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Civil society groups condemn plan to exempt nuclear reactors from Bill C-69 impact assessment

Ottawa, May 7, 2019 — The Government of Canada is proposing that the "project list" for Bill C-69, the *Impact Assessment Act*, exempt many nuclear reactors from any environmental assessment. Civil society groups are condemning the exemption from environmental assessment under Bill C-69 and demanding that all new nuclear reactors be subjected to formal environmental assessment, as is now the case.

The federal government's discussion paper, released on May 1, proposes that all nuclear reactors that produce less than 200 megawatts of thermal power be excluded from the *Impact Assessment Act*, as well as nuclear reactors built on existing nuclear sites that produce up to 900 megawatts of thermal power.

"Excluding nuclear energy projects from impact assessment means there will be no credible sustainability-based assessment of the environmental, health, economic or social impacts of new, expanded or refurbished nuclear energy projects before they proceed," says Theresa McClenaghan, Executive Director and Counsel for the Canadian Environmental Law Association. "In our view, giving the nuclear power industry a free pass under the Impact Assessment Act is the antithesis of sound and precautionary environmental planning, and should not be countenanced by Parliament."

"It is shocking that the federal government expects nuclear projects to go ahead with no impact assessment," says Dr. Ole Hendrickson, a retired Environment Canada scientist and board member of Sierra Club Canada Foundation. "This may benefit the nuclear industry, but at the expense of the environment, public health and safety and the rights of Indigenous communities."

In November, federal Minister of Natural Resources Amarjeet Sohi launched a "roadmap" at a nuclear industry conference in Ottawa that outlines plans to build Small Modular Reactors (SMRs) in Indigenous and northern communities and at remote mining sites across Canada. The Roadmap's [recommendations](#) included comments suggesting that SMRs should be exempted from Bill C-69.

The discussion paper for Bill C-69 regulations says that the effects from SMRs are "well known" and "share core characteristics" with existing conventional reactor technology. However, all proposed SMRs would employ new and untested designs, or technologies, some involving liquid metal and molten salt coolants that caused serious accidents in early prototype reactors, and some using controversial fuels never commercially allowed in Canada before, based on plutonium, thorium, or enriched uranium.

"People in northern and Indigenous communities where the nuclear industry wants to build these reactors have a right to know what the risks are," says Hendrickson. "A formal impact assessment with public disclosure is essential to identify these risks, including radioactive emissions and long-lasting contamination of soil and groundwater, especially due to malfunctions or accidents."

Impact assessment of SMRs became a focus of media attention last November when it was revealed that Canada's nuclear regulator, the Canadian Nuclear Safety Commission (CNSC), had been secretly lobbying the Government for the reactors to be exempted from environmental assessment. *The Globe and Mail* reported that CNSC encouraged the government to exempt small modular reactors from the list of designated projects (see [Federal nuclear regulator urges Liberals to exempt smaller reactors from full panel review](#) - November 6, 2018).

The discussion paper also does not include decommissioning of nuclear reactors and facilities on the project list for Bill C-69. Decommissioning includes cleaning up, dismantling and removing contaminated nuclear facilities; storing the resulting radioactive waste; and returning the nuclear sites back to public use. This is despite the environmental risks of these activities and direct [requests from host communities](#).

Remediation of contaminated nuclear sites, new radioactive waste storage facilities at existing nuclear sites, and nuclear waste transport are also not identified for impact assessment in the discussion paper.

The federal government is giving Canadians until May 31 to submit comments on the discussion paper regarding the Bill C-69 Project List at the following address: impactassessmentregulations.ca

ABOUT CCRCA

The Concerned Citizens of Renfrew County and Area was formed in 1978 to research and advocate about nuclear waste and other pollution issues in Eastern Ontario and the Ottawa River watershed. The group works closely with other civil society groups to promote responsible management of radioactive wastes and protection of the environment.

ABOUT CCNR

The Canadian Coalition for Nuclear Responsibility is a not-for-profit organization, federally incorporated since 1978, dedicated to education and research on all issues related to nuclear energy, whether civilian or military, especially those pertaining to Canada.

ABOUT SIERRA CLUB CANADA FOUNDATION

Sierra Club Canada Foundation is a national and grassroots non-profit organization committed to empowering people to protect, restore and enjoy a healthy and safe planet.

ABOUT RALLIEMENT CONTRE LA POLLUTION RADIOACTIVE

The mission of the Ralliement contre la pollution radioactive (RCPR) is to act voluntarily and collectively to promote responsible solutions for the management of radioactive waste that are safe for the environment and for the health of the population.

ABOUT CELA

The Canadian Environmental Law Association is a public interest law group founded in 1970 for the purposes of using and enhancing environmental laws to protect the environment and safeguard human health. CELA lawyers represent low-income and vulnerable communities in the courts and before tribunals on a wide variety of environmental and public health issues.

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