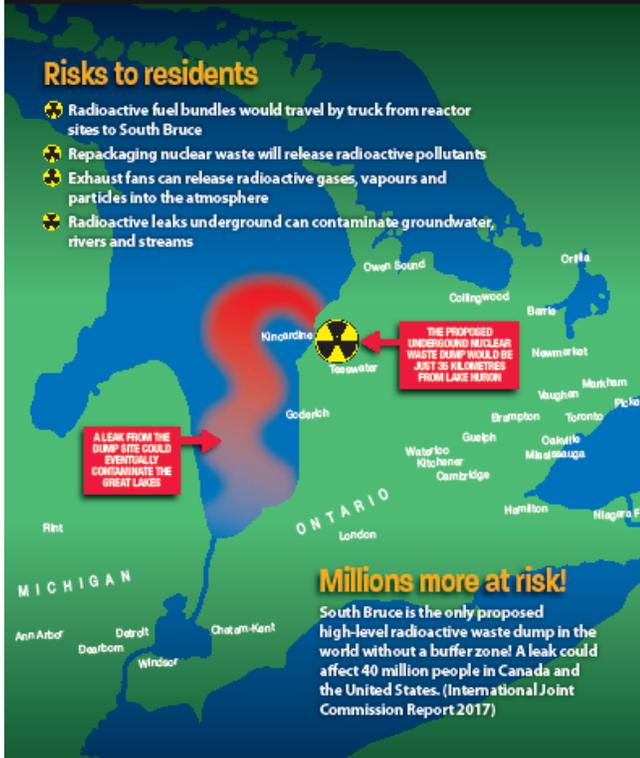
The flyer features a top illustration of a rural landscape with a barn, a house, and cows. The main title is "Protect Our Waterways" in white, followed by the large, bold headline "SOUTH BRUCE IS NOT A WILLING HOST TO A NUCLEAR WASTE DUMP!". Below this, a paragraph states: "Underground storage sites for nuclear waste in the United States and Germany have leaked radioactive material and required multi-billion-dollar clean-ups." The bottom half of the flyer is dark grey and contains several yellow and black radiation warning symbols (the trefoil symbol and skull-and-crossbones symbols). At the very bottom, the website address "www.protectsouthbruce-nodgr.org" is printed in white.

# No high-risk experiment on 5,639 South Bruce residents!

Nowhere in the world is there an operating deep geological repository for irradiated nuclear fuel (World Nuclear Waste Report 2019). Yet the Nuclear Waste Management Organization (NWMO) continues to propose such a facility in South Bruce, not far from the shores of Lake Huron.

## Risks to residents

- Radioactive fuel bundles would travel by truck from reactor sites to South Bruce
- Repackaging nuclear waste will release radioactive pollutants
- Exhaust fans can release radioactive gases, vapours and particles into the atmosphere
- Radioactive leaks underground can contaminate groundwater, rivers and streams



## Millions more at risk!

South Bruce is the only proposed high-level radioactive waste dump in the world without a buffer zone! A leak could affect 40 million people in Canada and the United States. (International Joint Commission Report 2017)

# NWMO's nuclear dump proposal is divisive

No one wants the stigma\* associated with having a nuclear dump in their community. Twenty of the 22 municipalities the NWMO has studied are no longer under consideration after local opposition, social or technical reasons caused investigations to be discontinued.

It is solely in the interest of the NWMO to bury nuclear waste deep underground.

*Both waste producers and regulators have a vested interest in abandoning these wastes. The waste producers wish to limit their liability, and the regulators want to terminate their oversight.*

— Dr. Gordon Edwards, Canadian Coalition for Nuclear Responsibility



## Our position: "Rolling stewardship" is preferable

The rolling stewardship method of managing radioactive nuclear waste maintains it in a monitored and retrievable state at all times, with continual improvements to packaging and environmental protection. Ontario Power Generation says above-ground storage in Kincardine is satisfactory and can continue for decades (Dr. Edwards).

*A better option than locking in a decision now is to fortify the temporary storage for a few more decades, and wait for new and better technologies.*

— Theresa McClenaghan, Canadian Environmental Law Association



\*A study by the Ivy Business School forecasts a negative economic stigma of \$700 million over 30 years if a DGR for radioactive waste is built in the Bruce area.

**The Nuclear Waste Management Organization (NWMO) wants to conduct a high-risk experiment within South Bruce**



**The NWMO does not have the experience required to plan for eternity\***

Ontario Power Generation (OPG) acknowledges that these nuclear wastes will remain hazardous for 100,000 years, far exceeding the span of recorded human history. That is a period of time 20 times longer than the age of the Pyramids, and 10 times longer than the age of the Great Lakes themselves. There are no principles of science that can be used to forecast with confidence what will happen over such a long time period, because the computer models, scientific hypotheses and quantitative methods used to predict cannot be tested or verified against experience in any convincing manner.

**Actually the risk of radioactive contamination is ... forever!\***

It takes 10 half-lives for a radioactive material to diminish by a factor of 1000. The biological hazard from the plutonium-239 inventory in the DGR will require about 240,000 years to subside through three orders of magnitude... Each atom of plutonium-239 that disintegrates is transmuted into another alpha-emitting radioactive material that has a half-life of about 700 million years. Thus the hazard from plutonium-239 is not bounded in time by 100,000 years as OPG has indicated in its literature. Plutonium has ample time to escape into a nearby body of water, either quickly or slowly, if there is a serious breach of containment in the repository.

**Failures at underground storage of low and intermediate nuclear waste in Germany and USA\***

The WIPP project near Carlsbad, New Mexico, became radioactively contaminated by the explosion of an underground drum of nuclear waste. The explosion resulted in the contamination of 21 workers at the surface by plutonium-bearing dust that travelled over 650 metres vertically upwards. Nobody predicted in advance that organic kitty litter used as a packing material would chemically react under the influence of ionizing radiation, generating a flammable gas that would cause a low-level radioactive waste drum to explode and turn into a flame-thrower, deep in the bowels of the WIPP repository.

In Germany, two separate underground projects have failed. Low-level wastes were emplaced in the Aase-II Salt Mine for decades before it was revealed that the repository had failed to prevent radioactive releases. Indeed, leakage of radioactive materials had been occurring for almost ten years before government authorities were notified. The German government has now ordered the removal of all radioactive waste from the Aase-II facility, but it is a difficult job that will take 30 years or more to accomplish, at considerable expense. At the same time, the Morsleben DGR in Germany has also shown signs of failing, as the roof is buckling and the entire repository is in danger of collapsing.



\*From the 2017 Submission by Dr Gordon Edwards, Canadian Coalition for Nuclear Responsibility to the Canadian Environmental Assessment Association Re: Ontario Power Generation's Proposal for a DGR at Kincardine Ontario, for the burial and abandonment of Low- & Intermediate Level nuclear wastes

**Independent researchers in Sweden question safety of storing nuclear waste in copper canisters**

A number of universities experimented with testing copper's susceptibility to corrosion under various environments. It was thus established that copper's corrosion rate observed during experiments was much higher than that cited in SKB's calculations. In particular, corrosion was shown to be accelerated by heat and radiation emitted by the radioactive waste that was expected to be disposed of in copper canisters. These were the first tests of such kind since the issue of copper corrosion over hundreds of thousands of years had simply not been taken up by scientists before (Bellona Foundation).

**Rolling Stewardship is preferable to burying nuclear waste**

The rolling stewardship method of managing radioactive nuclear waste maintains it in a monitored and retrievable state at all times, with continual improvements to packaging and environmental protection. Ontario Power Generation says above-ground storage in Kincardine is satisfactory and can continue for decades (Dr. Gordon Edwards, Canadian Coalition for Nuclear Responsibility).

"The dry storage containers have a minimum design life of 50 years. They are actively monitored, and studies indicate that with ongoing maintenance and inspections these containers can be safely used for much longer periods of time. After 50 years the life of the container could be extended, or the used fuel could be repackaged. These decisions will depend on a number of factors, including the timeline for implementing Adaptive Phased Management." (NWMO)

**More than 1500 residents of South Bruce and more than 11,700 residents of Ontario have signed a petition to oppose hosting a DGR in South Bruce. Let's keep up the pressure!**

- 1 Tell Ben Belfadhel, NWMO's vice-president for site selection: **"WE ARE NOT A WILLING HOST!"**
- 2 Tell Mayor Robert Buckle and South Bruce councillors: **"Hold a clear yes/no community vote on the proposal to site a nuclear waste dump in South Bruce."**
- 3 Tell MPP Lisa Thompson, MP Ben Lobb and Minister Seamus O'Regan: **"Nuclear Waste should NEVER be abandoned deep below the surface."**

**How to contact them:**



Protect Our Waterways - No Nuclear Waste  
[www.protectsouthbruce-nodgr.org](http://www.protectsouthbruce-nodgr.org)

Protect South Bruce - No DGR  
 @POWNoNukeDump

## Appendix 6: Letter to Editor – Vice President Ben Belfadhel

### LETTERS TO THE EDITOR

Thursday, September 24, 2020 - Wingham Advance Times - Page 5

## Open letter from NWMO

*The following is an open letter to the community from Dr. Ben Belfadhel, vice-president site selection, Nuclear Waste Management Organization.*

Dear neighbour,  
I am writing today to address misinformation that has begun circulating in South Bruce and area about the Nuclear Waste Management Organization (NWMO). A recent flyer shared throughout the region is based on fear, not facts. As a scientist with nearly 25 years of experience in the safe management of radioactive material, my goal today is to correct the record.  
My chosen field is both rewarding and challenging. I understand that the long-term management of used nuclear fuel is controversial, with passionate views held by many. Any large-scale environmental infrastructure project garners intense reaction in local communities. Doubly so when the project is as unique and generational as the plans to build a deep geological repository for Canada's used nuclear fuel.

### OPINION

That's why the NWMO has, from its very outset, sought to create a dialogue. We work to involve communities in every step of our work. We want to ensure they are engaged in the process and they have all the necessary facts. Because the hard truth is, we need a long-term solution. Interim storage was never designed to last for thousands of years. But a deep geological repository is.

We owe it to future generations to implement a long-term sustainable solution. We have the answer. We know how to do it safely. Now, as a generation that has reaped decades of benefits from nuclear power, it is on us to act so our children and grandchildren don't have to.

At the NWMO, we are implementing site selection process that is designed to be fair and inclusive. We respect and welcome a diversity of views. We also value open discussions and challenges to the scientific basis of our project. We consider questions and challenges to be important to the integrity of our work. However, the

description presented by the "Not Willing to Listen" group on the potential impact to Lake Huron is concerning as it is simply inaccurate and misleading. It is not based on any evidence or any of the well-established hydrogeological models.

Let me be clear: this campaign amounts to fear-mongering. We welcome debate, but not misinformation.

As a scientist, I've spent my life looking at issues from all sides. It's what we do every day at the NWMO. It's why our technical reports consider every possible factor or variable, right down to possible ice ages centuries from now. But to cherry pick facts, or quite simply make them up, is divisive and does a disservice to the discourse. It runs contrary to the very foundations of the scientific method. And it's unfair to the many people we hear from each day who are genuinely trying to learn about the project so they can make an informed decision.

The NWMO employs highly skilled scientists who are amongst the best in the world. These are passionate citizens who

have dedicated their lives to the protection of people and the environment. They are guided by science and the NWMO's values and commitments. To imply that these experts, these parents, grandparents, siblings, aunts, uncles and caring members of their communities do not care about our valuable Great Lakes is disappointing and unfair.

While I respect differences of opinion, there is a minimum of rigour necessary for a productive debate. I would invite the authors of the aforementioned flyer to produce scientific evidence for their claims. I am interested in understanding how they came to their conclusion. They also owe it to their neighbours like you.

Thank you for taking the time to learn more about the NWMO. Myself and my colleagues are always available to answer your questions.

Sincerely,

Dr. Ben Belfadhel  
Vice-President Site Selection, Nuclear  
Waste Management Organization

## Claims of 'fear mongering' nothing short of an attempt at silencing opposition

Dear editor,  
Recent news articles in our region have featured a "top" NWMO scientist claiming that the distribution of over 50,000 leaflets to homes in the region was an attempt at "fear mongering" and "misinformation" by grassroots opposition in South Bruce to their plans to establish a high-level deep geological repository (DGR) in the community.

These recent articles demonstrate what I believe to be classic NWMO hardball tactics, whereby they actively seek to target and

Ugh...

The NWMO knows there are alternatives to this project, and they know there are many scientists who question the safety and need for such a project.

It's actually a positive sign that the NWMO is focusing so much effort on grassroots opposition. I think it exposes them for the organization they really are – an organization that is frustrated and upset it can't have its own way and the stark realization that establishing this dump in South Bruce won't be a cake walk. What the NWMO still fails to

## Appendix 7: NWMO Just the Facts



In recent weeks, a brochure was circulated in South Bruce with inaccurate information about the deep geological repository project for used nuclear fuel.

South Bruce is one of two communities under consideration for this project, and much more work remains to be done to determine whether it is a fit for the area.

**But as scientists and engineers, facts matter to us, and we'd like to set the record straight.**

- ✓ **FACT** A Deep Geological Repository will safely contain and isolate used nuclear fuel from people and the environment. Its safety is assured by five engineered and natural barriers – including hundreds of metres of solid rock.
- ✓ **FACT** Our lakes and waterways will be protected. The project will be built 400 metres deeper than the deepest point of Lake Huron.
- ✓ **FACT** There is international scientific consensus that deep geological storage is the best approach. Over 20 countries, including Sweden, France, the United Kingdom, Switzerland, Germany, the United States, the Netherlands, and South Korea, are pursuing similar projects.
- ✓ **FACT** Used nuclear fuel has been safely transported for over 50 years worldwide. More than 20,000 shipments have been made spanning millions of kilometres, without a single incident causing health or environmental impacts.
- ✓ **FACT** The repository will be actively monitored for decades, including after it's decommissioned, in collaboration with the host community.

**The simple fact is: we are committed to protecting people and the environment, and ensuring the community can make an informed decision based on facts!**

**Get the facts  
at [nwmo.ca](http://nwmo.ca)**

**nwmo**

## Appendix 8: Your Safety is Our Purpose

**About the Nuclear Waste Management Organization (NWMO)**

Our job is ensuring used nuclear fuel in Canada is managed safely for generations to come. In 2002, federal legislation made us responsible for the long-term management of used nuclear fuel in Canada. Ever since, we've been designing and implementing Canada's Plan for the safe, long-term management of nuclear fuel. We collaborate with Canadians and Indigenous people, community leaders and neighbours, industry representatives, and all levels of government to protect people and the planet – now and in the future. All aspects of our work will meet or exceed regulatory standards; international best practices; and requirements for our environment and the generations of people who serve as its stewards.

In short, your safety is our purpose.



# » YOUR SAFETY IS OUR PURPOSE

**Get the facts at [NWMO.ca](http://NWMO.ca)**

### » What's the plan?

Canada's Plan calls for used nuclear fuel to be stored in a deep geological repository – a network of underground tunnels and placement rooms for used nuclear fuel containers, located on a site with informed and willing hosts, including the local municipality and Indigenous community.

This approach is proven to be safe, extremely low-risk, technically sound, and consistent with best practices from around the world.

Canada's Plan is based on years of input from Canadians, Indigenous people, international scientific consensus, and global best practices. In fact, 29 other countries including France, Japan, Sweden, and the United Kingdom are taking a similar approach.

Canada's Plan is much more than a document or regulatory framework; it's a \$20-billion environmental infrastructure project that will benefit the host community and surrounding area for upwards of 100 years.

South Bruce is one of two communities under consideration for this project, and more work remains to be done to determine whether it is a fit for the area. We have been working with the community and hosting regular information sessions to ensure the residents of South Bruce can learn about the proposed project and provide their input.

### The Facts

Essential information has been circulated about the deep geological repository project for used nuclear fuel. As scientists and engineers, we want to ensure potential host communities have access to the facts, not misinformation.

- ✓ **FACT** A deep geological repository will safely contain and isolate used nuclear fuel from people and the environment. Its safety is secured by two single and natural barriers – including hundreds of metres of solid rock.
- ✓ **FACT** Our lakes and waterways will be protected. The project will be built 400 metres deeper than the deepest point of Lake Huron, located further from the lake than used nuclear fuel is currently stored.
- ✓ **FACT** There is international scientific consensus that deep geological storage is the best approach. Over 20 countries, including Sweden, France, the United Kingdom, Switzerland, Germany, the United States, the Netherlands, and South Korea, are pursuing similar projects.
- ✓ **FACT** Used nuclear fuel has been safely transported for over 50 years worldwide. More than 20,000 shipments have been made spanning millions of kilometres, without a single incident causing health or environmental impacts. The repository will be actively monitored in collaboration with the host community.

**Thursdays back regular bus service to information sessions, where experts will answer your questions and answer your questions will be provided.**

**Thursday, Nov. 12 at 7pm**



Scan code to register

**The simple fact is** we are committed to protecting people and the environment, and ensuring the community can make an informed decision based on facts.

Appendix 9: South Bruce CLC January 2014 Flyer



# SBCLC NEWS

SBCLC – South Bruce Community Liaison Committee

Vol. 1 – January 2014

## Who We Are

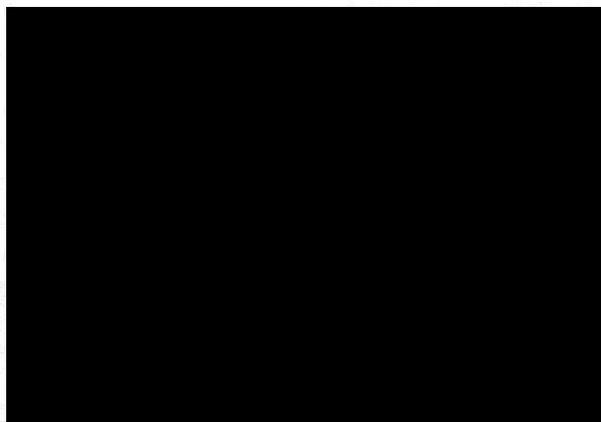
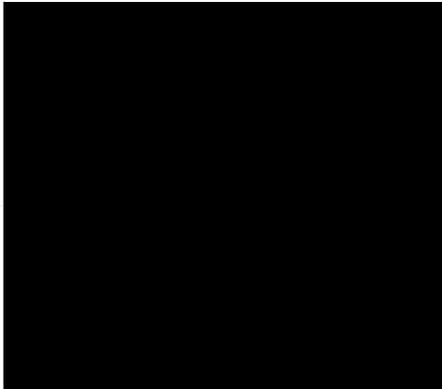
Welcome to the first of many informative newsletters of the **South Bruce Community Liaison Committee (SBCLC)** and the **Nuclear Waste Management Organization (NWMO)**. The SBCLC are residents of the Municipality of South Bruce and were appointed by council in June of 2013 to act as liaison between the Municipality and the NWMO. We encourage, welcome and invite YOU to engage and participate in meetings and information sessions.

The SBCLC and NWMO hope to hold one of many presentations in South Bruce on the Project Description. This is a great opportunity to involve yourself in the development of the site selection process.

*“What we can do is plan for the foreseeable future, act responsibly and confidently with the best science and technology in hand. What we must not do is pretend that we have all the answers for all time. A measure of humility will be essential as we move cautiously but surely toward the goal one step at a time.”*

*- NWMO Final Study Report, 2005*

## Your SBCLC members are:



**SBCLC members were selected through an open process.**

South Bruce Community Liaison Committee Newsletter

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## About the SBCLC

The key messages of the SBCLC are as follows;

- The only commitment South Bruce has made is to learning. The Community can drop out of the process at any time.
- The CLC's role is to learn more about the project and to help increase awareness and understanding of the project. We act as a liaison between the NWMO and the Community. We are here to engage, inform and listen.
- Our job is to help identify what the project would mean to South Bruce (benefits and any negative effects) and involve the community residents in this discussion.
- We will provide advice to the Municipal Council regarding the site selection process and Canada's plan for the long-term management of used nuclear fuel.
- We are working with the NWMO to assess the suitability of the community to host the project and prepare material that helps communicate:
  - The results of scientific and technical studies
  - The potential of the project to foster the well-being of the community
  - The questions and concerns raised in discussions with the community, neighbouring communities and Aboriginal peoples, and interest in learning more.

## Open House

NWMO will hold an open house at the Formosa Community Centre on February 20<sup>th</sup> from 1:00pm until 9:00pm and February 21<sup>st</sup> from 9:00am until 3:00pm. All are welcome to come and learn more about the Adaptive Phase Management Project and speak with representatives from NWMO.

## Meetings

The SBCLC hold their monthly meetings on the 1<sup>st</sup> Thursday of the month beginning at 7:00 pm at the Municipality of South Bruce's Municipal Office at 21 Gordon Street East in Teeswater. The public are invited and welcomed to attend.

- February 6<sup>th</sup>, 2014
- March 6<sup>th</sup>, 2014
- April 3<sup>rd</sup>, 2014

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## Visit our website or drop by our Community Office

The SBCLC Community Office is located [REDACTED] further information and reading material may be obtained at the South Bruce Municipal Office front entrance during regular business hours, the Teeswater Culross Community Centre, the Mildmay Carrick Recreation Complex or please go to [www.nwmo.ca/brochures](http://www.nwmo.ca/brochures). The SBCLC is currently in the process of gathering information and queries from community groups. If you or you know of anyone interested in participating, please contact the NWMO at [learnmore@nwmo.ca](mailto:learnmore@nwmo.ca) or the SBCLC at:

### Contact Information

[REDACTED]  
519-392-6623

### Office Address

21 Gordon Street East  
Teeswater, ON  
N0G 2S0

### Office Hours

Monday - Friday 8:30 am – 4:30 pm