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Deep Geological Repository for Canada's Used Nuclear Fuel Project  
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**Re: Reference No.88774 - We the Nuclear Free North Comments on Nuclear Waste Management Organization's Response to the Summary of Issues**

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We the Nuclear Free North (“WTNFN”) has reviewed the Nuclear Waste Management Organization’s (“NWMO”) Response to the Summary of Issues.<sup>1</sup> Despite the Impact Assessment Agency of Canada (“Agency”) instruction to NWMO to ensure it had reviewed all submissions on the Initial Project Description (“IPD”) on the Canadian Impact Assessment Registry site, the NWMO has not done so and many of the serious issues raised in public submissions on the IPD have not been included:

The expectation is that the proponent review all submissions on the Canadian Impact Assessment Registry Internet site (the Registry) for the project (Reference Number #88774) where the original submissions are available for its review.<sup>2</sup>

NWMO’s response focuses only on the Agency’s Summary of Issues and the Canadian Nuclear Safety Commission’s comments on the IPD. This approach is clearly insufficient and improperly minimizes the role of Indigenous Nations and the public. The issues raised by Indigenous Nations and the public in their comments on the IPD must be reflected in the Integrated Tailored Impact Statement Guidelines.

**A. Summary of Issues – No Legal Justification for Key issues to be Listed in an Annex**

In its submission dated March 11, 2026, WTNFN raised concerns about the Agency failing to provide any legal justification or environmental rationale for bifurcating issues into the “Summary of Issues” and Annex ‘A’.<sup>3</sup> That concern remains unaddressed and NWMO has maintained that unjustifiable distinction between issues in its response to the Summary of Issues. All of the issues in the Summary of Issues and Annex ‘A’ should be addressed in the Integrated Tailored Impact Statement Guidelines, along with the issues which have been inexplicably omitted, as described below.

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<sup>1</sup> Nuclear Waste Management Organization, “Response to Summary of Issues”, dated March 2026, at < [Response to Summary of Issues\\_2026-03-09\\_5\\_03\\_22\\_PM\(3\).pdf](#)>.

<sup>2</sup> Impact Assessment Agency of Canada, “Summary of Issues”, p 1.

<sup>3</sup> We the Nuclear Free North, “Reference No. 88774 – We the Nuclear Free North Comments on Summary of Issues”, dated March 11, 2026 (“WTNFN Comments on SOI”), at: <[Comments on Summary of Issues, Deep Geological Reserve - Canadian Environmental Law Association](#)>

## **B. WTNFN Raised Concerns Which Have Not Been Included in the NWMO's Response to the Summary of Issues**

WTNFN highlighted in its submission dated March 11, 2026, that many of its concerns were not included in the Summary of Issues, without justification. Those issues were also not addressed in NWMO's response to the Summary of Issues, despite the Agency's instruction to review all submissions on the Agency website. We therefore refer the Agency to WTNFN's previous submissions on the IPD and on the Summary of Issues, and request that the Agency ensure that WTNFN's concerns are addressed within the Integrated Tailored Impact Statement Guidelines, including the key requirements to analyze the need for, alternatives to, and alternative means for the proposed project.<sup>4</sup> In particular, the impact assessment must include consideration of the "alternatives to" permanent underground emplacement of high-level nuclear waste, for instance, the alternative of not proceeding with the project or the alternative of construction and operation of new hardened storage facilities at the interim storage sites.<sup>5</sup>

## **C. Comments on IPD Which Have not been Addressed**

Despite the Agency's direction to NWMO to ensure it reviews all public submissions on the IPD, WTNFN has identified many pressing issues raised in public comments on the IPD which have not been included in the Summary of Issues or NWMO's Response to the Summary of Issues.

WTNFN has reviewed a considerable number of the public submissions, but does not suggest that this is a comprehensive list of missed issues.

The following issues have been identified and must be included within the Integrated Tailored Impact Statement Guidelines.

- There is no mention of the very widespread opposition to the project, including the selection of this site for the project.<sup>6</sup>
- The applicability or legal justification for the NWMO seeking to narrow the impact assessment based on previous non-transparent and highly flawed studies and decisions, which do not meet the criteria of the *IAA*, must be addressed.<sup>7</sup>

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<sup>4</sup> WTNFN Comments on SOI

<sup>5</sup> WTNFN Comments on SOI, p. 2.

<sup>6</sup> Fort William First Nation, Long Lake 58 First Nation, Red Rock Indian Band, Animbiigoo Zaagi'igan Anishinaabek, Michipicoten First Nation, Biinjitiwaabik Zaaging Anishinaabek, and Whitesand First Nation, "Joint Submission Regarding the NWMO's Initial Project Description", dated February 3, 2026, at <[Joint submission regarding initial project description for NWMO DGR project.pdf](#)>, p. 2. ("Fort William First Nation et al., Joint Submission")

<sup>7</sup> Northwatch, "Comments on the Nuclear Waste Management Organization's Initial project Description", dated February 4, 2026, at <[comments on the nuclear Waste Management Organization's Initial project description](#)>. ("Northwatch Submissions"), pp. 5, 11; Environment North, "Environment North Response to NWMO's Initial Project Description – Deep Geological Repository (IAAC Reference No. 88774)", dated February 4, 2026, at <[Environment North Response - NWMO IPD - DGR \(IAAC Reference No. 88774\)](#)>, ("Environment North Submissions"), p. 12.

- The Township of Ignace has raised the concern that NWMO's approach focuses only on mitigating radiological risk instead of avoiding it.<sup>8</sup> The Township of Ignace also requested consideration of Nuclear Safety Culture and for the impact assessment to be founded on this safety culture.<sup>9</sup>
- There is an inadequate assessment of alternatives. There should be an analysis of the alternative of not proceeding with the project, as well as alternative sites, alternatives in repository access, transportation in used fuel containers instead of in transportation packages, the alternative means of in-water transfer of used fuel at repository site as opposed to in-air in hot cells, alternative mining methods, alternatives in waste emplacement in-room as opposed to in-floor, and alternatives in used fuel container design.<sup>10</sup> There should be a detailed assessment of whether to use ramps instead of shafts to reach the DGR, and drill and blast (dynamite) as opposed to a tunnel boring machine.<sup>11</sup>
- High-level used fuel will be moved away from the safety envelope of existing nuclear facilities and to a greenfield site, yet the IPD lacks discussion of safety measures and the concept of defence in depth.<sup>12</sup> The Township of Ignace also raised the concern that there should be no radionuclides or contaminants that move off-site.<sup>13</sup>
- There is no discussion of the NWMO's very contentious claim that there are "willing and informed hosts" for this project.<sup>14</sup> There is no discussion about the approach NWMO has taken to seeking consent, including providing millions of dollars to municipal and Indigenous governments.<sup>15</sup> The Melgund Local Services Board stressed that NWMO consistently focuses on the Township of Ignace and Wabigoon Lake Ojibway Nation, despite Dymont and Borups Corners being closer to the proposed site.<sup>16</sup> Residents of Dymont and Borups Corners, and surrounding areas, should be meaningfully included in co-design, governance and implementation of all socio-economic, environmental and land use studies.<sup>17</sup>
- Melgund Township raised that its residents will experience the most direct and acute disruptions to recreational land use, quiet enjoyment, community safety, food security,

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<sup>8</sup> Township of Ignace, "Deep Geological Repository (DGR) for Canada's Used Nuclear Fuel Project" dated February 3, 2026, at <[CNSC Licensing Process](#)>, ("Ignace Submissions") pp. 2, 6-7, 9-11, 16.

<sup>9</sup> Ignace Submissions, p. 11.

<sup>10</sup> Northwatch Submissions, pp. 5, 12-19, 30-32, 51

<sup>11</sup> Ignace Submissions, p. 15; Northwatch Submissions, pp. 5, 13-14.

<sup>12</sup> Ignace Submissions, p. 7.

<sup>13</sup> Ignace Submissions, p. 8.

<sup>14</sup> Environment North Submissions, pp. 3, 9.

<sup>15</sup> Environment North Submissions, p. 32.

<sup>16</sup> Local Services Board of Melgund, The Local Services Board of Melgund Recreation Committee and impacted residents of Dymont and Borups Corners, "From Proximity to Participation: Requiring Community Co-Design in the Revell DGR Impact Assessment", at <[Canadian Impact Assessment Registry](#)> ("Melgund Submissions")

<sup>17</sup> Melgund Submissions.

and property values, however, Melgund Township residents are treated as a peripheral regional subset as opposed to a primary impact receptor.<sup>18</sup>

- The environmental justice of imposing the risk of nuclear waste transported and permanently emplaced in Northwestern Ontario, whereas nuclear power plants have primarily been for the benefit of Southern Ontario, must be assessed.<sup>19</sup>
- Although the Summary of Issues raises the concern about accidents during the transportation of high-level waste on Indigenous communities, the impact of transportation and accidents on Treaty rights and Aboriginal Title must be addressed<sup>20</sup>;
- The Great Lakes Basin is central to the exercise of Aboriginal and Treaty Rights, including fishing, hunting, trapping, harvesting medicines, conducting ceremonies, and sustaining community well-being. Any activity which threatens these activities threatens self-determination of Indigenous Nations.<sup>21</sup>
- Exclusion of transportation from the impact assessment would be project splitting.<sup>22</sup> Segregated assessment of the site, project and transportation does not account for cumulative effects.<sup>23</sup>
- NWMO's claim that transportation of nuclear waste is "ongoing" is misleading and should be firmly rejected. The proposed transportation of nuclear fuel would require sustained, decades-long transportation of unprecedented volumes of radioactive waste across vast geographic areas, including numerous Indigenous territories. The proposed transportation as part of the project is not routine nor ongoing in any meaningful regulatory sense.<sup>24</sup>
- There are precedents for including shipping in impact assessments.<sup>25</sup>
- The fuel waste inventory has been misrepresented and seriously underestimated in the IPD.<sup>26</sup>
- The impact assessment must assess the first step of the project, which is the transfer of used fuel from dry storage containers into transportation containers at the reactor sites.<sup>27</sup>

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<sup>18</sup> Melgund Submissions.

<sup>19</sup> Environment North Submissions, pp. 24-25, 28, 33, 72.

<sup>20</sup> Summary of Issues, p 5; Fort William First Nation et al., Joint Submission, pp. 2, 5; Anishinabek Nation, "Request to Include Transportation of High-level Nuclear Waste in the Impact Assessment for the Deep Geological Repository (DGR) for Canada's Used Nuclear Fuel Project", Project Reference No. 88774" dated February 4, 2026, at < [2026 02 04 - LETTER - IAA Project No. 88774.pdf](#)> ("Anishinabek Nation Submissions"), at pp. 1-2

<sup>21</sup> Anishinabek Nation Submissions, pp. 1

<sup>22</sup> Fort William First Nation et al., Joint Submission, pp. 3-4.

<sup>23</sup> Anishinabek Nation Submissions, pp. 2-3.

<sup>24</sup> Fort William First Nation et al, Joint Submission, p. 4.

<sup>25</sup> Fort William First Nation et al., Joint Submission, pp. 4-5.

<sup>26</sup> Northwatch Submissions, pp. 20-22.

<sup>27</sup> Northwatch Submission, pp. 23-24.

- There is a paucity of detail about major project components and activities, and potential adverse effects, including the Used Fuel Packaging Plant, systems for underground ventilation and filtering, waste placement and repository design, construction, closure, decommissioning, and monitoring, including of the placement rooms.<sup>28</sup>
- There is insufficient discussion of acid mine drainage and metal leaching from the excavated rock.<sup>29</sup>
- The IPD lacks discussion of a Radiation Protection Program to protect workers, the public and the environment.<sup>30</sup> Relatedly, the upset conditions in the IPD focus on mines rather than radiological upset conditions.<sup>31</sup>
- Along with the Summary of Issues highlighting the need for consideration of accidents and emergency planning along the transportation route, there is a lack of description of potential accident scenarios or malevolent acts, and emergency response strategies associated with the facilities that make up the DGR project, including on-site risks.<sup>32</sup> The impact assessment should include a focus on accidental radiological releases at all phases of the project, including before the Canadian Nuclear Safety Commission issues a Licence to Prepare Site.<sup>33</sup> Melgund Township stressed that emergency services are limited in the unorganized township.<sup>34</sup>
- There is no discussion about contingency planning or how it will be implemented during operations. There is also no discussion of failure thresholds.<sup>35</sup>
- Maps should delineate the protected area boundary, the perimeter boundary, and the exclusion area boundary, including as a way to appropriately discuss release limits and action levels.<sup>36</sup>
- There is no discussion of excavation damage zones.<sup>37</sup>
- There is no discussion about the use of the rail spur.<sup>38</sup>
- There is no discussion about occupational health and safety.<sup>39</sup>

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<sup>28</sup> Northwatch Submission, pp. 5, 54; Environment North Submissions, pp. 24, 28, 32, 109.

<sup>29</sup> Northwatch Submission, p. 52.

<sup>30</sup> Ignace Submissions, pp. 18-19.

<sup>31</sup> Ignace Submissions, pp. 6-7, 10, 14-15.

<sup>32</sup> Ignace Submissions, pp. 7, 10, 14; Summary of Issues, p. 5.

<sup>33</sup> Ignace Submissions, pp. 9-10, 16; Northwatch Submissions, pp. 6, 11, 57

<sup>34</sup> Melgund Submissions

<sup>35</sup> Northwatch Submissions, pp. 17, 23, 33-34, 37-39

<sup>36</sup> Ignace Submissions, pp. 8-9; Melgund Submissions.

<sup>37</sup> Northwatch Submissions, pp. 18, 35, 49

<sup>38</sup> Ignace Submissions, p. 9.

<sup>39</sup> Ignace Submissions, pp. 7, 9; Northwatch Submission, pp. 16-17, 23, 30, 32-36, 40.

- There is no discussion about a geoscientific verification plan or its independent oversight.<sup>40</sup>
- There is no discussion of dewatering and pumping water to the surface in the hydrology section of the IPD or the quality and management of the pumped water.<sup>41</sup>
- There is no discussion of social division, nuclear anxiety, and stigma.<sup>42</sup>
- Melgund Township has requested that the Agency designate the Forestry Land Base as a formal Valued Component and assess how land withdrawn from it affects recreational access, subsistence harvesting, and local food systems.<sup>43</sup>
- Melgund Township requested a community-specific Community Co-Design Framework, Socio-Economic and Environmental Impact Study, Community Protection Fund, a Traffic and Noise Mitigation Agreement, and a binding Socio-Economic Betterment Plan.<sup>44</sup>
- There is no discussion of the impact of the deep geological repository on the tourism sector and transportation of nuclear waste is a key concern.<sup>45</sup> Many stretches of Highway 17 between Thunder Bay and the Manitoba border are often closed or down to one lane in all seasons, but especially in winter months, and there is a high occurrence of accidents.<sup>46</sup>

WTNFN is concerned that the impact assessment process is proceeding to the next phase, the Agency's release of the draft Integrated Tailored Impact Statement Guidelines, without any re-issuance of a Summary of Issues or any review of the inadequate NWMO Response to the Summary of Issues. Many public comments have not been addressed. We urge the Agency to ensure this failure to encompass all serious issues raised on the IPD is remedied in the Integrated Tailored Impact Statement Guidelines.

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<sup>40</sup> Northwatch Submissions, p. 37.

<sup>41</sup> Northwatch Submissions, pp. 20, 52.

<sup>42</sup> Northwatch Submissions, p. 53; Environment North Submissions, p. 32.

<sup>43</sup> Melgund Submissions.

<sup>44</sup> Melgund Submissions.

<sup>45</sup> Merkel's Camp, "Opposition to Nuclear Repository in Northwestern Ontario" dated February 4, 2026, at <[Canadian Impact Assessment Registry](#)> (Merkel's Camp Submissions"); Agimac River Outfitters, "Transportation of Dangerous Nuclear Waste Should be Banned" dated January 23, 2026, at <[Canadian Impact Assessment Registry](#)>.

<sup>46</sup> Merkel's Camp Submissions.

#### **D. Transportation of High-Level Nuclear Waste Must be Included in the Impact Assessment**

Indigenous Nations and the public are demanding a fair and robust assessment of the impacts of all stages of the project, including transportation of high-level nuclear waste within the impact assessment process. NWMO's unjustified claim that transportation of high-level waste across thousands of kilometres for decades should be excluded from the impact assessment must be wholly rejected.

NWMO's "Consolidated Information on the Transportation of Used Fuel – Plain Language Summary" is totally insufficient and relies on an unsubstantiated claim that inclusion of transportation within the impact assessment relates to whether it is making "physical changes" to highway or railway infrastructure.<sup>47</sup> WTNFN strongly disputes the NWMO's proposed interpretation of the *IAA*, and notes that physical changes to infrastructure are not the legislative trigger or test that is applied in an impact assessment.<sup>48</sup>

The integrity of the impact assessment requires that the entire project be assessed for adverse effects.<sup>49</sup>

Yours truly,

**CANADIAN ENVIRONMENTAL LAW ASSOCIATION**



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<sup>47</sup> NWMO Response to Summary of Issues; Nuclear Waste Management Organization, "Consolidated Information on the Transportation of Used Fuel – Plain Language Summary", dated March 16, 2026, at <[165474E.pdf](#)>.

<sup>48</sup> *Impact Assessment Act*, SC 2019, c 28, s 1, ss. 2, 16, 22.

<sup>49</sup> Fort William First Nation et al., Joint Submission, pp. 2-6.