

Comments on the draft Integrated Tailored Impact Statement Guidelines and draft Public Participation Plan, Project #8874

By John Jackson, Coordinator, Citizens' Network on Waste Management, May 10, 2026

*The **Citizens' Network on Waste Management (CNWM)** is a network of citizens' groups throughout Ontario working on municipal waste, radioactive waste, and hazardous waste issues since 1981. We have been involved in radioactive waste issues since the Seaborn Panel in the 1990's; were a funded participant in the hearings for the proposed DGR for intermediate-level radioactive wastes (2012-2015); have been involved in the NWMO's process beginning at the consultation meetings they held in Toronto through the siting process; and led the application for the past ten years to have radionuclides designated as Chemicals of Mutual Concern under the Great Lakes Water Quality Agreement.*

We are pleased that you have decided to have the "Integrated Review Panel" conduct "meaningful and accessible public hearings." Near the end of this submission, we will make recommendations on how to improve the Public Participation Plan dated April 10, 2026.

We strongly support the recurring use of the word "must" throughout the Draft Integrated Guidelines. For example, "The document outlines the information that the proponent **must provide** in their Impact Statement" [bolding added]. We trust that this is the prime decision-making factor that the Review Panel will use on determining the acceptability of the Project proposal to go to public consultation and hearing.

Unfortunately, there are some other words that occur repeatedly that worry us. For example, "This broad scope includes changes to the environment and to health, social and economic conditions, and the positive and negative consequences of those changes that are **likely to be caused** by the carrying out of the project" [bolding added]. What is meant by the words "likely to be caused"? And how does the panel determine whether, even if it is of low likelihood, the impacts would be bad enough that the risk should not be taken? Who will decide what is an acceptable risk?

Part 1: Limitations in Integrated Tailored Impact Statement Guidelines:

- 1) **Length of Project:** The description of the proposed project in both the Draft Integrated Guidelines (April 10, 2026) and the Public Participation Plan (April 10, 2026) state that the Project "is expected to span approximately 160 years, including site preparation, construction, operation (about 50 years), decommissioning and closure, and post-closure monitoring." After 160 years, the project is abandoned. In the case of radionuclides from used nuclear fuel bundles, the wastes are extremely

hazardous for hundreds of thousands of years. This is far beyond the 160 years of this Project. We urged a change in the project description to address this issue. See Citizens' Network on Waste Management submission on Initial Project Scope Submitted on February 1, 2026 Submission # 243. Unfortunately, this problem was not fixed.

This project description results in a major and potentially disastrous flaw in the Draft Integrated Guidelines prepared by the Impact Assessment Agency of Canada. A positive feature of the document is that it repeatedly says: "The document outlines the information that the proponent **must provide** in their Impact Statement" [bolding added]. But describing the project as covering only 160 years means that the proponent is not required to provide detailed information on what could happen after the passage of 160 years and how the consequences of such failure could be dealt with. The unproven design of the DGR and of the cannisters, etc. means that there is potential for a disastrous breakdown of the system after 160 years and far into the future. In addition, climate change and seismic activity could happen hundreds of years, thousands of years, hundreds of thousands of years in the future with disastrous consequences.

For example, this limitation on the length of the project occurs in the description of Assessment Methodology. Here it states that must "assess cumulative effects and monitor and follow-up during the project's life cycle" [Summary of the Draft Integrated Guidelines]. That means only for 160 years. The risk and dangers do not disappear in such a short time. Similar limiting statements for assessment of impacts occur in the sections under physical environment, biological environment, and human environment.

It would be utterly irresponsible to approve a project for a 160-year period when the problems could occur far into the future. An essential component of sustainability principles is that future generations will be protected in the future.

- 2) **Off-site Transportation:** In our February 1, 2026, submission, we objected to the Initial Project Description saying that the Initial Project Scope document excludes transportation of used fuel outside of the Project property from the Project discussion.

A fundamental part of the purpose of this Project is to take used nuclear fuel bundles from nuclear power plants all the way from New Brunswick, Quebec, and

several sites in southern Ontario to the proposed disposal DGR in western Ontario, almost half the way across the continent. The NWMO Project has no purpose for existing if this far distant transportation doesn't occur.

We are pleased that the draft Guidelines have added some off-site transportation to the project: "The Impact Statement must assess potential adverse effects of project-related transportation on the applicable valued components within an area surrounding the project site, along with the intersections along Highway 17 that will be required for site access."

While this is an important step forward, it fails to address the roads reaching into the communities where the trucks will have to load and pickup and carry high-level used nuclear fuel bundles to get to Highway 17. It also only looks at the intersections along Highway 17. Accidents can happen anywhere along the highway – not just at intersections.

- 3) **Alternatives Assessment:** The Draft Integrated Guidelines say that "alternative means of carrying it out [the Project], must be described in the Impact Statement." In addition to looking at "alternative means" to carry out the project, "alternatives to" should be explored. This means looking at alternative ways to achieve the goals of the project without having to build this project. What are different ways to achieve the goals. In this case, it is to see whether there are better ways to deal with the problem created by used nuclear fuel bundles. Alternative ways were explored many decades ago in this process. Now that we have a more complete understanding of the details and risks associated with the current project, we are in a position where we need to compare those problems with the alternatives to and to see whether over those decades new methods have come up to provide the same function.
- 4) **Timing of the Safety Case:** The draft Integrated Guidelines state that the "safety case" includes natural hazards and external events, accidents and malfunctions, and scenarios such as "climate change and future climate scenarios, earthquakes and seismic activity, glaciation, floods, wildfires, and other types of extreme weather." The safety case should include detailed actions that will be taken to try to address the event instead of having to spend considerable time working out an action plan after the crisis has already occurred.

From the integrated Guidelines, the Safety Case will only be in a preliminary stage when the public has the chance to comment on it at the hearing. The hearing is the prime opportunity for the public to express their findings to the Review Panel because the Review Panel will make its decision on the acceptability of the Project after the hearing.

This means that the public will not have this very important information before they are supposed to say whether they support the project. The catch with learning during future operations at home and elsewhere in the world is that the ability to make anything but minor changes is not possible in a facility as massive and inaccessible as a DGR after it has waste in it.

A fundamental flaw in the NWMO's Project is that it is based on an assumption that existing regulatory measures, approvals processes, and regulatory bodies are more than adequate (based on conservative assumptions) to protect the environment. This isn't true for even the 160 years of the life of this project – let alone for the thousands of years in the future that this project will be a threat to the environment.

Part 2: Review of Public Participation Plan

In our February 1 submission, we made the following suggestions on the public participation, especially on the public hearing. We are pleased that the Impact Assessment Agency of Canada has determined to hold a hearing and to set up an independent hearing panel.

We urge you to conduct a full impact assessment and public hearing. This Project is unprecedented and, therefore, unproven in the world. The impacts of this project can be extremely devastating to the environment and to all life because of the nature of radionuclides in used-fuel bundles and because these substances are extremely long-lived – hundreds of thousands of years.

Therefore, the public hearing should:

- Have a neutral panel
- Consider “alternatives to” as well as “alternative means” in detail
- Allow sufficient time for participants to fully prepare for each input stage and for the hearings
- Allow adequate time for the participants to fully question and challenge the proponent and its witnesses

- Provide substantial financial support to intervenors (participants) that is adequate for the serious questioning that is necessary for a project as risky as this one to be seriously vetted.

We must remember that thorough intervention from the public is essential to achieve the goals of an environmental impact assessment. This public process, if conducted thoroughly enough, often brings out information from the proponent and their consultants that would not have come out before. Also the intervenors (participants) frequently bring forward information that may not have been received by the hearing panel and decision-makers otherwise. This process can lead to much better decisions by way of changes to the proposed project, or by the decision-makers choosing to reject the proposal.