

March 30, 2022

To: Natural Resources Canada

From [REDACTED]
United Church eastern regions Eco-Justice Working Group
Fredericton New Brunswick [REDACTED]

Sent by Email

Re: Response to the February 2022 Draft Radioactive Waste Policy for Canada

Questionable Assumptions

Our concerns with specific articles in the Draft Policy are itemized below. First, however, we feel it is necessary to address the faulty introductory assumptions on which the policy is based and which permeate the provisions as drafted to 'let, allow and even promote' the nuclear-waste-producing industry as a whole. The laudatory paragraphs touting the 'benefits' of the nuclear industry are inappropriate.

The role of nuclear power as a 'non-emitting' source of energy, i.e., a solution to climate change, is misleading in that it most certainly does emit radioactive materials. More important, it is an expensive, capital intensive, industry that leaves dangerous radioactive waste while renewable power that is truly clean and cheaper to produce, could replace it, providing real benefits for the Canadian public, and the whole planet. We have attached a document quoting world nuclear and energy experts, who make it clear that the world can meet its energy needs without nuclear. (Attached "Countering Nuclear Industry Narrative" regarding climate benefits.)

Promoting the role of the nuclear industry in providing medical isotopes is equally misleading, as most of the isotopes can be produced by cyclotrons, without the need for a reactor and the inevitable complex and always transforming nuclear waste. Playing on public ignorance in this regard does not demonstrate the public "transparency" the government purports to adhere to.

Lastly, the fact that Canada produces and sells uranium for the industry to use world-wide is not something to be proud of when it spreads the dangers of nuclear reactors and their waste around the world. The general public is also not aware that Cameco has won taxation cases pursued against them by Revenue Canada, for setting up a separate company external to Canada to sell the uranium, in order to avoid paying taxes in Canada on those sales!

NRCan's Draft Policy Articles

The recent Statement by Nuclear Waste Watch's Radioactive Waste Group "An Alternative Policy for Canada on Radioactive Waste Management and Decommissioning" https://nuclearwastewatch.weebly.com/uploads/1/4/9/1/14913256/nww-alternate-response-to-nrcan-draft-policy_march2022.pdf addresses most of our specific concerns about the weaknesses of the proposed policy:

- Nuclear Industry being charged with classifying the nuclear waste they produce, when they should instead, be applying standards and practices for waste classification established by a separate independent, scientifically informed body with monitoring powers.
- Nuclear Industry development of the Nuclear Waste Strategy, delegated to the NWMO industry-funded body, before this over-arching Policy was undertaken, when this should be developed by an independent body, guided by the Policy once it is finalized.
- Absolute ban against Reprocessing the waste to extract plutonium, which past expensive experiences have proven to complicate rather than solve the waste problem and create proliferation risks acknowledged by international nuclear powers.
- Ensures no exceptions to the commitment not to import radioactive waste.
- Requires an IA for construction and operation of new nuclear. At present, regulations under the "Environmental Impact Assessment Act, exempt Small Modular Reactors from the 'Project list' requiring an IA. This includes a reactor capacity equating to 300MW (electricity) if built on the same site as traditional reactors which have different risks, such as new forms of radioactive waste resulting from more highly enriched uranium fuel and different operating technologies.
- Addresses problems with the existing CNSC as regulator, currently seen as not just a 'captured' but even an 'integrated' regulator.

The general tenor of the Draft Policy is one of 'deregulation' adopted more and more in Canada with predictable results, even more serious with complex nuclear technology. The warning raised in Bruce Campbell's article **Preconditions, Regulatory Failure and Corporate Negligence Behind the Lac-Mégantic Disaster**, could be equally applicable to the results of this Draft Policy, however long it takes to play out:

The Lac-Mégantic oil train disaster, July 6, 2013, was not a highly improbable, impossible-to-anticipate event. A number of prior conditions, the product of deliberate regulatory and corporate actions and inactions, contributed to the risk of a major accident. These preconditions include: three decades of railway deregulation under Conservative and Liberal governments under which railways gained increasing freedom to regulate themselves; a weakened, dysfunctional regulator and a flawed safety regime; a negligent company with repeated safety

violations and penchant for cutting corners; a regulation-adverse , austerity-minded government indifferent to the growing dangers posed by the increase in the transportation of oil-by-rail; and an industry bent on blocking or weakening potential protective regulations affecting its costs. These preconditions provided the context for a series of mutually reinforcing regulatory failures, which accumulated, and as oil-by-rail grew, so too did the prospects of avoiding an accident diminish, to the point where the question became: when, where and how serious.

Lastly, the references in this 'Alternative Policy' to transparency and engagement of indigenous communities, civil society groups and scientists, will only work if there is the provision of government funding for:

- independent education and advice for indigenous and other community members, regarding the nature and implications of the nuclear fission process and the resulting radioactive wastes, including the dangers as well as 'benefits';
- independent scientific study of the potential health impacts of nuclear waste emissions along the supply, production and waste chain and independent study of possible improved waste handling methods.

Without this government funding and facility for independent communication in place, all that the 'community engagements' will be faced with is potentially biased industry-funded research and industry-characterized risks and benefits.

We hope that the Government will consider this submission carefully in reviewing and revising the Draft Policy now in circulation.

Thank you for inviting input.

Yours truly

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