

Senior Tribunal Officer, Secretariat
Canadian Nuclear Safety Commission
280 Slater Street, P.O. Box 1046, Station B
Ottawa, ON K1P 5S9

May 25, 2018

Submitted via email: cnscc.interventions.ccsn.canada.ca

RE: Canadian Environmental Law Association's Submission for the Whiteshell Laboratories One-Year Licence Renewal for the Nuclear Research and Test Establishment Decommissioning Licence (Ref. 2018-H103)

The Canadian Environmental Law Association provides the following written submission to the Canadian Nuclear Safety Commission ("Commission") for consideration in response to the Canadian Nuclear Laboratories Limited (CNL) application to renew the Whiteshell Laboratories nuclear research and test establishment decommissioning licence for a period of one year.

CELA has reviewed the proposed licence, finding no changes to its conditions or licencing basis. Therefore on its face, CELA does not object to the one-year extension. However, the need for a one-year extension reflects the complexity of the undertaking proposed at Whiteshell and the need for greater study and review in the context of its environmental assessment (Ref No. 80124).

As CELA noted in its submission on the *in situ* decommissioning of the Whiteshell reactor, Canada lacks a regulatory framework which provides guidance on acceptable practices and strategies for the decommissioning of nuclear power plants.¹ This should be a prerequisite to any consultation on proposed decommissioning strategies.

We reiterate that in the absence of a policy framework and robust regulatory regime, the best practices of other jurisdictions that provide the greatest protection for the safety and well-being of the environment and Canadians, both present and future, should be adopted.

¹ Canadian Environmental Law Association, "Submission to the CNSC on the Draft Environmental Impact Statement of the Whiteshell Reactor" (December 19, 2017), online: <http://www.cela.ca/CELAcommentsOnDraftEIS>

Approval for termination of decommissioning activities should not be granted unless:

1. The CNSC verifies that the licensee has demonstrated that the end state criteria as specified in the final decommissioning plan and any additional regulatory requirements have been met;
2. The end state criteria reflect the best available science and highest level of safety feasible for Canadians and the environment;
3. The public has been consulted before authorization for decommissioning is terminated, and the site of the nuclear facility is released from regulatory control.

While CELA supports the proposed licence extension to ensure the safety and oversight of the Whiteshell site, CNL's request for a one-year extension is indicative of an EA process which is fraught with challenges, and timelines not proportionate to the complexity of the undertaking. As Canada's nuclear regulator and EA authority under the *Canadian Environmental Assessment Act, 2012*, we ask that expediency not be favoured over necessity for greater scientific study and broader public dialogue.

Sincerely,



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