

## Opinion



The Ottawa River flows past Gatineau, Que. The decision whether or not to license a near-surface disposal facility upstream of Ottawa-Gatineau is a major test of Canada's commitment to the U.N. Declaration on the Rights of Indigenous Peoples, writes Lynn Jones. *The Hill Times* photograph by Andrew Meade

# Deluge underlines importance of final hearing for nuclear waste dump

It's long past time that the government dealt with this environmental catastrophe in the making, a serious problem that will worsen the longer it's ignored.

Lynn Jones

Opinion



**O**TTAWA—On Aug. 10, the Canadian Nuclear Safety Commission held a precedent-setting final licensing hearing for a giant above-ground radioactive waste dump beside the Ottawa River upstream of Ottawa-Gatineau and Montreal at Chalk River, Ont.

Delegations from three Algonquin First Nations—Kebaowek, Kitigan Zibi and Barriere Lake—gathered at 50 Sussex Dr. in Ottawa to make their final presentations in-person to community members, non-Indigenous allies, and a handful of elected officials, in defiance of a Canadian Nuclear Safety Commission (CNSC) decree that the hearing would be virtual only. The CNSC presided over the hearing via Zoom.

While the hearing was taking place, an unprecedented storm hit the venue with huge amounts of rain, thunder, hail, and wind that blew over the chairs on the outdoor covered terrace where the overflow crowd was watching the proceedings. Despite the ferocious storm, Algonquin Elders kept a ceremonial sacred fire burning throughout.

If approved, the giant dump, called a “near-surface disposal facility” (NSDF) by the proponent, would hold one million tonnes of radioactive and hazardous waste in an above-ground mound on the property of Chalk River Laboratories, a heavily contaminated federal nuclear facility

established on stolen Algonquin land in 1944 to produce plutonium for American nuclear weapons. Chalk River Laboratories is a huge environmental liability for the Government of Canada, with an estimated cleanup cost in the billions of dollars.

The dump proponent is a multinational consortium comprised of SNC-Lavalin, and two Texas-based multinationals: Fluor and Jacobs. The consortium was contracted by the Conservative government in 2015 to quickly and cheaply reduce the enormous federal legacy nuclear waste liability. Perversely, costs to taxpayers for managing Canada's federal legacy radioactive waste ballooned to more than \$1-billion per year after privatization.

The Aug. 10 hearing was precedent-setting in two ways. If approved, the NSDF would be the first-ever facility for permanent disposal of nuclear reactor waste in Canada. Secondly, the decision whether or not to license the facility is an important test of Canada's commitment to the United Nations Declaration on the Rights of Indigenous Peoples,

which forbids storage of radioactive waste on the land of Indigenous Peoples without their free, prior and informed consent. Ten of the 11 Algonquin First Nations, whose people have lived in the Ottawa Valley since time immemorial, say they do not consent to the NSDF on their unceded territory.

Many of the wastes proposed for disposal in the NSDF will be hazardous and radioactive for thousands of years, according to Dr. J.R. Walker, Canada's foremost expert on the federal legacy radioactive wastes and how best to manage them. Walker has clearly stated that wastes proposed for the NSDF do not qualify as low-level waste, but are in fact “intermediate level” radioactive waste that should be disposed of tens to hundreds of metres below the ground surface. He also argued that the proposal is non-compliant with international safety standards.

The site for the proposed NSDF is on the side of a hill surrounded by wetlands that drain into the Ottawa River less than a kilometre away. The proponent's environmental impact statement documents many ways the dump could leak during operation and after closure. Three isotopes of plutonium are included in the long list of radionuclides that would be discharged into the Ottawa River in “treated effluent” from the dump. The mound is expected to degrade, erode and eventually disintegrate due to “natural evolution.”

Most people believe it is wrong to deliberately discharge radioactive materials into a major drinking water source such as the Ottawa River since there is no safe level of exposure to these human-made poisons. Every accidental and deliberate discharge increases risks of cancer, birth

defects and genetic damage in the populations exposed.

The Assembly of First Nations and more than 140 downstream municipalities—including Ottawa, Gatineau and Montreal—have passed resolutions of concern about the NSDF proposal.

Despite the many serious shortcomings and strong opposition, the Canadian Nuclear Safety Commission staff have never wavered in their support for the dump. It appears they never “got the memo” back in 2000 when the organization's mandate changed under new legislation from a role that included *promotion* of the nuclear industry to a mandate strictly focused on *protecting* Canadians and the environment.

The Aug. 10 hearing was presided over by only one commissioner—along with the CNSC president. Both of their resumé's tout long service and allegiance to the nuclear industry. The two officials asked *not one single question* of the First Nation intervenor teams who were clearly shocked by the lack of interest in the information they had gone to such great lengths to gather and share. A member of the team asked, “Well, can we ask you some questions?” to which the president curtly replied, “That's not our process.”

Canada's seriously deficient nuclear governance regime has been described previously in *The Hill Times*. Nuclear governance in Canada relies heavily on the CNSC for almost all aspects of nuclear industry oversight. The CNSC is widely perceived to be a “captured regulator” that promotes the projects it is supposed to regulate.

It is clear that our seriously deficient nuclear governance regime has enabled the NSDF—a grotesque mockery of a responsible radioactive waste management facility—to be proposed and taken seriously in Canada. A CNSC decision to approve the license for the NSDF is expected soon.

The powerful storm that pounded 50 Sussex Dr. while testimony was being heard in the Algonquin language about greed and heedless destruction of the environment underlined the serious decision being contemplated. There is no question that a record-breaking storm like that one could hit the NSDF during its 50-year long filling stage—while wastes are exposed to the elements—could readily cause large spills of radioactive poisons and other hazardous materials into the Ottawa River.

It's long past time that the government woke up and dealt with this environmental catastrophe in the making, a serious problem that will only grow steadily worse the longer it is ignored.

Lynn Jones is a retired public health program manager now with *Concerned Citizens of Renfrew County and Area*, a non-governmental organization that has been working for the clean-up and prevention of radioactive pollution from the nuclear industry in the Ottawa Valley for over 40 years. She is based in Ottawa.

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