



ANISHINABEK NATION

September 23, 2019

Aimee Rupert, Environmental Assessment Officer
Canadian Nuclear Safety Commission
P.O. Box 1046, Station B
280 Slater Street
Ottawa, Ontario
K1P 5S9

Dear Miss Rupert,

Re: Micro Modular Reactor Project at Chalk River-Comments Invited on Global First Power's Project Description

Thank you for extending the opportunity for the Anishinabek Nation to provide comments on the project description prepared by Global First Power for its proposed Micro Modular Reactor Project at Chalk River.

Review of the Project Description developed by Global First Power has resulted in the Anishinabek Nation having additional questions and comments regarding this project. Our comments are organized by section as follows:

- a) Detailed Comments
- b) General Comments

Detailed Comments

Introduction

The document states "MMR technology will have the potential to provide Canada with economic benefits related to developing a domestic supply chain as well as export opportunities". Question: What regulations govern the export of nuclear products to other countries, and to the import of nuclear products into Canada?

Project Name, Nature and Location

The three potential sites described for the project are poorly mapped and their relative sizes are not described. It is unclear what minimum area is required to construct the facility.

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Description of Communication Activities

The document states "On February 15, 2019, CNL announced that GFP's proposal had advanced to Stage 3 of the review process". Is Global First Power the only company that has advanced to Stage 3 of the review process? Will other proponents be forthcoming?

Project Summary and Context

The project is anticipated to have a lifespan of 20 years. Why does the table show 30 years? Also, the document states that the MMR technology is economically competitive; what evidence is there of this and where is the data on comparable costs? On Page 15, the document states "almost no fission products will be released out of the fuel". It is unclear what fission products will be released and what danger they may pose.

When describing the use of molten salt (Page 15), where will the molten salt be obtained, how will it be transported, and what are the legislative requirements for transport of molten salt to the site? It is also unclear how the irradiated molten salt will be disposed of.

When describing the MMR facility, the system is described as having cooled helium circulated back through the reactor core using an electrically powered circulator. It is unclear what happens if the electrical power goes down, and what system may be in place for backup.

Nuclear Plant

As the document describes the MMR fuel being fabricated in a separate fuel fabrication facility, independent of the project, and not located within the project site, it is unclear where it would be fabricated, and how far it would need to be transported to reach the Chalk River site. It is also unclear as to how it would be transported, and whether it would be transported over international borders. Additional information is needed.

Waste Storage and Handling Area

The document states "low and intermediate level waste will be packaged and stored on the project's site and/or periodically transported off site to be managed at an appropriately licensed facility; wmps will be developed to provide estimates of waste volumes, characteristics and assess suitability for on-site disposition."

There is currently no appropriately licensed facility for low and intermediate level waste, and it is unclear if waste will be kept on the site or transported off site. It is unclear if the intent is to store the waste at the NWMO deep geologic repository currently being proposed.

Modularization

The document states “the size is the same as what is used for regular road transport”. The document does not describe how far or where modules will be required to be transported and whether the transport will be via road.

Project Phases and Schedule

The chart on page 27 describes that plant operation will occur from 2023 to 2054, a total timeframe of 31 years. However plant operation elsewhere in the document is described as being for 20 years. Also, the Adaptive Phase Management process is expected to take another 25 years.

Hydrology

There is no mention made in the document of floodplain locations or mapping in vicinity of the three candidate sites. There is no emergency planning mentioned in the event of flooding and no quantification of potential impacts of flooding to the facility.

Aquatic Species at Risk

There is no mention made in the document of the impact on terrestrial species at risk (with the exception of breeding birds).

Effect on Indigenous Peoples

No effects on indigenous peoples are described in the document, even though the three candidate sites fall within a land claim area. The candidate sites fall within Anishinabek Nation territory. Additional studies, consultation and accommodation will therefore be a requirement.

Waste Generation

The volumes of sewage and their sources are not defined.

Project Location

Under project location, an area is described as follows: “A non-operational waste management area on the CRL property is located North-East from Site A. An existing CRL building (called Building 538), which is a series of tanks containing legacy liquid waste that are currently being emptied, is also located northeast from Site A.” What is the legacy liquid waste at this site, and how is the liquid being disposed of?

As part of the site selection process, archaeological studies were done. Anishinabek Nation communities were not properly consulted on these assessments.

Project proximity to reserves, traditional territories and land, resources used by aboriginal people

The project is within the Anishinabek Nation territory and is located in close proximity to the Algonquins of Pikwakanagan. The area is also subject to a land claim. The Anishinabek Nation is not currently aware of any engagement that has taken place on this project to describe how the proposed lands and resources of this region will be impacted as part of this project from the perspective of aboriginal people.

Potential changes to the environment as part of the project

On page 43, the amount of radiation that the local environment, the workers, and the general public will be subjected to is not characterized or quantified in any manner except to say that it is “very small”.

Potential changes to the environment of the project

Radiological accidents and malfunctions are identified as a potential source of release, however there are no details in the document describing how a radiological accident or malfunction would be responded to.

Fish and fish habitat

The project could impact fish and fish habitat in nearby waterbodies due to the release of effluents, but the source and type of effluents are not described in the project description. In terms of aquatic species at risk, the species at risk present are described but there is no description of what the impact would be on these species.

B) General Comments

The review process for Global First Power’s project must include a full environmental assessment review, including a hearing with independent panel members, exposed participant funding & a timeline that supports public participation. As there is currently no facility for long-term management and storage of nuclear waste in Canada, there is currently no disposal option for the waste that will be produced as part of this project.

The project is within the Ottawa River watershed, which is a freshwater drinking water source for more than 4 million Canadians. In the event of a spill, radiological contamination to this water source would have unprecedented environmental, social and economic impacts.

Who We Are: Anishinabek Nation and the Anishinaabe Chi-Naaknigewin

The Anishinabek Nation advocates for its 40 member Anishinabek First Nations across Ontario. It created the Union of Ontario Indians in 1949 to serve as its Secretariat. The Union of Ontario Indians replaced the Grand General Indian Council, which represented most of the First Nations in Ontario. Currently, the Anishinabek Nation is headquartered at Nipissing First Nation. It delivers a variety of programs and services, such as Health, Social Development, Education, Policy and Communications, Economic Development, Lands and Resources, Labour and Market Development, Restoration of Jurisdiction, and Legal services.

The Anishinaabe Chi-Naaknigewin is founded on Ngo Dwe Waangizid Anishinaabe and forms the Traditional Government of the Anishinabek Nation, within the Inherent, Traditional, Treaty, and Unceded Lands of our Territories. The Anishinaabe Chi-Naaknigewin is proclaimed by the Peoples identifying as the Anishinabek Nation, who in exercising our Sovereign, Inherent, and Treaty Rights, now establish and empower the Anishinabek Nation Government as our Traditional Government.

The Anishinabek Nation Government is guided by the principles and way of life of the seven sacred gifts given to Anishinaabe, namely: Love, Truth, Respect, Wisdom, Humility, Honesty, and Bravery. The Anishinabek Nation has the inherent right bestowed by the Creator to enact any laws necessary in order to protect and preserve Anishinaabe culture, languages, customs, traditions and practices for the betterment of the Anishinabek.

We are all Treaty People: Shared Responsibilities Towards the Natural World

The member First Nations of Anishinabek Nation entered into Treaty relationships with the Crown to share the land for our mutual benefit. The Treaties represent ongoing relationships among First Nations, the Crown, and the natural world grounded in the Anishinabek principles of respect, reciprocity, responsibility, and renewal.

The Anishinabek Nation and our member Nations must be involved in impact assessment and decision-making for all projects in our traditional territory, as our involvement is essential to ensure that our rights and shared Treaty responsibilities are respected. Our Treaty relationship with Canada requires that we work together as stewards to protect the natural world for future generations.

Federal and provincial efforts to manage Treaty lands must honour Treaty principles and the Crown's Treaty commitments.

The Anishinabek Nation Chiefs in Assembly have been unified in their stand to oppose deep geological nuclear waste disposal within the Anishinabek Nation territory. This includes low, intermediate and high levels of waste since 2010 when a resolution stating the Anishinabek Nation's opposition was endorsed. This resolution was reinforced in 2015 when an additional resolution was made to mandate the development of Emergency Response Assistance plans to deal with accidents involving dangerous goods in Anishinabek Nation territory. In 2016 a supporting resolution was made to stand in unity with Anishinabek First Nations who require our support and to send the message to other political territorial organizations on this issue.

On May 2, 2017, The Anishinabek Nation and the Iroquois Caucus unified to make a Joint Declaration on the Transport and Abandonment of Radioactive Waste. They agreed on five principles for radioactive waste within their traditional and treaty territories.

They are:

1. No abandonment

Radioactive waste materials are damaging to living things. Many of these materials remain dangerous for tens of thousands of years or even longer. They must be kept out of the food we eat, the water we drink, the air we breathe, and the land we live on for many generations to come. The forces of Mother Earth are powerful and unpredictable and no human-made structures can be counted on to resist those forces forever. Such dangerous materials cannot be abandoned and forgotten.

2. Better containment, more packaging

Cost and profit must never be the basis for long-term radioactive waste management. Paying a higher price for better containment today will help prevent much greater costs in the future when containment fails. Such failure will include irreparable environmental damage and radiation-induced diseases. The right kinds of packaging should be designed to make it easier to monitor, retrieve, and repackage insecure portions of the waste inventory as needed, for centuries to come.

3. Monitored and retrievable storage

Continuous guardianship of nuclear waste material is needed. This means long-term monitoring and retrievable storage. Information and resources must be passed on from one generation to the next so that our grandchildren's grandchildren will be able to detect any signs of leakage of radioactive waste materials and protect themselves. They need to know how to fix such leaks as soon as they happen.

4. Away from Major Water Bodies

Rivers and lakes are the blood and the lungs of Mother Earth. When we contaminate our waterways, we are poisoning life itself. That is why radioactive waste must not be stored beside major water bodies for the long-term. Yet this is exactly what is being planned at five or more locations in Canada, including Kincardine on Lake Huron, Port Hope near Lake Ontario, Pinawa beside the Winnipeg River, and Chalk River and Rolphton, both beside the Ottawa River.

5. No imports or exports

The import and export of nuclear wastes over public roads and bridges should be forbidden except in truly exceptional cases after full consultation with all whose lands and waters are being put at risk. In particular, the planned shipment of highly radioactive liquid from Chalk River to South Carolina should not be allowed because it can be down-blended and solidified on site at Chalk River.

Transport of nuclear waste should be strictly limited and decided on a case-by-case basis with full consultation with all those affected.

As the leaders of today, it is our duty to preserve and protect Mother Earth. We cannot risk the long-term, irreversible destruction of our lands and waters, which are life-giving for all beings.

We hold the government of Canada to account to respect the rights of indigenous peoples. Transparency and full disclosure are essential, but much more is needed. The government has a duty to consult our First Nations. We are determined to ensure the full participation of indigenous people on all aspects of nuclear waste transportation and storage, from planning to execution.

Recently, on June 6th, 2019 at the Anishinabek Nation Grand Council Assembly in Chippewas of Georgina Island First Nation, the Chiefs unanimously endorsed a Grand Council Resolution stating their clear opposition to the construction, operation, storage and/or disposal of small modular reactors (SMR's) in the territory of the Anishinabek Nation, including bodies of water. The Anishinabek Nation's position is that SMR's and nuclear power in general represent unacceptable risks to future generations and contribute to the growing amount of nuclear waste that the federal government is looking to dispose of through the NWMO process.

The precedent setting nature of this project being the first of its kind in Ontario and indeed in Canada (and its use as a model for future SMR deployments) requires that sufficient time be required to review this proposal in its entirety. In particular, the Decommissioning phase of this project (and other future projects) being dependent upon the Nuclear Waste Management Organization's proposal to develop a Deep Geological Repository (DGR) makes any decommissioning plans outlined as part of this Project Description purely theoretical in nature, and provides no degree of comfort or confidence that an appropriate decommissioning or disposal facility will be licensed or available for high level nuclear waste disposal prior to the commencement date of any small nuclear reactor.

Sincerely
<Personal Information Redacted>

Glen Hare (Gwiingos)
Grand Council Chief

Cc: Deputy Grand Council Chief Jim Bob Marsden, Southeast Region
Lake Huron Chair, Chief Scott McLeod, Lake Huron Region
Deputy Grand Council Chief Joe Miskokomon, Southwest Region
Deputy Grand Council Chief Ed Wawia, Northern Superior Region
Chief Kirby Whiteduck, Pikwakanagan First Nation