

2024 October 11

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Canadian Nuclear Safety Commission  
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Dr. Kwamena,

### **SUBMISSION OF REVISED ENVIRONMENTAL IMPACT STATEMENT FOR THE NUCLEAR POWER DEMONSTRATION CLOSURE PROJECT**

The purpose of this letter is to submit the revised draft Environmental Impact Statement (EIS) and Canadian Nuclear Laboratories (CNL) responses to the Federal and Provincial Information Requests received on the 2017 Draft EIS [1] for the Nuclear Power Demonstration (NPD) Closure Project. This letter also provides CNL's response to specific feedback from the Canadian Nuclear Safety Commission (CNSC) staff's completeness check [2] of CNL's 2021 December submission [3].

#### **Interests and Concerns – Identification, Response and Validation**

CNSC staff stated that it is incumbent upon CNL to carry out activities in the following areas:

- Undertake meaningful and targeted engagement with Indigenous Nations, communities and organizations to clearly identify and summarize their issues and concerns related to the Project;
- Engage on how to specifically address or mitigate the identified issues and concerns; and
- Document how engagement activities resulted in meaningful changes to the EIS and EA process, where applicable.

Upon performing the completeness verification [2], CNSC staff determined that CNL's submission was incomplete in the areas identified above.

CNSC staff expect CNL to provide a summary of the aspects of the project of concern to Indigenous Nations and communities and why they are important in terms of effects under section 5(1) (c) of CEEA 2012 and/or impacts to Indigenous and / or treaty rights.

CNSC staff also stated that CNL should clearly demonstrate that they responded to issues, concerns and / or feedback raised, and validated their responses with the respective Indigenous Nations, communities and organizations.

CNSC staff indicated that all of this must be summarized directly within the EIS and captured in the Indigenous Engagement Report (IER). Where engagement was not possible or issues could not be resolved, these cases must be well documented.

Enclosed with this letter are the revised EIS [4] and IER [5]. CNL has revised the EIS submission package to:

<b>Aspects for CNL address:</b>	<b>Where is the information found:</b>
Identify and summarize the aspects of concern to Indigenous Nations, communities and organizations.	➤ EIS Appendix C – Tables of Interests and Concerns
Document engagement and CNL’s responses to issues, concerns and / or feedback raised.	➤ EIS Sections 6.2.4.X.1 and 6.2.4.X.3, and EIS Appendix C – Records of Engagement
Document what changes have been made to the EIS in response to concerns (if any).	➤ Information Request dispositions [6] indicate changes made to the EIS and EIS Appendix C – Tables of Interest and Concerns also indicates changes to the EIS
Document how CNL validated responses with Indigenous Nations, communities and organizations.	➤ EIS Sections 6.2.4.X.4
Where engagement was not possible or issues could not be resolved, document CNL’s efforts.	➤ EIS Appendix C – Records of Engagement

### **Responses to Information Requests**

The CNSC staff’s completeness check [2] of the 2021 December submission identified four (4) incomplete Information Requests. The main reasons for determining incompleteness of the responses to the Information Requests were:

1. The response does not provide a clear and direct answer to the question posed.

2. The response does not present a clear demonstration of whether or what engagement CNL has conducted specific to the topic in each information request.

Enclosed with this letter are CNL's updated dispositions [6] to the Federal and Provincial Information Requests received on the 2017 draft EIS. CNL has revised the EIS submission package and these dispositions to:

- Answer all comments clearly and directly (addresses incompleteness reason #1);
- Present Indigenous engagement activities, including any discussions regarding potential impacts to potential or established treaty rights (addresses incompleteness reason #2); and
- Include within EIS and supporting documentation an updated list of important correspondence resulting from Indigenous engagement activities (addresses incompleteness reason #2).

The response to the remaining 276 Federal and Provincial Information Requests, that were previously deemed complete, have no material changes. Minor revisions have been made to ensure that responses are aligned with the current revision or version of documents / regulations and that references are up to date. Further, several Information Requests which include details and progress on engagement have also been revised so that they contain up-to-date information.

### **The Submission Package**

This submission package includes a:

- Revised EIS [4];
- Revised IER [5];
- Revised Stakeholder Engagement Report [7];
- Revised Supplementary Documentation [8];
- Revised Groundwater Modelling Report [9]; and
- Revised Postclosure Safety Assessment [10].

In response to the CNSC staff request on 2021 January 07 [11], this submission includes a draft Commitment Report for the NPD Closure Project 9 [12].

The submission package also includes the following Technical Support Documents (TSDs) which were included in previous submissions and have not been revised:

- Alternative Means Assessment [13];
- Archaeology Assessment Report [14];
- Chimney Swift Studies [15];
- Decommissioning Safety Assessment Report [16];

- Ecological Land Classification Report [17];
- Ecological Risk Assessment [18];
- Geosynthesis Report [19];
- Greenhouse Gas Emissions Report [20]; and
- Socio-Economic Report [21].

All the documents listed above have been made available through the Secure File Transfer Protocol (SFTP) site in the 2024 October folder.

CNL understands that CNSC staff will perform a completeness check of this submission. Pending the CNSC staff confirmation of completeness, the 90 day Federal, Provincial and Indigenous review of CNL responses to the Federal and Provincial Information Requests will begin [22].

Should you require any further information please contact Ms. Katie Shorter, Acting Director – NPD Closure Project at 613-639-9354, or myself.

Sincerely,



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KS/jh

Enclosures (17)

## REFERENCES

- [1] *Federal and Provincial Technical Review – Comment Table on the Draft Environmental Impacts Statement for the Nuclear Power Demonstration Closure Project*, 64-NOCN-18-0001-L (e-Doc 5349584), 2018 February 01.
- [2] Letter, N. Kwamena (CNSC) to B. Wilcox (CNL), *Outcome of CNSC Staff's Completeness Check of the December 17, 2021 Revised Draft Environmental Impact Statement and Responses to Federal and Provincial Comments for the Nuclear Power Demonstration Closure Project*, 64-NOCN-22-0001-L (e-Doc 6541889), 2022 January 19.
- [3] Letter, K. Schruder (CNL) to N. Kwamena (CNSC), *Re-Submission of Revised Environmental Impact Statement for the Nuclear Power Demonstration Closure Project*, 64-CNNO-21-0010-L, 2021 December 15.

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- [4] *Environmental Impact Statement – NPD Closure Project*, 64-509200-ENA-004, Revision 4, 2024 October 11.
- [5] *Nuclear Power Demonstration (NPD) Indigenous Engagement Report*, 64-513130-REPT-001, Revision 6, 2024 October 10.
- [6] *Comment Table on Draft Environmental Impact Statement for NPD Closure Project - Federal and Provincial Technical Response*, 64-509200-021-000, Revision 3, 2024 October 10.
- [7] *Stakeholder Engagement Report*, 64-513440-REPT-002, Revision 1, 2024 August 11.
- [8] *EIS Supplementary Documentation – NPD Closure Project*, 64-509200-041-000-0011 Revision 2, 2024 September 30.
- [9] *Groundwater Modelling at the Site of the Proposed Decommissioning of the Nuclear Power Demonstration (NPD) Reactor*, 64-508760-REPT-012, Revision 1.0, 2024 February 28
- [10] *Postclosure Safety Assessment – NPD Closure Project, 4<sup>th</sup> Iteration*, 64-508760-REPT-003894 Revision 0, 2024 January 09.
- [11] Letter, N. Frigault on behalf of N. Kwamena (CNSC) to M. Vickerd / B. Wilcox (CNL), *CNL Commitments Report Request – NSDF, NPD and WR-1*, , 64-NOCN-21-0006-L (e-Doc 6452519), 2021 January 07.
- [12] *NPD Closure Project Consolidated Commitment Lists*, 64-513440-REPT-005827 Revision 0, 2024 October 08.
- [13] *Alternative Means Assessment*, 64-509200-ASD-002, Revision 1, 2020 March 28.
- [14] *Archaeological Assessment Report – NPD Closure Project*, 64-509200-ASD-003, Revision 0, 2017 January 24.
- [15] *Chimney Swift Studies*, 64-509200-410-000-0010, Revision 0, 2017 April.
- [16] *Decommissioning Safety Assessment Report*, 64-508760-REPT-002, Revision 2, 2021 October 14.
- [17] *Ecological Land Classification Report*, 64-509200-REPT-005, Revision 0, 2017 March 01.
- [18] *Ecological Risk Assessment*, 64-509200-ASD-004, Revision 2, 2020 December 14.
- [19] *Geosynthesis Report*, 64-509410-REPT-010, Revision 2, 2021 January 13.
- [20] *Greenhouse Gas Emissions Report*, 64-509200-ASD-001, Revision 1, 2020 March 28.
- [21] *Socio-Economic Report*, 64-509200-REPT-007, Revision 0, 2017 August 02.
- [22] *Administrative Protocol between Canadian Nuclear Laboratories (CNL) and the CNSC for the Nuclear Power Demonstration Closure Project*, Appendix A, e-Doc 6040702, Revision 4, 2020 July.

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