

# Why a Parliamentary Debate is Needed Prior to the Legislation Updated on RadWaste Management Policy

Submitted by [REDACTED] ©, April 2, 2022

## PREAMBLE

I am delivering this submission as a complement to a previous submission to The Standing Committee on Environment and Sustainable Development (ENVI) for what it characterizes as “a study for a comprehensive review of nuclear waste governance in Canada and its impacts on the environment.”<sup>1</sup>

The two activities – namely, the ENVI study-in-progress and public consultation invited on the draft report for an updated legislative version of the Radioactive Waste Management Policy produced by the Ministry of Natural Resources Canada (NRCan) logically are interrelated. Considered together, they more fully are informing a larger number of federal politicians across political parties about issues of concern pertaining to nuclear waste, now and in the future.

This submission primarily will address the three principles identified in the NRCan draft report titled **Modernizing Canada’s Policy for Radioactive Waste Management and Decommissioning**, and add information that might look peripheral but which is relevant.

## GLOBAL EXCELLENCE

I will begin with my comments on the third principle which reads: (iii) *global excellence in the fields of radioactive waste management and decommissioning*, on PDF page 4 of the ‘Draft for Public Comment.’

The reason is, my observations through a decade of intervening as a concerned citizen – during which I continue to discover high quality international scientific insights which are independently arrived at, beyond specific global players

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<sup>1</sup> Go to <https://www.ourcommons.ca/Committees/en/ENVI/StudyActivityId=11488326>, and scroll down to [REDACTED] to click open

recognized by the International Atomic Energy Association (IAEA) – have brought me to the regrettable conclusion that the Canadian government will pursue only what a “closed circle” of pro-nuclear global players aggressively pursue, and dismiss all independent criticism, whether from concerned citizens who have diligently informed themselves or from international nuclear scientists who raise questions about the current trajectory of conceptual nuclear projects.

This systemic and consistent dismissal of any knowledge which exposes what yet is **not known** nor can be verified scientifically and, worse, exposes **continuing misinformation**, for example, produced by the Nuclear Waste Management Organization (NWMO) – which I repeatedly expose in letters to newspapers (see the latest)<sup>2</sup> – reveals a profound reluctance by the federal government to be sincere and inclusive in its declared public engagement.

Instead, the nuclear industry appears to control the federal government instead of what the government ought to be doing, which is, foremost, to protect the health and well being of Canadian citizens as well as the natural environment, upon which all human life depends as our planetary life support system.

Most of all, given the egregious presentations from every single government and nuclear industry spokespersons at four streamed hearings conducted by the above-mentioned Standing Committee, the primary concern of the federal government seems to be promoting its ‘nation state status internationally,’ or more bluntly, its ‘nation state ego’ to try and remain a Tier 1 pro-nuclear nation in the eyes of the IAEA, rather than demonstrate a moral conscience to show genuine discernment in recognizing the huge information gaps and lack of empirical science to justify such experimental projects as the deep geological repositories (DGRs) and small modular nuclear reactors (SMNRs).

To sum up, I have lost my trust in the judgement of the federal government in protecting my life and human rights as a citizen until such time it demonstrates much more integrity in paying attention to the legitimate concerns from citizens.

NRCan’s conflict of interest, therefore in both promoting the nuclear industry while also supposedly protecting citizens and the environment must be resolved.

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<sup>2</sup> <https://owensoundsuntimes.com/opinion/letter-to-the-editor-the-fuller-truth-on-swedish-governments-dgr-decision>

## **OPENNESS, TRANSPARENT AND INCLUSIVE ENGAGEMENT**

All three principles of NRCan's draft report, of course, are interconnected, as per my above comments, which segue into the draft report's second principle: (ii) *openness, transparency and inclusive engagement to encourage the timely development of the necessary infrastructure for effectively dealing with all of Canada's radioactive waste and decommissioning activities.*

The wording of this second principle has an embedded contradiction, not obviously visible to some readers or even its authors. The sentiment of "openness, transparency and inclusive engagement" sounds wonderful and democratic. But, in practice, it is not happening in an authentically democratic and inclusive way.

For starters, the marginalized treatment to date of Indigenous communities is well documented, and finally beginning to be exposed and baby steps taken to be authentically addressed. Meanwhile, across Canada, the longstanding disgrace of Canada is the environmentally racist assault upon many Indigenous communities to be chosen as dumping grounds for toxic wastes, and this practice continues – but now with much more political pushback from Indigenous leaders.

One example, directly pertinent to pushing back on the continuing practices by the nuclear industry - with the complicity of the federal government - is the Declaration by the Anishinabek Nation and Iroquois Caucus, which outlines its mandate very clearly against the spread of nuclear activity in its territories.<sup>3</sup>

In the region where I live, mid-western Ontario, the location of one of two still-competing sites to decide whether to become a 'willing host community' for the Nuclear Waste Management Organization's proposed high level DGR for spent fuel bundles, the Saugeen Ojibway Nation (SON)– which includes two Anishinaabe sister communities – is in a grossly conflictual bind, because its communities and larger traditional territory (on which land claims are being contested) also is located where Bruce Power operates. Bruce Power, which brags about being the largest nuclear power plant in the world, was established after Douglas Point, which was constructed without any consultation at all with the

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<sup>3</sup> <https://www.anishinabek.ca/2017/05/02/joint-declaration-between-the-anishinabek-nation-and-the-iroquois-caucus-on-the-transport-and-abandonment-of-radioactive-waste/>

two neighbouring Anishinaabe communities. Today, SON is playing catch up, in intermittent negotiations with Bruce Power to be recognized inclusively in regard to Indigenous community concerns in an uncomfortable continuing relationship.

Meanwhile, NWMO has exploited relationships with Indigenous communities, regarding which it is difficult for me to use polite English. What I will state, bluntly, is that colonialism is alive and well, and today's ugly face is seen in the exercise of private corporate agreements being made with selected members of a few Indigenous communities, together with specific individuals paid a lot of money. It is **not** democratic nor inclusive – because such agreements perpetuate the old 'divide and conquer' tactics of colonialism in dividing communities both from within and also across communities, between who gets the money and is given the knowledge and decision-making power, and who does not have a say.

The same game is being played by NWMO in rural and remote communities, and it stinks. I speak to the Municipality of South Bruce - where I lived for 13 years until mid-2019 and relocated to the neighbouring Township of North Huron, in midwestern Ontario. The second site where NWMO is manipulating the Township of Ignace, is in northwestern Ontario. There, the two First Nation communities offered money by NWMO include Wabigoon Lake Ojibway Nation, and as well, more recently, the Ojibway Nation of Saugeen #258, whose current leadership is strongly questioned by a number of its Anishinaabe members.

Returning to the second principle in the NRCan draft report, as quoted above, consider these words in it, which refer to “***the timely development of the necessary infrastructure*** [my bold in red]... .”

My question, in reference to the above words, is: According to whom? Who is deciding or influencing what is “***timely,***” and, as well, who is determining what is “***the necessary infrastructure***” ??? Again, according to whom?

Please note one of my recommendations in my submission to the Standing Committee, which I will repeat here, namely:

- (a) Conduct an investigation independent from the nuclear industry to gather evidence from the citizens in opposition to the currently proposed NWMO DGR, to expose the NWMO public relations spin about how it is engaging communities;

- (b) Significantly reduce the power of the NWMO, after doing the above investigation, which requires updating the Nuclear Fuel Waste Act, to strengthen the consensual rights of citizens.

A further change needs to happen, in order for citizens more inclusively to believe that their voices are being heard. It requires replacing the Canadian Nuclear Safety Commission (CNSC) with an agency which can be seen as clearly independent from the nuclear industry. Through ten years of my own interventions, I have come to the conclusion – similar to many other fellow intervenors – given our extensive experience with the CNSC, that the CNSC decision-making is regrettably in alignment with what the nuclear industry wants, and therefore regards public input as inconsequential.

After my own intensive engagement through many years, I feel regretfully that, despite my interventions - based on international science journals - my involvement has not been taken seriously, despite the serious lack of empirical science which I have exposed, to justify the licencing of DGRs. Nevertheless, the CNSC appears only to dance to the tune of what the “closed circle” of pro-nuclear international players want to happen.

The other quibble with CNSC is its reference frequently to documents produced by the Canadian Standards Association (CSA). The CSA Group self-identifies as an impartial and independent organization. Nevertheless, its documents have restrictive public access, which renders it to be elitist and favouring power holders who have the money to pay for and acquire full access to the contents of its research.

I want to mention here that I was approached by CNSC to participate in a ‘pilot project’ in regard to having more access to CSA documents. But I decided not to pursue this offer. First of all, I am fed up with the elitism of information that undermines the full public accessibility to information which has impacts on our lives. Secondly, I reject the falsehood of the CNSC engagement as open, inclusive and transparent, when it renders its CSA document sources as so restrictive that an ordinary Canadian citizen cannot even read the contents of what is influencing the CNSC regulations. CSA restrictions go far beyond copyright protection.

As a professional writer, I understand copyright, and the requirements to have access to CSA documents are not justifiable, by denying democratic access to the information which carries such as major influence upon CNSC regulations.

Again, the CNSC must be replaced with an agency visibly independent from the trajectory of what the nuclear industry is aggressively pursuing to stay alive for its own economic purposes which disregard the well being of the planet.

## **HEALTH, SAFETY, SECURITY AND ENVIRONMENTAL PROTECTION**

Again, the shortcomings in the second principle segue to what ultimately ought to be the foremost intention of an updated policy on radioactive waste management.

I refer to principle (i) which reads: *health, safety, security and protection of the environment*.

The sentiment sounds marvellous, but the words ring hollow, given the current circumstances in which the federal government seems to listen only to what the nuclear industry wants to happen.

Please prove me wrong. Render the entire process of updating a policy as one in which Canadian citizens can trust the moral responsibility of the federal government to, indeed – as principle (i) professes - to protect our health and safety by, first and foremost, protecting the natural environment.

Similarly, protect our “security” by removing the ambiguous language, which you use in elaborating on principle (iii), on PDF page 8 of your draft report, under 3.3 and 3.4. In those sub-sections, respectively, you refer to unnamed “alternative approaches – whose anonymity cannot be critiqued – followed by “recognizing that exceptions may be made to allow for the repatriation of disused radioactive sources to Canada,” again, which fails to identify clearly to what you refer.

Given my focus on the proposed NWMO DGR, I implore the federal government to spare the water pathways from being contaminated in future by a multitude of radionuclides which, sooner than later, will be released when the containers – still in development in attempts to try and confirm long term safety – eventually and inevitably, will corrode. (Similarly, regarding proposals by the Canadian

Nuclear Laboratories (CNL) projects, the Ottawa River and interconnected water pathways will become contaminated through time.)

The overall vagueness of this draft report which has invited public consultation, and the ambiguous language in it, makes the whole exercise of providing meaningful input from concerned citizens both challenging and questionable.

Please read my submission to the Standing Committee, for which I have provided a link in footnote #1, where I have described in detail the dangerous reliance upon computer modelling to justify the declaration of long term safety of DGRs – which can be read in various CNSC regulations – versus what the nuclear industry and the CNSC both disregard in relation to the dissenting scientific voices which call for an “ecosystem approach” to understand much more accurately the actual eventual impacts on multiple levels of organisms in our environment through time.

Meanwhile, instead, both the nuclear industry and also the CNSC approaches to understanding the environmental impacts disregard this more realistic approach. The reason probably is because an ecosystem approach would be more effective in exposing the arrogance and stupidity of the current reliance on computer modelling together with reliance on “assumptions” and “professional judgement” by people who fail to have the humility and grace to see our human limitations about what we have illusions about in trying to control – for status and money.

## **CONCLUSIONS**

I fight against the arrogance and greed of the nuclear industry trajectory, on behalf of the children to come. Otherwise, their future to live on a planet - which requires restorative actions instead of continuing destructive ones – will be one of tragedy, the quality of life needlessly undermined because of contaminated water and diminished food security, all caused by self-serving industrial projects.

Before a final report becomes the new radioactive waste management policy, I demand a parliamentary debate in which the findings of the Standing Committee and legitimate concerns of Canadian citizens can be heard. Otherwise, Canada no longer can call itself an authentically functioning participatory democracy.

