



April 27, 2023

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

Subject: Results of the Federal-Provincial-Indigenous Review Team technical review of the December 15, 2022 draft environmental impact statement submission for the proposed WR-1 *In Situ* Decommissioning Project

Dear Mr. Rod,

On December 15, 2022, Canadian Nuclear Laboratories (CNL) submitted a draft environmental impact statement (EIS), executive summary, as well as technical supporting documents for the proposed WR-1 *In Situ* Decommissioning Project. On January 13, 2023, Canadian Nuclear Safety Commission (CNSC) staff found the submission [1] to contain the required information to proceed with technical review of the draft EIS by the Federal-Provincial-Indigenous Review Team (FPIRT) [2].

Outcome of the EIS technical review

The majority of the FPIRT has completed the technical review of the submission and has found that the information provided does not fully address the regulatory requirements for the environmental assessment (EA). At this time, the review by the Sagkeeng First Nation has been placed on hold to allow for more time for this work to be conducted. The outcome of Sagkeeng First Nation's review will be provided at a later time. To date, the FPIRT technical review of CNL's responses to the 208 information requests (IRs) from the review of the draft EIS in 2017 has resulted in 139 accepted IRs, 69 follow-up IRs, and 62 new IRs based on new information contained within CNL's draft EIS and technical supporting documents [3]. Please note for accepted IRs underpinned by technical supporting documents still undergoing licensing review (i.e.: Decommissioning Safety Assessment Report for the WR-1 *In Situ* Decommissioning of Whiteshell Reactor 1 Project), the CNSC will not officially close those IRs until the related documents are accepted by CNSC staff.

Additional information in the comments to proponent table contain guidance and advice that CNL should also take into consideration when responding to IRs and when revising the draft EIS [4].

Expectations and next steps

On April 28, 2023 or shortly thereafter, CNSC staff will post the IRs and comments to proponent tables on the Canadian Impact Assessment Registry for the proposed [WR-1 *In Situ* Decommissioning Project](#) (Reference number: 80124).

CNSC staff expect CNL to submit complete responses to all new and outstanding IRs and comments to proponent and to re-submit a revised draft EIS. CNSC staff also request that CNL provide an updated document revision history with the revised draft EIS, for reviewers to locate the changes that have been made to revised documents. It is expected that CNL clearly indicate how the revised draft EIS incorporated changes that take into account the responses to the IRs. CNSC staff as well as members of the FPIRT are available and willing to meet with CNL to clarify expectations for the IR responses.

CNSC staff expect CNL to continue engagement activities with Indigenous Nations and communities throughout the regulatory review process, to ensure Indigenous concerns about the proposed WR-1 *In Situ* Decommissioning Project are considered when revising the draft EIS and supporting documents. CNL is to ensure that each subsequent submission of the draft EIS and final EIS include updates to this information. The EIS, Indigenous Engagement Report, draft Commitments Report is to include current information up to three months prior to the submission date.

EA follow-up program

Based on the volume of IRs related to CNL's EA follow-up program CNSC staff are formally requesting that CNL update the EA follow-up program for the proposed WR-1 *In Situ* Decommissioning Project to reflect the revisions that have been made to the draft EIS and supporting documentation since the December 2018 version. The revised EA follow-up program is to be included with CNL's next resubmission.

Commitments report

CNSC staff are also formally requesting that CNL submit, as part of its revised draft EIS documentation, a commitments report capturing all the mitigation measures, follow-up program measures and commitments that have been referenced in the EA documentation in a single location for completeness and traceability. This report should include a listing of all commitments made by CNL based on all the documentation submitted to date, including:

- the draft EIS
- correspondence with the public and Indigenous Nations and communities
- responses to IRs
- additional commitments CNL has made in any documentation to members of the public and Indigenous Nations and communities and to whom these commitments apply

These commitments should be triaged based on whether they are within the scope of regulatory requirements or beyond (e.g., good governance, social responsibility), and indicate how each of these commitments will be tracked into CNL programs, for example, environmental monitoring programs.

It would be helpful if CNL could organize this information in tabular format providing the following information:

- details of the commitment
- which phase(s) of the project will the commitment be carried out (e.g., all phases)
- where the commitment is references (which document, table etc. and where it can be found)
- how this commitment will be tracked (project EA follow-up program, site-wide programs, etc.)

This report would remain an evergreen document that would continue to be updated regularly, during the remainder of the regulatory review process, as well as if the project is approved, after the public hearings and Commission decisions, to capture any additional commitments made by CNL staff during public hearings and any actions directed by the Commission to CNL.

Should you have any questions, please do not hesitate to contact the Environmental Review Specialist for the WR-1 *In Situ* Decommissioning Project, Aimee Rupert, directly by phone at 613-316-2087 or by email at aimee.rupert@cnsccsn.gc.ca.

Sincerely,



Dr. Nana-Owusua Kwamena
Director, Environmental Review Division

c.c.: CNSC: K. Campbell, R. Clarke, K. Ross, C. Cattrysse, L. DeCoste, M. Herod, A. Rupert, K. Warnock-Juteau

CNL: S. Brewer, A. Caron, D. Fillion, C. Gallagher, J. Miller, R. Swartz, P. Stalker, U. Senaratne, Z. Smith, G. Snell, P. Stalker, A. Tisler, B. Wilcox, J. Willman

References

- [1] Letter, N. Kwamena (CNSC) to K. Rod (CNL), *Outcome of CNSC Staff's Completeness Check of Revised Environmental Impact Statement and Dispositions to Federal and Provincial Comments for the WR-1 In Situ Decommissioning Project*, January 13, 2023 (e-Doc 6774380)
- [2] Letter, K. Rod (CNL) to N. Kwamena (CNSC), *Re-Submission of Revised Environmental Impact Statement for the WR-1 In Situ Decommissioning Project*, December 15, 2022 (e-Doc 6936861)
- [3] Federal and Indigenous Review Team – Tables of Information Requests for the WR-1 Environmental Impact Statement (e-Doc 7023815)
- [4] Federal and Indigenous Review Team - Table of Comments to the Proponent for the WR-1 Environmental Impact Statement (e-Doc 7009876)