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Mr. Kerry Rod  
General Manager - Whiteshell Laboratories Closure Project and Site Licence Holder  
Office of the Site Head and General Manager  
Whiteshell Laboratories - Canadian Nuclear Laboratories (CNL)  
1 Ara Mooradian Way  
Pinawa, Manitoba R0E 1L0

**Subject: Outcome of CNSC Staff Completeness Check of the June 28, 2022 Revised Environmental Impact Statement Submission and Responses to Federal and Provincial Comments for the WR-1 *In Situ* Decommissioning Project**

Dear Mr. Rod:

On June 28, 2022, Canadian Nuclear Laboratories (CNL) submitted a revised draft Environmental Impact Statement (EIS) and revised responses to federal and provincial Information Requests (IRs) for the proposed WR-1 *In Situ* Decommissioning (WR-1) Project [1]. CNSC staff have conducted a completeness check of this submission to form a conclusion on whether the required information has been provided to proceed with the EIS technical review. CNSC staff have deemed the submission incomplete; there are three (3) responses to IRs that remain outstanding.

### **Overall Review**

The scope of the completeness check was to evaluate this submission [1] against CNSC staff's feedback on the previous completeness check in April 2020 [2]. CNSC staff reviewed the revised responses to the 110 outstanding IRs, including any relevant revisions to the revised EIS, and supporting technical documents. As part of this completeness check, CNSC staff also reviewed the reference list for all 208 IRs, to ensure the documentation needed to move on to the technical review is present.

During the completeness check, CNSC staff reviewed each IR response for consistency with the guidance provided to CNL, including:

- working with each Indigenous Nation or community to address the issues, concerns and/or feedback on the revised EIS and incorporate this information in the EIS submission and IR responses
- clearly documenting in the revised EIS and related documentation how CNL has addressed the issues, concerns and/or feedback raised by each Indigenous Nation or community, and validated with each on the adequacy and completeness of the responses

- ensuring that each IR response directly and fully addresses the original comment, is self-contained, contains adequate information to conduct a technical review, and refers to specific sections of documents where text has been revised
- providing all reference documentation that underpin IR responses

CNSC staff acknowledge that since the 2020 completeness check, CNL has made efforts to conduct further engagement with identified Indigenous Nations and communities. Further, it is apparent that CNSC's guidance was considered by CNL in the updated responses to the IRs. However, CNSC staff have determined that CNL's submission is still incomplete in areas identified above and therefore there is insufficient information to proceed to the technical review.

Detailed review feedback is provided in the completeness check table, appended as Appendix A, and summarized below. Additionally, references that have not yet been submitted are highlighted in the completeness check table.

### **Information Requests (IRs)**

Three (3) of the 110 responses to IRs do not include sufficient documented information to allow for a technical review.

Regarding IR# 31, the original IR indicates that all alternatives should be clearly analyzed for alignment with the IAEA guidelines for decommissioning nuclear reactors. The response to this comment is not self-contained and does not directly address the request for analysis of all alternatives for alignment with the IAEA guidelines.

Regarding IR #54, the original IR requests that CNL provide an updated list and description of Indigenous engagement activities, including any discussions regarding potential impacts to potential or established treaty rights. Further, IR#55 requests that the final EIS and supporting documentation provide an updated list of important correspondence resulting from Indigenous engagement activities.

While the Proof of Indigenous Verification document contains more extensive information on engagement activities, including meetings and correspondence that took place in 2022, Section 4.2.4 of the EIS and the engagement tables in Appendix 4.0.1 are only updated until October 2021. Similarly, the contact tracker in the IER contains information no more recent than the Fall of 2021. Although CNL have provided virtual meeting updates to CNSC staff on engagement activities throughout 2022, neither the EIS nor IER contain information on Indigenous engagement after Fall 2021. While we recognize that CNL must select a cut-off date, eight (8) months have elapsed between October 2021 and the June 2022 submission date. Therefore, additional information regarding engagement activities that covers the period up until June 2022 or later, where appropriate, should be added to the EIS and IER.

### **Next Steps**

CNSC staff expect CNL to take the time necessary to perform any additional work that is required, revise the submission, and then resubmit the draft EIS, responses to IRs and any supporting documents that may have changed as a result. CNSC staff is willing to hold a meeting with CNL to further elaborate on the outcome of this completeness check.

Upon resubmission of the revised EIS, CNSC staff will perform a subsequent completeness check. Should the EIS submission be deemed complete at that time, the technical review will commence.

Should you have any questions, please do not hesitate to contact Jessica Way, directly by phone 343-540-6213 or email at [Jessica.Way@cnsccsn.gc.ca](mailto:Jessica.Way@cnsccsn.gc.ca).

Sincerely,



Dr. Nana-Owusua Kwamena  
Director,  
Environmental Assessment Division



Adam Levine on behalf of Clare Cattrysse  
A/Director,  
Indigenous and Stakeholder Relations Division

**c.c.:** CNSC: K. Campbell, L. DeCoste, M. Herod, C. Cattrysse, K. Ross, A. Rupert, J. Way  
CNL: P. Boyle, S. Brewer, S. Caron, S. Cotnam, D. Fillion, C. Gallagher, J. Miller, U. Senaratne,  
Z. Smith, P. Stalker, R. Swartz, B. Wilcox, J. Willman

#### References:

- [1] Letter, K. Rod (CNL) to N. Kwamena (CNSC), *Submission Of Revised Environmental Impact Statement For The In Situ Decommissioning Of WR-1 At The Whiteshell Laboratories Site*, June 28, 2022 ([e-Doc: 6826687](#))
- [2] Letter, C. Cianci (CNSC) to B. Wilcox (CNL), *CNSC Staff Completeness Check: WLD-CNNO-20-0008-L: Submission of Revised EIS for the In Situ Disposal of the WR-1 Reactor at WL*, April 30, 2020 ([e-Doc: 6337429](#))

Appendix A

**Whiteshell Reactor #1 Completeness Check: Environmental Impact Statement Package and Responses to Federal and Provincial Information Requests (IRs) – July/August 2022**

*See E-Doc: 6857650*