

**JOINT REVIEW PANEL
DEEP GEOLOGIC REPOSITORY FOR LOW AND INTERMEDIATE
LEVEL RADIOACTIVE WASTE PROJECT
PUBLIC HEARING COMMENCING SEPTEMBER 9, 2014**

**“DGR Joint Review Panel Hearing
Written Submission in Support of an Oral Intervention”**

by

**John Mann
Citizen of Saugeen Township and Port Elgin,
Within the Municipality of Saugeen Shores,
Bruce County, Ontario**

Volume XXII of XIII

**John Mann
Citizen
Saugeen Township and Port Elgin
within the Municipality of Saugeen Shores
Bruce County, Ontario
[Mailing Address:**

John Mann

Written Submissions DGR Record
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<personal information and email addresses removed>

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1,518

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1,519

John Mann

From: "John Mann"
Date: Sunday, March 15, 2015 10:44 AM
To:

Cc:

1,520

Subject: NWMO confirms Saugeen Shores is not a "willing host" for a DGR

March 15, 2015

Hi Joint Review Panel, OPG, NWMO, CNSC, CEAA, Minister of Environment, MPP Lisa Thompson, & MP Ben Lobb:

1. The Globe and Mail, in its March 2015 magazine reviewed the DGRs and reported:

"More recently, an NWMO representative *let slip* that Saugeen Shores was turned down [for a DGR] less for geological reasons than because the municipality could no longer be considered a potentially 'willing host.'" [emphasis added]

2. This is the first time we have heard of this. NWMO never mentioned this on January 16, 2014, when it disqualified Saugeen Shores from the DGR sweepstakes because of unsafe geology.

3. What NWMO representative said this? Please advise.

4. Why did the NWMO representative say this? Please provide every detail related to the confirmation by NWMO that Saugeen Shores was not a "willing host" for a DGR.

5. What does NWMO rely upon for this statement? Please provide all documentation and oral communication related to the confirmation by NWMO that Saugeen Shores was not a "willing host" for a DGR, including copies of all emails, texts, other social and computer media, and anything else. Freedom of Information and a full blown investigation must be conducted followed by a public and Judicial inquiry into this entire process.

6. This is the first and only time we have heard from NWMO that Saugeen Shores is not a "willing host" for a DGR! Over 1 year ago, on January 16, 2014, NWMO confirmed that Saugeen Shores was not a suitable site for a DGR. NWMO stated that Saugeen Shores was not a suitable site because further tests had determined that the geology of Saugeen Shores was not safe for a DGR. I have requested documentation confirming these tests, but have received nothing. No mention was made by NWMO about Saugeen Shores not being a "willing host" in its reasons for disqualifying Saugeen Shores, even though, as we now know, it was the primary reason! As a result, I do not believe NWMO conducted further tests to establish unsafe geology. Otherwise NWMO would have provided the documentation confirming.

7. We now find out, over a year later from the Globe Report above, that unsafe geology was not the whole story. We now find out that NWMO based its decision that Saugeen Shores was not a suitable site PRIMARILY because Saugeen Shores was confirmed by NWMO to not be a "willing host" for a DGR. That is stunning news from NWMO. I say that because our Saugeen Shores Town Council supported

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going forward with the phased DGR process, and dutifully at great expense and effort set up the required [by NWMO] Community Liaison Committee for the sole purpose of assisting the Citizens of Saugeen Shores to be able to PARTICIPATE in the complicated and mysterious DGR process while “learning more” and being educated about the DGR and its process, and with the ultimate goal of determining if Saugeen Shores was a “willing host” through a Democratic vote 7 to 10 years down the road. Furthermore, our Town Council and the Community Liaison Committee were informed by NWMO that NWMO was in the very early stages of interviewing Council and Citizens for the sole purpose of determining if Saugeen Shores was a “willing host.” In fact, at the time of NWMO’s shocking and abrupt termination of the DGR process in Saugeen Shores on January 16, 2014 [because of unsafe geology], NWMO had not even commenced interviewing or even started the “willing host” determination process in Saugeen Shores. Now, mysteriously and inexplicably, we now find over 1 year later that the PRIMARY reason NWMO unilaterally [without any input by Saugeen Shores] terminated Saugeen Shores from the DGR sweepstakes was because NWMO had determined that Saugeen Shores was not a “willing host”!!!??? This is impossible because we were advised in the strongest of terms by NWMO and our Town Council and our Community Liaison Committee that we were light years away from a vote to determine if Saugeen Shores was a “willing host” for a DGR! The extensive “learn more” and education and the answering of all Citizen concerns and questions would take a considerable amount of time and would not be completed for some 10 years! What is going on here? Something is terribly wrong! We require an explanation from NWMO and everyone involved!

8. Why did NWMO mislead us and Saugeen Shores when it limited its reasons for termination of the DGR process in Saugeen Shores [over my strong objection] because of unsafe geology? Why did NWMO not tell the Citizens and Council and Community Liaison Committee of Saugeen Shores that the PRIMARY reason for termination of the DGR process in Saugeen Shores was because it was not a “willing host”? It did not go unnoticed that the Globe Report used the terminology that “an NWMO representative ‘LET SLIP’ that Saugeen Shores was turned down [for the DGR] less for geological reasons than because the municipality could no longer be considered a potentially ‘willing host’.” The qualifier “let slip” clearly confirms that NWMO did not want anyone to know about its real reason to pull the plug in Saugeen Shores. Why? **Because NWMO wanted to shut-out and shut-up the Citizens of Saugeen Shores who were successfully challenging the NWMO and the DGR, and NWMO simply did not want to have to answer our questions and concerns that they knew they could not answer!** To its credit, NWMO was able to recognize that its DGR process simply was fatally flawed and NWMO did not want to establish the fatal flaw through its own failure to answer the most basic and simple of our questions and concerns in Saugeen Shores. Furthermore, Saugeen Shores is the best supporter of nuclear power anywhere in the World. How would it look to the other municipalities entered in the DGR sweepstakes if word got out that the greatest nuclear power Town on the Planet was not a “willing host” for the nuclear waste that had accumulated on the shores of Kincardine. After all, if the greatest nuclear power Town in the World is not willing to host a DGR, something must be terribly wrong with it and a DGR is probably not a good idea anywhere. Furthermore, the DGR is radioactively dangerous forever to the Community, ruins the Community’s reputation, is a brief economic boom while building it, followed with the ever present and continuing threat of radioactive disaster virtually guaranteed by the WIPP catastrophe within 15 years of opening. Not to mention that any project advertised as foolproof forever is irresponsible, impossible and pure folly!

9. Since Saugeen Shores is not a “willing host” for a DGR, our DGR Bruce County Community is not a “willing host” for a DGR, including the low and intermediate DGR presently being considered for

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approval by the Joint Review Panel. In addition, NWMO got out of Saugeen Shores to avoid answering our questions and concerns, and abandoned and shut out the Citizens of Saugeen Shores in the DGR “learn more” process even though Saugeen Shores is a prominent and essential part of the DGR Bruce County Community. NWMO’s abandonment of Saugeen Shores guarantees that our DGR Bruce County Community can no longer be considered for the DGR.

10. The result of the fortuitous Globe quote set forth above that was supposed to be buried with the DGR forever is that there must be an immediate thorough investigation followed by a public and Judicial inquiry to get to the bottom of this unDemocratic sordid mess called the DGR process.

11. NWMO has proven that no one can trust it. In the most important and dangerous project on the Planet, if NWMO can hide from the World that the nuclear Town of Saugeen Shores is not a “willing host” for a DGR, what else is NWMO not telling us. If something was wrong with the DGR at any stage, does anyone trust NWMO to point it out?

12. Is Arran-Elderslee also not a “willing host”?

13. While NWMO has confirmed that Saugeen Shores is not a “willing host” for a DGR, by so doing, it has also confirmed that our DGR Bruce County Community is not a “willing host” for a DGR.

14. Yet NWMO continues to forge ahead locating a DGR in our Bruce County Community, wasting our time and Taxpayer money! Why?

15. Please provide written answers to all questions set forth in this email.

16. I reiterate and incorporate my previous comments related to the unsafe geology in Bruce County for a DGR confirmed by NWMO and set forth in my prior emails.

17. NWMO cannot be trusted and the DGR processes must be terminated and start over from the beginning.

Most Respectfully,

John Mann
Saugeen Shores

1,523

John Mann

From: "John Mann"
Date: Saturday, March 14, 2015 8:06 PM
To:

Cc:

Attach: Funding letter - DGR.pdf

Subject: Prior to its decision on OPG's DGR Application, why is the Joint Review Panel sending information to Registered Participants on how to apply for funding for future DGR proceedings related to a conditional JRP decision?

March 14, 2015

Hi Joint Review Panel, OPG, NWMO, CNSC, CEAA, Minister of Environment, MPP Lisa Thompson, & MP Ben Lobb:

1. The Canadian Environmental Assessment Agency [CEAA] has asked the Joint Review Panel to distribute a letter regarding opportunities for Participant Funding to the interested parties distribution list [see email from JRP Secretariat set forth at end of this email at paragraph number 22]. The "Subject" set forth in the letter [attached to this email] expressly states: "Availability of federal funding to assist participation in the **UPCOMING** consultation of the proposed DGR project." [The letter states its purpose: "[The CEAA] is pleased to inform you that the Agency is making additional funding available to assist the participation of registered participants in the last phase of the federal environmental assessment process for the proposed DGR project." {I note that certain federal elected officials have indicated this is a provincial process and they could do nothing about it. Really!?!}]

WAIT A MINUTE! "UPCOMING CONSULTATION OF THE PROPOSED DGR PROJECT" ONLY APPLIES WHEN AND IF THE JOINT REVIEW PANEL APPROVES OPG'S DGR APPLICATION! WHAT DOES THE CEAA KNOW THAT WE DON'T KNOW? AND HOW DOES THE CEAA KNOW BEFORE WE KNOW? IF THE JOINT REVIEW PANEL DISMISSES OPG'S DGR APPLICATION THERE WILL BE NO "UPCOMING CONSULTATION" BECAUSE OPG'S DGR PROCESS WILL BE AT AN END. THUS, THIS CEAA LETTER SHOULD HAVE ONLY BEEN DISTRIBUTED AFTER A DECISION BY THE JOINT REVIEW PANEL AND ONLY IF THE PANEL ULTIMATELY APPROVES THE OPG DGR APPLICATION, WITH OR WITHOUT CONDITIONS, i.e. a decision on OPG's DGR Application is scheduled for May 6, 2015.

2. The question is: "Why is CEAA and the Joint Review Panel complicit in sending out propaganda related to Registered Participant funding **PRIOR** to the Joint Review Panel's decision?"

3. A reasonable answer to the question is that the Joint Review Panel has decided to approve OPG's DGR Application and the CEAA is privy to this decision prior to the decision being released to the Public. Who, what, where, why, when, and how did this happen? Furthermore, it is noteworthy that the Joint Review Panel Secretariat consists of professional, scientific, technical, and other CEAA personnel for the purposes of the Review and will provide information to the Joint Review Panel orally and in writing during the JRP hearings. This is confirmation of an automatic conflict of interest and bias, reasonable apprehension of bias, or appearance of bias, and there is no neutrality and independence.

4. If the CEAA [or anyone] has received information, directly or indirectly, that the Panel is going to approve OPG's DGR Application, an immediate investigation must be conducted. The entire process cannot survive because of the tainted proceedings indicating unilateral and ex parte communications. This further confirms the heretofore bias, reasonable apprehension of bias, or appearance of bias on the part of the Joint Review Panel and the DGR process as a whole, further requiring the Panel's recusal from the process because the Panel is not independent, not neutral, and not unbiased in its role as Judge.

5. I quote from the letter to DGR Registered Participants from CEAA and distributed by the Joint Review Panel on March 12, 2015: "Following the submission of the Environmental Assessment Report by the Panel, the Agency [CEAA] will be consulting registered participants on the potential conditions for the environment assessment. These potential conditions would become legally binding on the proponent if the Minister of the Environment ultimately issues a decision statement indicating that the proposed project may proceed. The funding will assist registered participants to review and comment on the federal government's potential conditions. A maximum of \$1,800 [funding] is available for registered participants who made a written or an oral presentation to the Panel. Funding Applications received by April 13, 2015, will be considered."

Yet the Joint Review Panel is not making its decision until May 6, 2015. If the Panel dismisses the OPG DGR Application this funding letter would never exist. There must be a public and Judicial inquiry related to this premature funding letter and the entire DGR process.

Even if the Panel ultimately approves the OPG DGR Application, until a person actually reads the decision he or she will not be able to know if they will participate in any further appeal or proceedings. No one has any idea what the decision will be, and what, if any, conditions will be attached. How can anyone make a decision to participate further prior to knowing if they agree or disagree with the decision and any conditions thereto? To have the process commence prior to decision is simply ludicrous and defies any common sense whatsoever.

6. UNBELIEVABLE!

7. The first mistake the CEAA and the Joint Review Panel made related to this stunning funding letter is that they sent the letter out prematurely. As a result, the reasonable apprehension and appearance of bias and impropriety has irreparably damaged further DGR proceedings.

8. This funding letter has confirmed, yet again, how Community consultation in the DGR process is meaningless. The money spent on Community consultation already and in the future would be better spent by throwing the money up into the air.

9. Community Citizens and Registered Participants could consult in the current DGR process from here to eternity and have absolutely no meaningful effect. For example, the WIPP DGR that OPG's DGR is safety-based upon remains closed [probably forever] without any idea what caused the radiation leak catastrophe and forever harming that New Mexico Community. Yet WIPP appears to be of no concern to OPG and other government officials, and the process continues unabated by our public servants who are accountable to us! How is this remotely possible?

1,526

10. Approval of OPG's DGR Application was a foregone conclusion and absolute certainty long before the so-called Community consultation was embarked upon and long before the Joint Review Panel was empanelled, and highlighted by Mike Binder's "see you at the ribbon-cutting" invitation at one of the unlawful closed DGR meetings with our Community mayors held way back in 2009.

11. As a result, it is not a surprise to anyone that the Joint Review Panel will approve OPG's DGR Application.

12. What is a surprise is the CEAA apparently knows about the actual decision prior to its release to the Public! There is no other reasonable explanation for the CEAA, together with the Joint Review Panel, distributing the funding letter to the Registered Participants.

13. Something is terribly wrong!

14. A public and Judicial inquiry must be held.

15. Our government officials must be held accountable.

16. This funding letter alone, distributed prior to any Joint Review Panel decision, requires dismissal of the OPG DGR Application.

17. The Citizens and the Registered Participants are to the DGR process what the Washington Generals are to the Harlem Globetrotters. For entertainment purposes only. Nothing more than an illusion. Thanks for coming, and, by the way, your input is completely useless and meaningless to the DGR process. And here is some Taxpayer money from our consultation bureau for you to present submissions that will never be meaningfully considered.

18. And who decides who gets funded with precious and finite Taxpayer dollars and how much out of the \$1,800 maximum? Is SNC Lavalin involved? And who decided on the magical \$1,800 maximum? And unless you know the Joint Review Panel's decision, how can any decision on distribution and amount be made when there is no way to determine who will participate further, and why? Query: Could our health care system make better use of this money?

19. You are public servants working for all the Citizens of our Community and Canada, and are accountable thereto.

20. To quote Herb Block, the legendary Pulitzer Prize cartoonist from the Washington Post: "Harry Truman famously said: 'The buck stops here.' Add this: 'Anything for a buck stops **NOW**.'"

21. Where have you gone Woodward and Bernstein?

22. The email from the Joint Review Panel is copied below. The CEAA funding letter was attached and is attached to this email.

From: "DGR Review / Examen DFGP [CEAA]" <DGR.Review@ceaa-acee.gc.ca>

Date: March 12, 2015 at 4:32:09 PM EDT

1,527

Subject: Deep Geologic Repository Project // Projet de stockage dans des couches géologiques profondes

Interested Parties:

The Canadian Environmental Assessment Agency has asked us to distribute this letter regarding opportunities for Participant Funding to the interested parties distribution list. Please do not respond to the DGR mailbox regarding the Participant Funding. Contact information is provided within the letter.

Thank you,

DGR JRP Secretariat

Most Respectfully,

John Mann
Saugeen Shores

1,528

John Mann

From: "John Mann"
Date: Friday, April 10, 2015 12:32 PM
To:

Cc:

1,529

Subject: Squandering Taxpayer dollars on illusory DGR Citizen participation

April 10, 2015

Hi Mr. Hallman, President, CEAA:

This is a reply to your letter to me dated March 27, 2015. [Your letter is reprinted and set forth under my signature line below for reference, followed by my March 14, 2015 email to you.]

1. In my view, the approval of the OPG DGR Application unfortunately appears to be a foregone conclusion. In my view, your notice re funding suggests that the CEAA might be privy to this ultimate decision, although as you indicate, you are unaware of the actual content of the Joint Review Panel Report leading to an approval decision. If the Agency [CEAA] was not aware that the Panel was going to approve OPG's DGR Application, why would the Agency waste our Taxpayer dollars by sending out a funding notice and then review funding Applications that will never be necessary in the first place if the OPG DGR Application is ultimately dismissed by the Panel? More importantly, if enforceable "conditions" are the difference between a successful DGR and a WIPP catastrophe – heaven help us! And the CEAA and the CNSC and OPG are seeking the input of Citizens from our Community related to conditions that are required to protect our Community from disaster and catastrophe over geologic time! How can anyone possibly know what conditions are required to avoid a WIPP catastrophe? And even if anyone knew what conditions were required, how will anyone know if other conditions are also necessary? Some required conditions were submitted to the Panel at the DGR hearings – the conditions were suggested not in support of the DGR, but to make sure the DGR should never be approved. Simply put, if enforceable conditions are the difference between success and disaster over geologic time, our Community is not interested! A conditional DGR, by definition, casts doubt, speculation, and uncertainty about the success of the DGR over geologic time, leaving our Community to be the subject of the OPG DGR flawed experiment that has already proved catastrophic at the WIPP DGR in New Mexico.

2. Nevertheless, and in any event, since I have been SPAMMED for my Democratic input as a concerned Citizen during this DGR process, I am sure the CEAA and OPG and CNSC and the Joint Review Panel will forge ahead unabated, without any meaningful acknowledgement of my legitimate concerns and the legitimate concerns presented by others. This funding procedure is nothing more than a feel good token process to make Citizens think they are meaningfully participating. The OPG DGR is a done deal, and a few meaningless conditions will be added. That is why the CEAA can seek and review meaningless funding applications from Citizens prior to any Panel Report, because Citizen participation is meaningless. Let's just get the illusory Citizen participation out of the way as quickly as possible and

4/10/2015

get the shovel in the ground. And once the OPG DGR is built, the high level spent fuel can replace the clothes and rags that have never needed a DGR. All it will take at that time is a stroke of the pen by Kincardine Council. Of course, not to worry, there will be Citizen Participation equal to what has taken place so far for clothes and rags when the spent fuel in the OPG DGR becomes a reality. So much for Democracy! The entire OPG DGR process can be summed up as follows: **“Squandering Taxpayer dollars on illusory DGR Citizen participation.”**

3. It is impossible to appeal or review a decision prior to the decision – thus there is no reason for the Agency to seek and review the funding applications prior to the Joint Review Panel Report, particularly when the Panel theoretically could still dismiss OPG’s DGR Application.

4. It is also impossible to know what issues [if any] need addressing prior to reviewing the content of the Panel’s decision. When it is finally released to the Public [on or before May 6] maybe the Joint Review Panel Report will be satisfactory to a Citizen. Maybe not. How can any Citizen know if he or she wants to seek funding prior to reading the Report and giving it careful consideration? As a result how can the Citizen know whether or not to apply for funding prior to the Report being released and reviewed in detail? More importantly, why would a Citizen apply for funding prior to the Report that might be favourable in the opinion of that Citizen? In addition, it is impossible for the CEAA to be able to review any funding application when the CEAA concedes that it has no idea what the “content” of the Report may be. Therefore, why is CEAA wasting our Taxpayer dollars in this irresponsible manner? Inexplicably the funding applications must be submitted by April 13, 2015 [3 days from now] while the Joint Review Panel’s Report that is being reviewed is not due for release until May 6, 2015. Absolute nonsense! Your response [set forth under my signature below] fails to answer this question.

5. Which begs the question: Why is the Agency [CEAA] seeking funding Applications prior to the Joint Review Panel decision?

6. Citizens and Taxpayers deserve a meaningful answer. Citizens and Taxpayers require a meaningful answer.

7. And, while the Agency might not know the actual “content” of the impending Joint Review Panel Report, it is difficult to believe that the Agency does not know that the Panel will approve the OPG DGR Application – the Agency being part of the same offices with interchangeable employees with the Joint Review Panel staff – causing an actual bias, a reasonable apprehension of bias, or an appearance of bias, adversely affecting the impartiality, the neutrality, and the independence of the Joint Review Panel. In my view, the Record establishes that the OPG DGR is a done deal, and any so-called Community consultation and input is nothing more than a sham. I hearken back to President Binder’s invitation to our Bruce County Mayors at a Bruce County Council unlawful secret meeting in 2009 that he would see them at the “ribbon-cutting” ceremony for the OPG DGR! And where is SNC-Lavalin in all of this?

8. In addition, if funding for a Citizen is eventually available after the Panel’s decision, the \$1,800 maximum funding is meaningless. OPG and CNSC have seemingly [and unseemly] unlimited funding for [so-called] experts over the past couple of decades related to the DGR. And the [so-called] expert testimony and evidence remains untested by cross-examination which is the only way to test the truthfulness and credibility of the expert evidence, and to expose any flaws.

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9. For a Citizen's expert to be of any meaningful value, the expert must be able to review the reams and reams and reams of OPG's and CNSC's expert evidence in the thousands of pages compiled over the past two decades.

10. Furthermore, for the Citizen's expert to be of any meaningful value, the expert must be able to conduct his or her own investigation and come up with their own independent expert Report.

11. As a result, a maximum of \$1,800 to hire an expert will not suffice. And this absolutely meaningless gesture of available funding to Citizens is the exclamation point that confirms the DGR process is fatally flawed and denies Citizens of any meaningful participation. [I also rely upon my 21 Volume Record on file with the Joint Review Panel.]

12. This absolute squandering of our finite and precious Taxpayer dollars must end. For one thing, the Cardiac Unit at St. Mary's Hospital in Kitchener is awaiting previously promised funds, while an obscene and endless amount of Taxpayer dollars continue to be wasted in the OPG DGR process. The Citizens of our Community rely upon St. Mary's Cardiac Unit to protect and safeguard us all. We are placed in peril when the Cardiac Unit cannot obtain the Taxpayer dollars that are being buried in a DGR. The Cardiac Unit should be able to easily obtain its required funding to protect and preserve the health of all of us in our Community. Unlike OPG and CNSC who work with seemingly unlimited Taxpayer dollars, our Cardiac Unit and Hospitals generally have to beg for what is equivalent to lunch money for OPG and CNSC related to funding OPG's DGR. That is simply not acceptable to our wonderful Community!

I look forward to a response from you that actually addresses my concerns here and my concerns in my initial email sent to you. I expected more respectful and meaningful answers in your letter below, particularly from the well-respected President of CEAA. We Citizens deserve more respect from those that we employ to assist us and to protect and preserve our Democratic and Constitutional rights. As the esteemed leader of CEAA, I assume you agree.

I request a meeting next week. Please provide some times that you are available to discuss these extremely concerning matters. [reference your letter of March 27 reprinted under my signature below and followed by my email of March 14 also copied below]

Most Respectfully,

John Mann
Saugeen Shores

This is Mr. Ron Hallman's letter to me reprinted below [and followed by my email that is the reason for this letter]:

"Canadian Environmental Assessment Agency

President

1,532

160 Elgin St., 22nd floor
Ottawa ON K1A 0H3

March 27, 2015

Mr. John Mann
Saugeen Shores

Dear Mr. Mann:

This is a response to your email message of March 14, 2015 [set forth in full below this letter], concerning information sent to registered participants in the Joint Review Panel (the Panel) process for the Deep Geologic Repository for Low- and Intermediate- Level Radioactive Waste Project (the Project) proposed by Ontario Power Generation.

The Canadian Environmental Assessment Agency (the Agency) has no knowledge of the content of the impending Joint Panel Review Report. However, the Agency anticipates the public release of the Report in May, and wants to let registered participants know in advance that funding is available to support the review of potential environmental assessment conditions for the project. These activities do not involve the Panel or the Canadian Nuclear Safety Commission.

Section 52 of the *Canadian Environmental Act, 2012* requires the Minister of the Environment to determine whether a project is likely to cause significant adverse environmental effects. In the event that a project is allowed to proceed the Minister must establish enforceable conditions in accordance with section 53. The Agency therefore always formulates draft conditions for her consideration in making her decisions, in the event that she ultimately decides that a project can proceed. Registered participants have the opportunity to comment on this contingent draft advice before it is provided to the Minister.

Registered participants can apply for this funding, and applications received by April 13, 2015 will be considered. At a later date, the Agency will announce the recipients, and the amount of funding allocated.

Yours sincerely,

Ron Hallman

cc: Mr. Michael Binder, President, Canadian Nuclear Safety Commission"

The following is a copy of my email to CEAA on March 14, 2015 that Mr. Hallman's letter above refers to:

Subject: Prior to its decision on OPG's DGR Application, why is the Joint Review Panel sending information to Registered Participants on how to apply for funding for future DGR proceedings related to a conditional JRP decision?

4/10/2015

1,533

March 14, 2015

Hi Joint Review Panel, OPG, NWMO, CNSC, CEAA, Minister of Environment, MPP Lisa Thompson, & MP Ben Lobb:

1. The Canadian Environmental Assessment Agency [CEAA] has asked the Joint Review Panel to distribute a letter regarding opportunities for Participant Funding to the interested parties distribution list [see email from JRP Secretariat set forth at end of this email at paragraph number 22]. The "Subject" set forth in the letter [attached to this email] expressly states: "Availability of federal funding to assist participation in the **UPCOMING** consultation of the proposed DGR project." [The letter states its purpose: "[The CEAA] is pleased to inform you that the Agency is making additional funding available to assist the participation of registered participants in the last phase of the federal environmental assessment process for the proposed DGR project." {I note that certain federal elected officials have indicated this is a provincial process and they could do nothing about it. Really!??}]

WAIT A MINUTE! "UPCOMING CONSULTATION OF THE PROPOSED DGR PROJECT" ONLY APPLIES WHEN AND IF THE JOINT REVIEW PANEL APPROVES OPG'S DGR APPLICATION! WHAT DOES THE CEAA KNOW THAT WE DON'T KNOW? AND HOW DOES THE CEAA KNOW BEFORE WE KNOW? IF THE JOINT REVIEW PANEL DISMISSES OPG'S DGR APPLICATION THERE WILL BE NO "UPCOMING CONSULTATION" BECAUSE OPG'S DGR PROCESS WILL BE AT AN END. THUS, THIS CEAA LETTER SHOULD HAVE ONLY BEEN DISTRIBUTED AFTER A DECISION BY THE JOINT REVIEW PANEL AND ONLY IF THE PANEL ULTIMATELY APPROVES THE OPG DGR APPLICATION, WITH OR WITHOUT CONDITIONS, i.e. a decision on OPG's DGR Application is scheduled for May 6, 2015.

2. The question is: "Why is CEAA and the Joint Review Panel complicit in sending out propaganda related to Registered Participant funding **PRIOR** to the Joint Review Panel's decision?"

3. A reasonable answer to the question is that the Joint Review Panel has decided to approve OPG's DGR Application and the CEAA is privy to this decision prior to the decision being released to the Public. Who, what, where, why, when, and how did this happen? Furthermore, it is noteworthy that the Joint Review Panel Secretariat consists of professional, scientific, technical, and other CEAA personnel for the purposes of the Review and will provide information to the Joint Review Panel orally and in writing during the JRP hearings. This is confirmation of an automatic conflict of interest and bias, reasonable apprehension of bias, or appearance of bias, and there is no neutrality and independence.

4. If the CEAA [or anyone] has received information, directly or indirectly, that the Panel is going to approve OPG's DGR Application, an immediate investigation must be conducted. The entire process cannot survive because of the tainted proceedings indicating unilateral and ex parte communications. This further confirms the heretofore bias, reasonable apprehension of bias, or appearance of bias on the part of the Joint Review Panel and the DGR process as a whole, further requiring the Panel's recusal from the process because the Panel is not independent, not neutral, and not unbiased in its role as Judge.

5. I quote from the letter to DGR Registered Participants from CEAA and distributed by the Joint Review Panel on March 12, 2015: "Following the submission of the Environmental Assessment Report by the

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Panel, the Agency [CEAA] will be consulting registered participants on the potential conditions for the environment assessment. These potential conditions would become legally binding on the proponent if the Minister of the Environment ultimately issues a decision statement indicating that the proposed project may proceed. The funding will assist registered participants to review and comment on the federal government's potential conditions. A maximum of \$1,800 [funding] is available for registered participants who made a written or an oral presentation to the Panel. Funding Applications received by April 13, 2015, will be considered."

Yet the Joint Review Panel is not making its decision until May 6, 2015. If the Panel dismisses the OPG DGR Application this funding letter would never exist. There must be a public and Judicial inquiry related to this premature funding letter and the entire DGR process.

Even if the Panel ultimately approves the OPG DGR Application, until a person actually reads the decision he or she will not be able to know if they will participate in any further appeal or proceedings. No one has any idea what the decision will be, and what, if any, conditions will be attached. How can anyone make a decision to participate further prior to knowing if they agree or disagree with the decision and any conditions thereto? To have the process commence prior to decision is simply ludicrous and defies any common sense whatsoever.

6. UNBELIEVABLE!

7. The first mistake the CEAA and the Joint Review Panel made related to this stunning funding letter is that they sent the letter out prematurely. As a result, the reasonable apprehension and appearance of bias and impropriety has irreparably damaged further DGR proceedings.

8. This funding letter has confirmed, yet again, how Community consultation in the DGR process is meaningless. The money spent on Community consultation already and in the future would be better spent by throwing the money up into the air.

9. Community Citizens and Registered Participants could consult in the current DGR process from here to eternity and have absolutely no meaningful effect. For example, the WIPP DGR that OPG's DGR is safety-based upon remains closed [probably forever] without any idea what caused the radiation leak catastrophe and forever harming that New Mexico Community. Yet WIPP appears to be of no concern to OPG and other government officials, and the process continues unabated by our public servants who are accountable to us! How is this remotely possible?

10. Approval of OPG's DGR Application was a foregone conclusion and absolute certainty long before the so-called Community consultation was embarked upon and long before the Joint Review Panel was empanelled, and highlighted by Mike Binder's "see you at the ribbon-cutting" invitation at one of the unlawful closed DGR meetings with our Community mayors held way back in 2009.

11. As a result, it is not a surprise to anyone that the Joint Review Panel will approve OPG's DGR Application.

12. What is a surprise is the CEAA apparently knows about the actual decision prior to its release to the Public! There is no other reasonable explanation for the CEAA, together with the Joint Review Panel,

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distributing the funding letter to the Registered Participants.

13. Something is terribly wrong!

14. A public and Judicial inquiry must be held.

15. Our government officials must be held accountable.

16. This funding letter alone, distributed prior to any Joint Review Panel decision, requires dismissal of the OPG DGR Application.

17. The Citizens and the Registered Participants are to the DGR process what the Washington Generals are to the Harlem Globetrotters. For entertainment purposes only. Nothing more than an illusion. Thanks for coming, and, by the way, your input is completely useless and meaningless to the DGR process. And here is some Taxpayer money from our consultation bureau for you to present submissions that will never be meaningfully considered.

18. And who decides who gets funded with precious and finite Taxpayer dollars and how much out of the \$1,800 maximum? Is SNC Lavalin involved? And who decided on the magical \$1,800 maximum? And unless you know the Joint Review Panel's decision, how can any decision on distribution and amount be made when there is no way to determine who will participate further, and why? Query: Could our health care system make better use of this money?

19. You are public servants working for all the Citizens of our Community and Canada, and are accountable thereto.

20. To quote Herb Block, the legendary Pulitzer Prize cartoonist from the Washington Post: "Harry Truman famously said: 'The buck stops here.' Add this: 'Anything for a buck stops **NOW.**'"

21. Where have you gone Woodward and Bernstein?

22. The email from the Joint Review Panel is copied below. The CEAA funding letter was attached and is attached to this email.

From: "DGR Review / Examen DFGP [CEAA]" <DGR.Review@ceaa-acee.gc.ca>
Date: March 12, 2015 at 4:32:09 PM EDT
Subject: Deep Geologic Repository Project // Projet de stockage dans des couches géologiques profondes

Interested Parties:

The Canadian Environmental Assessment Agency has asked us to distribute this letter regarding opportunities for Participant Funding to the interested parties distribution list. Please do not respond to the DGR mailbox regarding the Participant Funding. Contact information is provided within the letter.

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Thank you,

DGR JRP Secretariat

Most Respectfully,

John Mann
Saugeen Shores

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Canadian Environmental
Assessment Agency

Agence canadienne
d'évaluation environnementale

President

Président

160 Elgin St., 22nd floor
Ottawa ON K1A 0H3

160, rue Elgin, 22^e étage
Ottawa ON K1A 0H3

MAR 27 2015

Mr. John Mann
Saugeen Shores

Dear Mr. Mann:

This is a response to your email message of March 14, 2015, concerning information sent to registered participants in the Joint Review Panel (the Panel) process for the Deep Geologic Repository for Low- and Intermediate-Level Radioactive Waste Project (the Project) proposed by Ontario Power Generation.

The Canadian Environmental Assessment Agency (the Agency) has no knowledge of the content of the impending Joint Panel Review Report. However, the Agency anticipates the public release of the Report in May, and wants to let registered participants know in advance that funding is available to support the review of potential environmental assessment conditions for the project. These activities do not involve the Panel or the Canadian Nuclear Safety Commission.

Section 52 of the *Canadian Environmental Assessment Act, 2012* requires the Minister of the Environment to determine whether a project is likely to cause significant adverse environmental effects. In the event that a project is allowed to proceed, the Minister must establish enforceable conditions in accordance with section 53. The Agency therefore always formulates draft conditions for her consideration in making her decisions, in the event that she ultimately decides that a project can proceed. Registered participants have the opportunity to comment on this contingent draft advice before it is provided to the Minister.

Registered participants can apply for this funding, and applications received by April 13, 2015 will be considered. At a later date, the Agency will announce the recipients, and the amount of funding allocated.

Yours sincerely,

Ron Hallman

c.c.: Mr. Michael Binder, President, Canadian Nuclear Safety Commission





Canadian Environmental
Assessment Agency

Agence canadienne
d'évaluation environnementale

160 Elgin St., 22nd floor
Ottawa ON K1A 0H3

160, rue Elgin, 22^e étage
Ottawa ON K1A 0H3

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March 12, 2015

**To: Registered Participants – Deep Geologic Repository (DGR)
Project for Low and Intermediate Level Radioactive Waste**

**Subject: Availability of federal funding to assist participation in the
upcoming consultation of the proposed DGR project**

Dear Registered Participants:

Further to the Canadian Environmental Assessment Agency's (the Agency) letter to the Joint Review Panel for the proposed DGR project, dated February 27, 2015, I am pleased to inform you that the Agency is making additional funding available to assist the participation of registered participants in the last phase of the federal environmental assessment process for the proposed DGR project.

Following the submission of the Environmental Assessment Report by the Panel, the Agency will be consulting registered participants on the potential conditions for the environmental assessment. These potential conditions would become legally binding on the proponent if the Minister of the Environment ultimately issues a decision statement indicating that the proposed project may proceed.

The funding will assist registered participants to review and comment on the federal government's potential conditions. A maximum of \$1,800 is available for registered participants who made a written or an oral presentation to the Panel.

Funding applications received by **April 13, 2015**, will be considered. Recipients and the amount of funding allocated will be made public at a later date.

To apply for funding, contact Ms. Marie-Josée Boudreau at the Participant Funding Program by email at PPF.PAFP@ceaa-acee.gc.ca or call 1-866-582-1884.

Yours sincerely,

Steve Chapman
Director, National Programs





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Participant Funding Program Application Form

Environmental Assessment by Review Panel

Consultation on the Environmental Assessment Report by the Review Panel and potential environmental assessment decision statement conditions

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1. Proposed Project Name

Provide the name of the project:

Deep Geologic Repository Project for Low and Intermediate Level Radioactive Waste (DGR)

2. Applicant

Provide the information of the Applicant.

Name of legal entity applying for funding		
Mailing address		
City/Town	Province/Territory	Postal code
Email	Website address	
Telephone number	Fax number	

3. Application Contact Person

Provide the name and information of the contact person if there are questions about this application.

Name of the contact person		
Mailing address (if different than in section 1 above)		
City/Town	Province/Territory	Postal code
Email	Website address	
Telephone number	Fax number	
Official language of correspondence: English <input type="checkbox"/> French <input type="checkbox"/>		

4. Applicant Type and Information

a) Select the box that applies to the Applicant.

- individual
- incorporated not-for-profit organization

Provide the name of the federal, provincial or territorial legislation through which the group or organization was incorporated, and the corresponding incorporation number:

Federal/Provincial or Territorial Jurisdiction	Incorporation Number

- unincorporated association, group or organization

Provide the name of the individual, incorporated not-for-profit organization, Band, Aboriginal government or trust or limited partnership that is applying on behalf the unincorporated association, group or organization:

- Band (as defined in the Indian Act)
- Aboriginal government created from a self-government agreement
- Trust or limited partnership

b) Government Sales Taxes / Harmonized Sales Tax Rebate (GST/HST)

Does the group or organization receive a rebate for GST/HST? Yes No **If yes, please provide:**

Business Identification Number (BIN) (Canada Revenue Agency)	
GST/HST rebate number (#)	
GST/HST rebate percentage (%)	

c) What Needs to be Included in a Resolution

You must provide a valid signed resolution (corporate or Band Council) or document authorizing the Applicant to act on behalf of their organization or group for the purpose of this application and, if successful, a Contribution Agreement. This must be provided at the same time as your application or within two weeks of submitting your application to the Agency.

Refer to [Appendix A](#) for information on what needs to be included in a valid signed resolution.

5. Eligibility Criteria

a) Select all eligible categories that apply:

- have a direct, local interest in the project, such as living or owning property in the project area;
- have community knowledge or Aboriginal traditional knowledge relevant to the environmental assessment;
- provide expert information relevant to the anticipated environmental effects of the project; and/or
- have an interest in the potential impacts of the project on treaty lands, settlement lands or traditional territories and/or related claims and rights.

b) Describe your interest in the environmental assessment of the proposed project.

6. Administrative Information

a) Partnerships

Are you submitting this application in partnership with any other groups or organizations in order to maximize the use of resources?

- Yes No **If yes, describe the partnership and the organizations or groups involved.**

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b) Information about other sources of funding

- i. Has your group or organization applied for funds from any other source(s) to participate in the environmental assessment of this proposed project?
 Yes No **If yes, identify the source(s) and amount of funding the group or organization has received or will be receiving.**

- ii. Has your group or organization received any funding from the Canadian Environmental Assessment Agency for other project(s)?
 Yes No **If yes, provide the name(s) of the project(s).**

7. Formal Participation Opportunity

You must provide details on the activities and expenses that you plan on doing, as well as your funding request for these activities and expenses during your participation in the environmental assessment process.

Only complete the sections that you will use in the Participation Opportunity. Refer to Appendix B for further details.

Note: If your funding request is successful, it will be important to keep all invoices and receipts accounting for your approved expenses. You may need to provide these to request payment.

The application review and decision process can take up to 30 days after we receive your application. If you are successful in receiving funding, you cannot request payment for any work done before you sign a Contribution Agreement with the Agency and only the work done after you sign an agreement is eligible for payment.

Participation Opportunity: You must review and provide written comments to the Agency on the Environmental Assessment Report by the joint review panel and potential environmental assessment decision statement conditions.

Using the following table, indicate your funding request and explain how your proposed funding will be spent. (Refer to Appendix B for information on each expense category, examples of activities and an explanation of a review panel or joint review panel report.)

Maximum funding available is \$1,800 (tax included)		
Eligible expense category	Details on activities and expenses	Funding request (Tax included)
Reporting costs	Expenses could include: <u>Staff salaries</u> If an employee of the Applicant will coordinate or contribute to the Applicant's participation, provide the employee's name, his/her duties related to the review panel or joint review panel report (Opportunity), the daily or hourly rate of the employee and amount of time required for the activities to be undertaken. By signing the application, the Applicant confirms that the requested funds for salaries are designated solely for time the individual dedicates to the preparation for and participation in the environmental assessment. Insert details here:	\$

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	<p><u>Administrative costs and office supplies / telephone charges</u> Expenses relating to administration and reporting on funding to the Agency. Note: Normal office supplies and overhead are not eligible for funding under the Program. Insert details here:</p> <p><u>Rental of office space / meeting rooms</u> Must be external to the Applicant's existing facility. Provide details on the purpose for which the office or meeting room is being rented. Insert details here:</p> <p><u>Local collection/ distribution of information</u> Explain the need to collect or distribute information. Indicate from and to whom the information will be distributed and collected. How will this action contribute to this Opportunity. Insert details here:</p> <p><u>General media advertising/ promotion</u> Specify planned advertising for the purpose of publicizing the Applicant's meetings and activities related to this Opportunity. Insert details here:</p> <p>Specify <u>other expenses</u> that are not covered by any of the other categories and that might be covered by this category. Insert details here:</p>	
<p><u>Professional services</u></p>	<p>Expenses could include:</p> <p><u>Professional fees</u> (i.e. consultants) Identify the professional's name, expertise and contribution to reviewing and commenting on this Opportunity. Specify the daily or hourly rate and amount of time required for this Opportunity. Insert details here:</p> <p><u>Legal fees (Max \$360)</u> Provide the legal advisor's name. Describe the nature of work and its pertinence to this Opportunity. Specify the daily or hourly rate and amount of time required for this Opportunity. Insert details here:</p>	<p>\$</p>

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<u>Travel expenses</u> (in accordance with federal government <u>travel directives</u>)	Identify who will be travelling, the purpose of the travel and a breakdown of the travel expenses. Note: The breakdown of travel expenses should include the points of origin and destination, mode of transportation, the number of kilometres travelled, the number of travel days as well as the accommodation rate per night. Insert details here:	\$
Total for this Opportunity (Cannot exceed maximum funding available: \$1,800 tax included)		\$

8. Certification Declaration

I/we hereby certify that the information provided in the attached Participant Funding Program Application for Funding (the Application) and all supporting documentation is true, accurate and complete. I/we understand that if any information provided in the Application is false or misleading, the Applicant may be denied funding or may be required to re-pay all or part of funding received.

I agree that **the information provided in this application is accurate to the best of my knowledge.**

Given Name	Family Name	Title	Date: (YYYYMMDD)
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Supporting documents

List the supporting documents submitted with this application in the following table:

Type of Supporting Document (i.e., resolution)	Name of Supporting Document	Method of Submission (mail, fax, email)	Date of submission
Resolution			

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Appendix A – What Needs to be Included in a Resolution

Note: This must be provided at the same time as your application or within two weeks of submitting your application to the Agency.

As indicated in Section 3c) above, you must provide a valid signed resolution (corporate or Band Council) or document authorizing the Applicant to act on behalf of their organization for the purpose of this application and, if successful, a Contribution Agreement.

This valid signed resolution should include:

The [Name of the governance body] (i.e. Board of directors, Governing Council, Band Council, etc.):

- Authorize the [Name of the applicant] to enter into a Contribution Agreement with the Canadian Environmental Assessment Agency;
- Designate the duly authorized signatory(ies) to be [enter name or names here], on behalf of the [Name of the applicant], for the purposes of signing the application for funding, the Contribution Agreement, or any other documents required under the Contribution Agreement; and
- Authorize the [enter name or names here] to manage the funds, the expense claim process and to receive the payment cheque in relation to the Contribution Agreement.

Note: if the signing authority is given to more than one individual, please specify what documents each of the individuals is authorized to sign on behalf of the Applicant and, if more than one individual is designated to sign a specific document, please specify whether one signature would be sufficient or if each of the individuals must always sign.

Signature block: should include signature(s) and title(s) of authorized signatory(ies).

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Appendix B – Content and Expense Category Description

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What is an environmental assessment by review panel?

The Minister of the Environment may refer an environmental assessment to a review panel if the Minister is of the opinion that it is in the public interest to do so. To make his or her decision, the Minister must consider whether the designated project may cause significant adverse environmental effects, whether there are public and Aboriginal community concerns related to the significant adverse environmental effects, and whether there are opportunities for cooperation with another jurisdiction that may be assessing the project, or any part of it.

A review panel is a group of independent experts appointed by the Minister of the Environment, in cooperation with another jurisdiction, for example a provincial government, in the case of joint review panels, to conduct an environmental assessment. The members are selected on the basis of their knowledge, experience and expertise, and must be free from bias or conflict of interest relative to the designated project.

A review panel assesses whether the environmental impact statement prepared by the proponent is sufficient to proceed to public hearings. The hearings allow interested parties, including Aboriginal groups, to present evidence, concerns and comments regarding the potential environmental impacts of the designated project.

Review panels have the capacity to summon witnesses, and order witnesses to present evidence and produce records related to the environmental assessment.

The review panel prepares a report that includes its rationale, conclusions and recommendations, and submits its report to the Minister of the Environment. The report will also contain any proposed mitigation measures and suggestions for the follow-up program.

What is a review panel or joint review panel report?

Upon completion of the hearings, the review panel prepares its report containing its conclusions, rationale and recommendations, and submits the report to the Minister of the Environment. In the case of a joint review panel, for example a provincial government, it will also contain recommendations to the other jurisdiction. The report will also include a summary of the comments received from the public and Aboriginal communities and will recommend mitigation measures and the follow-up program requirements. Based on the review panel's report, the Minister of the Environment decides whether adverse environmental effects are likely to be significant. The review panel or joint review panel report is posted on the [Agency's Registry Internet site](#).

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Examples of activities to review the review panel or joint review panel report

The types of activities that may be necessary to review and provide comments on the review panel or joint review panel report include:

- reviewing the review panel or joint review panel report and relevant documents;
- meeting with your Aboriginal community members to obtain their input on the review panel or joint review panel report;
- preparing comments or a report on the review panel or joint review panel report that will be provided to the Agency; and
- any other relevant activities associated with the review and comment on the review panel or joint review panel report.

Expense Categories

Note:

If your funding request is successful, it will be important to keep all invoices and receipts accounting for your approved expenses. You will need these to request payment.

The application review and decision process can take up to 30 days after we receive your application. If you are successful in receiving funding, you cannot request payment for any work done before you sign a Contribution Agreement with us and only work done after you sign an agreement with us is eligible for payment.

1. Reporting Costs

1.1. Staff salaries

The staff salaries category includes salaries and up to 20 percent in benefits of the salary amount requested of the participation coordinator and individuals employed by your organization or your Aboriginal community for the purpose of researching and preparing materials related to your organization's or your Aboriginal community's participation (e.g. research staff and secretariat services), providing that:

- the individual is not currently in receipt of a salary from your organization or your Aboriginal community; or
- if the individual is in receipt of a salary from your organization or your Aboriginal community, that the requested funds are designated temporarily to cover the costs of replacing the individual, so he/she can work full-time on activities related to your organization's or your Aboriginal community's participation; or
- if the individual is already in receipt of a salary from your organization or your Aboriginal community, the requested funds are designated solely to cover time the individual dedicates to the participation in the environmental assessment. The individual cannot be in receipt of any other salary or direct income for the time for which salary funding from the Agency is claimed.

Note: *By signing the application, your organization or your Aboriginal community confirms that the requested funds for salaries are designated solely for time the individual dedicates to the preparation for and participation in the environmental assessment. For each individual, provide the employee's name and his/her duties related to your organization's or your Aboriginal community's participation and which of the three circumstances listed above applies.*

1.2. Administrative costs and office supplies/ telephone charges

The administrative and reporting costs include costs associated with bookkeeping, accounting, and reporting to the Agency on deliverables related to your organization's or your Aboriginal community's participation in the environmental assessment. As well, this category includes costs related to interfacing with the Agency on requests for payments specific to your organization's or your Aboriginal community's participation in the environmental assessment.

Any administrative and reporting expenses that do not support your organization's or your Aboriginal community's participation in the environmental assessment, including normal bookkeeping and accounting, are not eligible for funding under the Program.

The costs of office supplies include costs which are important to support your organization's or your Aboriginal community's participation in the environmental assessment, for example photocopying, postage and telephone charges.

Any operations and maintenance expenses that do not support your organization's or your Aboriginal community's participation in the environmental assessment, including normal supplies and overhead costs, are not eligible for funding under the Program.

Provide a brief explanation of the need for the specific administrative and reporting expenses and for the specific supplies.

1.3. Rental of Office space and meeting rooms

The rental of office space and meeting rooms category includes costs associated with renting an office space, meeting rooms and office equipment that directly relates to your organization's or your Aboriginal community's participation in the environmental assessment.

Any operations and maintenance expenses that do not support your organization's or your Aboriginal community's participation in the environmental assessment, including normal rent and overhead, are not eligible for funding under the Program.

Describe the need to rent the facilities and provide details on the event and rental costs.

1.4. Local collection or distribution of information (excluding general media advertising and promotion)

The collection or distribution of information category is specifically for costs associated with gathering information and concerns from your organization's membership or your Aboriginal community members as well as sharing relevant information related to the environmental assessment with your membership or members.

Provide a brief explanation of the need to collect or distribute the information. Indicate from and to whom the information will be distributed and collected. Explain how this action will contribute to the objectives of the environmental assessment.

1.5. General media advertising and promotion

The general media advertising and promotion covers advertising and publication costs for meetings held by your organization or your Aboriginal community specifically for your membership or your members with the purpose of gathering their input and concerns as well as sharing relevant information related to the environmental assessment. Examples of costs covered in this category include posters and newspaper advertisements.

The advisement and promotion of your organization's or your Aboriginal community's meetings must have a specific purpose not already addressed by other parties involved in the environmental assessment responsible for promoting awareness of the environmental assessment and formal participation opportunities (e.g. Agency or proponent).

Provide a brief explanation of how this action will contribute to the objectives of the environmental assessment and the intended audience.

1.6. Other expenses

Any other expense item that your organization or your Aboriginal community believe is needed to support your participation in the environmental assessment may possibly be covered by the other expense categories, subject to approval by the Agency.

The request must be supported by a clear explanation of how this item or action will contribute to the objectives of your organization's or your Aboriginal community's participation in the environmental assessment.

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2. Professional services

2.1. Professional fees

The professional fees category includes the daily rates and expenses for expert advice or assistance on environmental, technical or social issues relevant to the environmental assessment.

For each expert, identify the individual's expertise and the relevance of this expertise to your organization's or your Aboriginal community's participation.

2.2. Legal fees

The legal fees category includes the daily rates and expenses for expert legal advice or assistance directly related to your organization's or your Aboriginal community's participation in the environmental assessment. The costs for legal advice are eligible under the Program, but legal representation at public participation events is not encouraged.

Provide an explanation of why legal research or representation is important to your participation in the environmental assessment.

Provide the name of a legal person/firm, nature of the work and its pertinence to the environmental assessment.

3. Travel expenses

The travel expense category includes expenses related to travelling to attend participation events held by the Agency as part of the environmental assessment. Such expenses may include transportation, meals, lodging and incidentals. Travel expenses must be reasonable and in accordance with federal government travel directives.

Explain why travelling to the event is necessary, and if applicable, why more than one person is needed to represent your organization or your Aboriginal community. Details should be provided regarding travel mode, accommodation and duration.

4. Honoraria for Elders and ceremonial offerings

The honoraria for Elders category includes the daily rates associated with your Aboriginal community Elders providing Aboriginal traditional knowledge or community knowledge relevant to the environmental assessment. The Elders cannot be in receipt of any other salary or direct income for the activity for which an honorarium is claimed.

The ceremonial offering includes relevant costs associated with providing gifts, such as tobacco offered to Elders, in recognition of having provided Aboriginal traditional knowledge or community knowledge relevant to the environmental assessment.

Provide the names of the Elders, the honoraria rate, nature of the meeting, or function of the Elders and describe the purpose of the ceremonial offering and its relation to the environmental assessment.

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Appendix C – Checklist for Completing the Funding Application Form

- The complete application is submitted on or before the application deadline.
- Section 3 (Applicant Contact Person) is complete.
- A category in Section 4 (Applicant Type and Information) has been selected.
- If your organization or your Aboriginal group represents an unincorporated organization or Aboriginal group, supporting documentation (resolution) identifying you as the representative of the organization or group is attached to the application.
- Section 5 (Eligibility Criteria) is complete.
- Section 6 (Administrative Information) is complete.
- Section 7 (Participation Opportunity) is complete for the participation opportunity by indicating your funding request and explaining how your proposed funding will be spent.
- The funding requested in Section 7 (Participation Opportunity) does not exceed the funding made available and indicated in the budget breakdown table.
- There are no calculation errors in the budget and supporting information is provided corresponding with the detailed budget breakdown.
- Budget calculations are clearly explained where appropriate (e.g. daily/salary rates, number of hours).
- A signed resolution is attached to this application or will be provided to the Agency within two weeks of submitting this application.
- Section 8 (Certification Declaration) is complete.

Send us your application and any supporting documents by one of the following ways:

- Email to: PFP.PAFP@ceaa-acee.gc.ca
- Facsimile: (613) 948-9172
- Mail to: Participant Funding Program
Canadian Environmental Assessment Agency
160 Elgin Street, 22nd Floor
Ottawa, ON K1A 0H3

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John Mann

From: "John Mann"
Date: Monday, April 13, 2015 2:27 PM
To:
Cc:
Subject: Request for meeting re crisis in Health Care funding

April 13, 2015

Hi MPP Lisa Thompson, MPP Bill Walker, MP Ben Lobb, and MP Larry Miller:

Earlier this year I had the very good fortune to be the beneficiary of the Grey/Bruce Health Services in combination and coordination with the Health Care Services of the Cardiac Unit at St. Mary's Hospital in Kitchener. The brilliance of everyone involved saved my life, from the incomparable EMS Paramedics of Elaine Lang and Jenna Bergeron, to the incomparable Southampton Hospital Staff coordinated by the incomparable Dr. Robert LeBlanc and RN Laura, and the incomparable St. Mary's Hospital Staff coordinated by the incomparable Dr. Brian McNamara and his Cardiac Team in Kitchener. Words cannot adequately describe how grateful I am for the persons involved in our Health Care Services. Everyone in Grey and Bruce County are beneficiary's of this magnificent Health Care.

Recently it has come to my attention that the Cardiac Unit at St. Mary's Hospital was promised government funding for its EP [Electrophysiology] Lab in the Cardiac Unit. Inexplicably the promised government funding has not been forthcoming. As a result, I understand that a wonderfully skilled Doctor has decided not to join the St. Mary's Cardiac Staff because of the delay and uncertainty over this lack of funding. In addition, hospitals and EMS units locally and all over Ontario appear to be in financial crisis. Included in this negligent lack of funding is a need for updated equipment for EMS.

I would appreciate an explanation from our elected officials as to why the promised funding to the St. Mary's Cardiac Unit has not been forthcoming.

More concerning is how the 2 Deep Geologic Repository's [DGR's] for nuclear waste has seemingly [and unseemly] unlimited funds to waste from our Taxpayer dollars that easily could be funneled instead to our wonderful but financially strapped Health Care Services. Particularly when billions of our finite and precious Taxpayer dollars are being squandered for an undisputed unnecessary DGR for clothes and rags worn by staff at nuclear power facilities. Hospitals and EMS units are left to beg for donations from Taxpayers and Citizens at local convenience stores while seeking essential funding, a problem that the DGR does not have with its obscene unlimited funding budget. It boggles the mind! Can you imagine seeing beleaguered SNC-Lavalin holding a donation cup begging for money for a financially strapped DGR? In addition, somehow our government was able to come up with a billion dollars to cancel the 2 gas plant boondoggle! And furthermore, our government has committed billions of dollars to subsidize industrial wind turbine developers! While at the same time our Health Care System scrambles to obtain money for an MRI machine! How is this possible from a government charged with serving and protecting our interests and particularly our health?

Our Community [and Ontario] needs a meaningful explanation as to why the expense of the DGRs is

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made at the expense of necessary funding for our Health Care, resulting in a very serious threat to our health. I, therefore, request that you meet with me and our Community to correct this and come up with a necessary reasonable solution. I look forward to the scheduled meeting. Thank you.

Most Respectfully,

John Mann
Saugeen Shores

1,552

John Mann

From: "John Mann"
Date: Wednesday, April 15, 2015 11:30 AM
To:
Cc:

Subject: Re: Squandering Taxpayer dollars on illusory DGR Citizen participation

Hi Emilie:

April 17 at 10:00 a.m. is perfect. I will be in Toronto so I will call the phone number you provide below [613.957.0135] or you can reach me on my cell phone Thank you for your assistance setting this up. I appreciate it.

Take care and have fun,

John Mann
Saugeen Shores

From: Smith,Heather [CEAA]
Sent: Wednesday, April 15, 2015 9:59 AM
To:
Cc: Manon.Demers@ceaa-acee.gc.ca ; Chapman,Steve [CEAA] ; Smith,Heather [CEAA] ; Premachuk,Kristina [CEAA]
Subject: Squandering Taxpayer dollars on illusory DGR Citizen participation

Good morning Mr. Mann,

Heather Smith, Vice-President and Steve Chapman, Director of National Programs at the Canadian Environmental Assessment Agency would like to schedule a 30-minute teleconference with you this week. Please let me know if you are available either on April 16 at 4:00 p.m. or April 17 at 10:00 a.m.

Thank you

Emilie St-Onge
Administrative Assistant / Adjointe administrative
Vice-President's Office / Bureau du Vice-Président
Canadian Environmental Assessment Agency / Agence Canadienne d'évaluation Environnementale
160 Elgin St., 22nd Fl., Ottawa ON K1A 0H3 / 160, rue Elgin, 22ième étage, Ottawa ON K1A 0H3
emilie.st-onge@ceaa-acee.gc.ca
Telephone / Téléphone 613-957-0135
Facsimile / Télécopieur 613-957-0935

From: John Mann
Sent: Friday, April 10, 2015 12:32 PM

<personal information and email addresses removed>

Page 2 of 9

1,553

1,534

Subject: Squandering Taxpayer dollars on illusory DGR Citizen participation

April 10, 2015

Hi Mr. Hallman, President, CEAA:

This is a reply to your letter to me dated March 27, 2015. [Your letter is reprinted and set forth under my signature line below for reference, followed by my March 14, 2015 email to you.]

1. In my view, the approval of the OPG DGR Application unfortunately appears to be a foregone conclusion. In my view, your notice re funding suggests that the CEAA might be privy to this ultimate decision, although as you indicate, you are unaware of the actual content of the Joint Review Panel Report leading to an approval decision. If the Agency [CEAA] was not aware that the Panel was going to approve OPG's DGR Application, why would the Agency waste our Taxpayer dollars by sending out a funding notice and then review funding Applications that will never be necessary in the first place if the OPG DGR Application is ultimately dismissed by the Panel? More importantly, if enforceable "conditions" are the difference between a successful DGR and a WIPP catastrophe – heaven help us! And the CEAA and the CNSC and OPG are seeking the input of Citizens from our Community related to conditions that are required to protect our Community from disaster and catastrophe over geologic time! How can anyone possibly know what conditions are required to avoid a WIPP catastrophe? And even if anyone knew what conditions were required, how will anyone know if other conditions are also necessary? Some required conditions were submitted to the Panel at the DGR hearings – the conditions were suggested not in support of the DGR, but to make sure the DGR should never be approved. Simply put, if enforceable conditions are the difference between success and disaster over geologic time, our Community is not interested! A conditional DGR, by definition, casts doubt, speculation, and uncertainty about the success of the DGR over geologic time, leaving our Community to be the subject of the OPG DGR flawed experiment that has already proved catastrophic at the WIPP DGR in New Mexico.

2. Nevertheless, and in any event, since I have been SPAMMED for my Democratic input as a concerned Citizen during this DGR process, I am sure the CEAA and OPG and CNSC and the Joint Review Panel will forge ahead unabated, without any meaningful acknowledgement of my legitimate concerns and the legitimate concerns presented by others. This funding procedure is nothing more than a feel good token process to make Citizens think they are meaningfully participating. The OPG DGR is a done deal, and a few meaningless conditions will be added. That is why the CEAA can seek and review meaningless funding applications from Citizens prior to any Panel Report, because Citizen participation is meaningless. Let's just get the illusory Citizen participation out of the way as quickly as possible and get the shovel in the ground. And once the OPG DGR is built, the high level spent fuel can replace the clothes and rags that have never needed a DGR. All it will take at that time is a stroke of the pen by Kincardine Council. Of course, not to worry, there will be Citizen Participation equal to what has taken place so far for clothes and rags when the spent fuel in the OPG DGR becomes a reality. So much for Democracy! The entire OPG DGR process can be summed up as follows: **"Squandering Taxpayer dollars on illusory DGR Citizen participation."**

3. It is impossible to appeal or review a decision prior to the decision – thus there is no reason for the Agency to seek and review the funding applications prior to the Joint Review Panel Report, particularly when the Panel theoretically could still dismiss OPG's DGR Application.

4. It is also impossible to know what issues [if any] need addressing prior to reviewing the content of the Panel's

4/15/2015

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decision. When it is finally released to the Public [on or before May 6] maybe the Joint Review Panel Report will be satisfactory to a Citizen. Maybe not. How can any Citizen know if he or she wants to seek funding prior to reading the Report and giving it careful consideration? As a result how can the Citizen know whether or not to apply for funding prior to the Report being released and reviewed in detail? More importantly, why would a Citizen apply for funding prior to the Report that might be favourable in the opinion of that Citizen? In addition, it is impossible for the CEAA to be able to review any funding application when the CEAA concedes that it has no idea what the "content" of the Report may be. Therefore, why is CEAA wasting our Taxpayer dollars in this irresponsible manner? Inexplicably the funding applications must be submitted by April 13, 2015 [3 days from now] while the Joint Review Panel's Report that is being reviewed is not due for release until May 6, 2015. Absolute nonsense! Your response [set forth under my signature below] fails to answer this question.

5. Which begs the question: Why is the Agency [CEAA] seeking funding Applications prior to the Joint Review Panel decision?

6. Citizens and Taxpayers deserve a meaningful answer. Citizens and Taxpayers require a meaningful answer.

7. And, while the Agency might not know the actual "content" of the impending Joint Review Panel Report, it is difficult to believe that the Agency does not know that the Panel will approve the OPG DGR Application – the Agency being part of the same offices with interchangeable employees with the Joint Review Panel staff – causing an actual bias, a reasonable apprehension of bias, or an appearance of bias, adversely affecting the impartiality, the neutrality, and the independence of the Joint Review Panel. In my view, the Record establishes that the OPG DGR is a done deal, and any so-called Community consultation and input is nothing more than a sham. I hearken back to President Binder's invitation to our Bruce County Mayors at a Bruce County Council unlawful secret meeting in 2009 that he would see them at the "ribbon-cutting" ceremony for the OPG DGR! And where is SNC-Lavalin in all of this?

8. In addition, if funding for a Citizen is eventually available after the Panel's decision, the \$1,800 maximum funding is meaningless. OPG and CNSC have seemingly [and unseemly] unlimited funding for [so-called] experts over the past couple of decades related to the DGR. And the [so-called] expert testimony and evidence remains untested by cross-examination which is the only way to test the truthfulness and credibility of the expert evidence, and to expose any flaws.

9. For a Citizen's expert to be of any meaningful value, the expert must be able to review the reams and reams and reams of OPG's and CNSC's expert evidence in the thousands of pages compiled over the past two decades.

10. Furthermore, for the Citizen's expert to be of any meaningful value, the expert must be able to conduct his or her own investigation and come up with their own independent expert Report.

11. As a result, a maximum of \$1,800 to hire an expert will not suffice. And this absolutely meaningless gesture of available funding to Citizens is the exclamation point that confirms the DGR process is fatally flawed and denies Citizens of any meaningful participation. [I also rely upon my 21 Volume Record on file with the Joint Review Panel.]

12. This absolute squandering of our finite and precious Taxpayer dollars must end. For one thing, the Cardiac Unit at St. Mary's Hospital in Kitchener is awaiting previously promised funds, while an obscene and endless amount of Taxpayer dollars continue to be wasted in the OPG DGR process. The Citizens of our Community rely upon St. Mary's Cardiac Unit to protect and safeguard us all. We are placed in peril when the Cardiac Unit cannot obtain the Taxpayer dollars that are being buried in a DGR. The Cardiac Unit should be able to easily obtain its required funding to protect and preserve the health of all of us in our Community. Unlike OPG and CNSC who work with seemingly unlimited Taxpayer dollars, our Cardiac Unit and Hospitals generally have to beg

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for what is equivalent to lunch money for OPG and CNSC related to funding OPG's DGR. That is simply not acceptable to our wonderful Community!

I look forward to a response from you that actually addresses my concerns here and my concerns in my initial email sent to you. I expected more respectful and meaningful answers in your letter below, particularly from the well-respected President of CEAA. We Citizens deserve more respect from those that we employ to assist us and to protect and preserve our Democratic and Constitutional rights. As the esteemed leader of CEAA, I assume you agree.

I request a meeting next week. Please provide some times that you are available to discuss these extremely concerning matters. [reference your letter of March 27 reprinted under my signature below and followed by my email of March 14 also copied below]

Most Respectfully,

John Mann
Saugeen Shores

This is Mr. Ron Hallman's letter to me reprinted below [and followed by my email that is the reason for this letter]:

"Canadian Environmental Assessment Agency

President

160 Elgin St., 22nd floor
Ottawa ON K1A 0H3

March 27, 2015

Mr. John Mann
Saugeen Shores

Dear Mr. Mann:

This is a response to your email message of March 14, 2015 [set forth in full below this letter], concerning information sent to registered participants in the Joint Review Panel (the Panel) process for the Deep Geologic Repository for Low- and Intermediate- Level Radioactive Waste Project (the Project) proposed by Ontario Power Generation.

The Canadian Environmental Assessment Agency (the Agency) has no knowledge of the content of the impending Joint Panel Review Report. However, the Agency anticipates the public release of the Report in May, and wants to let registered participants know in advance that funding is available to support the review of potential environmental assessment conditions for the project. These activities do not involve the Panel or the Canadian Nuclear Safety Commission.

Section 52 of the *Canadian Environmental Act, 2012* requires the Minister of the Environment to determine

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whether a project is likely to cause significant adverse environmental effects. In the event that a project is allowed to proceed the Minister must establish enforceable conditions in accordance with section 53. The Agency therefore always formulates draft conditions for her consideration in making her decisions, in the event that she ultimately decides that a project can proceed. Registered participants have the opportunity to comment on this contingent draft advice before it is provided to the Minister.

Registered participants can apply for this funding, and applications received by April 13, 2015 will be considered. At a later date, the Agency will announce the recipients, and the amount of funding allocated.

Yours sincerely,

Ron Hallman

cc: Mr. Michael Binder, President, Canadian Nuclear Safety Commission"

The following is a copy of my email to CEAA on March 14, 2015 that Mr. Hallman's letter above refers to:

Subject: Prior to its decision on OPG's DGR Application, why is the Joint Review Panel sending information to Registered Participants on how to apply for funding for future DGR proceedings related to a conditional JRP decision?

March 14, 2015

Hi Joint Review Panel, OPG, NWMO, CNSC, CEAA, Minister of Environment, MPP Lisa Thompson, & MP Ben Lobb:

1. The Canadian Environmental Assessment Agency [CEAA] has asked the Joint Review Panel to distribute a letter regarding opportunities for Participant Funding to the interested parties distribution list [see email from JRP Secretariat set forth at end of this email at paragraph number 22]. The "Subject" set forth in the letter [attached to this email] expressly states: "Availability of federal funding to assist participation in the **UPCOMING** consultation of the proposed DGR project." [The letter states its purpose: "[The CEAA] is pleased to inform you that the Agency is making additional funding available to assist the participation of registered participants in the last phase of the federal environmental assessment process for the proposed DGR project." {I note that certain federal elected officials have indicated this is a provincial process and they could do nothing about it. Really!?!}]

WAIT A MINUTE! "UPCOMING CONSULTATION OF THE PROPOSED DGR PROJECT" ONLY APPLIES WHEN AND IF THE JOINT REVIEW PANEL APPROVES OPG'S DGR APPLICATION! WHAT DOES THE CEAA KNOW THAT WE DON'T KNOW? AND HOW DOES THE CEAA KNOW BEFORE WE KNOW? IF THE JOINT REVIEW PANEL DISMISSES OPG'S DGR APPLICATION THERE WILL BE NO "UPCOMING CONSULTATION" BECAUSE OPG'S DGR PROCESS WILL BE AT AN END. THUS, THIS CEAA LETTER SHOULD HAVE ONLY BEEN DISTRIBUTED AFTER A DECISION BY THE JOINT REVIEW PANEL AND ONLY IF THE PANEL ULTIMATELY APPROVES THE OPG DGR APPLICATION, WITH OR WITHOUT CONDITIONS, i.e. a decision on OPG's DGR Application is scheduled for May 6, 2015.

2. The question is: "Why is CEAA and the Joint Review Panel complicit in sending out propaganda related to Registered Participant funding **PRIOR** to the Joint Review Panel's decision?"

3. A reasonable answer to the question is that the Joint Review Panel has decided to approve OPG's DGR Application and the CEAA is privy to this decision prior to the decision being released to the Public. Who, what, where, why, when, and how did this happen? Furthermore, it is noteworthy that the Joint Review Panel Secretariat consists of professional, scientific, technical, and other CEAA personnel for the purposes of the Review and will provide information to the Joint Review Panel orally and in writing during the JRP hearings. This

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is confirmation of an automatic conflict of interest and bias, reasonable apprehension of bias, or appearance of bias, and there is no neutrality and independence.

4. If the CEAA [or anyone] has received information, directly or indirectly, that the Panel is going to approve OPG's DGR Application, an immediate investigation must be conducted. The entire process cannot survive because of the tainted proceedings indicating unilateral and ex parte communications. This further confirms the heretofore bias, reasonable apprehension of bias, or appearance of bias on the part of the Joint Review Panel and the DGR process as a whole, further requiring the Panel's recusal from the process because the Panel is not independent, not neutral, and not unbiased in its role as Judge.

5. I quote from the letter to DGR Registered Participants from CEAA and distributed by the Joint Review Panel on March 12, 2015: "Following the submission of the Environmental Assessment Report by the Panel, the Agency [CEAA] will be consulting registered participants on the potential conditions for the environment assessment. These potential conditions would become legally binding on the proponent if the Minister of the Environment ultimately issues a decision statement indicating that the proposed project may proceed. The funding will assist registered participants to review and comment on the federal government's potential conditions. A maximum of \$1,800 [funding] is available for registered participants who made a written or an oral presentation to the Panel. Funding Applications received by April 13, 2015, will be considered."

Yet the Joint Review Panel is not making its decision until May 6, 2015. If the Panel dismisses the OPG DGR Application this funding letter would never exist. There must be a public and Judicial inquiry related to this premature funding letter and the entire DGR process.

Even if the Panel ultimately approves the OPG DGR Application, until a person actually reads the decision he or she will not be able to know if they will participate in any further appeal or proceedings. No one has any idea what the decision will be, and what, if any, conditions will be attached. How can anyone make a decision to participate further prior to knowing if they agree or disagree with the decision and any conditions thereto? To have the process commence prior to decision is simply ludicrous and defies any common sense whatsoever.

6. UNBELIEVABLE!

7. The first mistake the CEAA and the Joint Review Panel made related to this stunning funding letter is that they sent the letter out prematurely. As a result, the reasonable apprehension and appearance of bias and impropriety has irreparably damaged further DGR proceedings.

8. This funding letter has confirmed, yet again, how Community consultation in the DGR process is meaningless. The money spent on Community consultation already and in the future would be better spent by throwing the money up into the air.

9. Community Citizens and Registered Participants could consult in the current DGR process from here to eternity and have absolutely no meaningful effect. For example, the WIPP DGR that OPG's DGR is safety-based upon remains closed [probably forever] without any idea what caused the radiation leak catastrophe and forever harming that New Mexico Community. Yet WIPP appears to be of no concern to OPG and other government officials, and the process continues unabated by our public servants who are accountable to us! How is this remotely possible?

10. Approval of OPG's DGR Application was a foregone conclusion and absolute certainty long before the so-called Community consultation was embarked upon and long before the Joint Review Panel was empanelled, and highlighted by Mike Binder's "see you at the ribbon-cutting" invitation at one of the unlawful closed DGR meetings with our Community mayors held way back in 2009.

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11. As a result, it is not a surprise to anyone that the Joint Review Panel will approve OPG's DGR Application.
12. What is a surprise is the CEAA apparently knows about the actual decision prior to its release to the Public! There is no other reasonable explanation for the CEAA, together with the Joint Review Panel, distributing the funding letter to the Registered Participants.
13. Something is terribly wrong!
14. A public and Judicial inquiry must be held.
15. Our government officials must be held accountable.
16. This funding letter alone, distributed prior to any Joint Review Panel decision, requires dismissal of the OPG DGR Application.
17. The Citizens and the Registered Participants are to the DGR process what the Washington Generals are to the Harlem Globetrotters. For entertainment purposes only. Nothing more than an illusion. Thanks for coming, and, by the way, your input is completely useless and meaningless to the DGR process. And here is some Taxpayer money from our consultation bureau for you to present submissions that will never be meaningfully considered.
18. And who decides who gets funded with precious and finite Taxpayer dollars and how much out of the \$1,800 maximum? Is SNC Lavalin involved? And who decided on the magical \$1,800 maximum? And unless you know the Joint Review Panel's decision, how can any decision on distribution and amount be made when there is no way to determine who will participate further, and why? Query: Could our health care system make better use of this money?
19. You are public servants working for all the Citizens of our Community and Canada, and are accountable thereto.
20. To quote Herb Block, the legendary Pulitzer Prize cartoonist from the Washington Post: "Harry Truman famously said: 'The buck stops here.' Add this: 'Anything for a buck stops **NOW**.'"
21. Where have you gone Woodward and Bernstein?
22. The email from the Joint Review Panel is copied below. The CEAA funding letter was attached and is attached to this email.

From: "DGR Review / Examen DFGP [CEAA]" <DGR.Review@ceaa-acee.gc.ca>

Date: March 12, 2015 at 4:32:09 PM EDT

Subject: Deep Geologic Repository Project // Projet de stockage dans des couches géologiques profondes

Interested Parties:

The Canadian Environmental Assessment Agency has asked us to distribute this letter regarding opportunities for Participant Funding to the interested parties distribution list. Please do not respond to the DGR mailbox regarding the Participant Funding. Contact information is provided within the letter.

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Thank you,

DGR JRP Secretariat

Most Respectfully,

John Mann
Saugeen Shores

1,561

John Mann

From: "John Mann"
Date: Wednesday, April 15, 2015 10:38 AM
To:

Cc:

1,562

Subject: No need for a DGR is confirmed at the CNSC Public Hearing this week regarding Bruce Power's Application to renew licenses.

April 15, 2015

Hi Joint Review Panel, OPG, NWMO, CNSC, CEAA, MPP Lisa Thompson, & MP Ben Lobb:

The CNSC Public Hearing has commenced related to Bruce Power's Application to renew the Power Reactor Operating License for the Bruce A and B Nuclear Generating Stations. **The evidence presented has confirmed that there is no need for a DGR.** The evidence has established that future safe storage of nuclear waste produced at Bruce Power is not dependent in any way on the impending [May 6] Joint Review Panel's decision related to OPG's DGR Application. The evidence confirms that if the Bruce Power License Application is approved, the nuclear waste will continue to be safely stored at the current Western Waste Management facility, as it has been for over 40 years. **In other words, there is no need for a DGR.** Your mandate and duty is to dismiss the OPG DGR Application. Thank you.

Most Respectfully,

John Mann
Saugeen Shores

1,563

John Mann

From: "McGee, Kelly" <Kelly.McGee@cnscccsn.gc.ca>
Date: Wednesday, April 15, 2015 10:44 AM
To:
Subject: RE: No need for a DGR is confirmed at the CNSC Public Hearing this week regarding Bruce Power's Application to renew licenses.

Mr. Mann,

As you are aware, on November 18, 2014 the Joint Review Panel announced the close of the public record. The Panel noted in that announcement, " The information that the Panel requires to complete its mandate has been obtained and made available on the public registry. Effective immediately, no additional comments or information will be accepted by the Panel."

The Panel will therefore not accept or review information forwarded after November 18, 2014.

Kelly McGee
Co-Manager
DGR Joint Review Panel

From: John Mann
Sent: Wednesday, April 15, 2015 10:39 AM

Subject: No need for a DGR is confirmed at the CNSC Public Hearing this week regarding Bruce Power's Application to renew licenses.

April 15, 2015

4/15/2015

1,564

Hi Joint Review Panel, OPG, NWMO, CNSC, CEEA, MPP Lisa Thompson, & MP Ben Lobb:

The CNSC Public Hearing has commenced related to Bruce Power’s Application to renew the Power Reactor Operating License for the Bruce A and B Nuclear Generating Stations. **The evidence presented has confirmed that there is no need for a DGR.** The evidence has established that future safe storage of nuclear waste produced at Bruce Power is not dependent in any way on the impending [May 6] Joint Review Panel’s decision related to OPG’s DGR Application. The evidence confirms that if the Bruce Power License Application is approved, the nuclear waste will continue to be safely stored at the current Western Waste Management facility, as it has been for over 40 years. **In other words, there is no need for a DGR.** Your mandate and duty is to dismiss the OPG DGR Application. Thank you.

Most Respectfully,

John Mann
Saugeen Shores

*** NOTE ***

The CNSC email security server scanned this email and found no potentially hostile or malicious content. To be safe, do not open attachments from unrecognized senders.

*** REMARQUE ****

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1,565

John Mann

From: "John Mann" <
Date: Wednesday, April 15, 2015 10:45 AM
To:

Cc:

1,566

Subject: Michigan and Chicago opposes OPG DGR

April 15, 2015

Hi Joint Review Panel, OPG, NWMO, CNSC, CEAA, MPP Lisa Thompson & MP Ben Lobb:

On Monday, April 13, 2015, both United States Senators for the State of Michigan [Debbie Stabenow and Gary Peters] introduced a Senate Resolution urging President Obama and Secretary of State John Kerry to work with Canadian Officials to stop OPG's DGR Application. The Resolution is companion to a Resolution introduced by Michigan Congressman Dan Kildee last week. The City of Chicago has also recently opposed the OPG DGR. Why are we rushing to dig a DGR for clothes and rags? Everyone in the World has a solemn obligation and duty to deal with all nuclear waste in the best possible way. We should all take a step back and figure out what to do with the spent fuel and all nuclear waste before we jump into a DGR limited to low and intermediate nuclear waste only, particularly since the same type of DGR has already catastrophically failed at WIPP in New Mexico while the future storage of spent fuel is still in a state of limbo. If the United States was proposing a similar DGR in Michigan on the shores of Lake Huron, Canadians would demand to be meaningfully included in the process. The OPG DGR Application should be dismissed and everyone should go back to the drawing board to draft an all-encompassing solution for all nuclear waste.

Most Respectfully,

John Mann
Saugeen Shores

4/15/2015

1,567

John Mann

From: "John Mann" <
Date: Friday, April 24, 2015 9:46 AM
To:

Cc:

1,568

Subject: DGR process must start over to remedy Charter violations to Democracy and Due Process

April 24, 2015

Hi CEAA President Ron Hallman, CEAA Vice President Heather Smith, and CEAA Director of National Programs Steve Chapman, Joint Review Panel, OPG, NWMO, CNSC, CEAA, MPP Lisa Thompson, and MP Ben Lobb:

The DGR process must start over to remedy Charter violations to Democracy and Due Process.

1. I spoke by telephone with CEAA Vice President Heather Smith and CEAA Director of National Programs Steve Chapman for over 1 hour on Friday, April 17, 2015, regarding my emails challenging the CEAA's irresponsible notice that Registered Participants were required to apply for government funding to review conditions for the OPG DGR prior to the Joint Review Panel's [JRP's] Report being released approving the OPG DGR Application. [See my 2 previous emails directed to CEAA that form the basis of the telephone call and incorporated herein.] Furthermore and inexplicably, if Citizens are not Registered Participants they are not eligible to apply for this government funding, violating all Democratic and Due Process principles that is the hallmark of our free and Democratic society.
2. Ms. Smith and Mr. Chapman wanted to make it clear to me that CEAA has had no prior knowledge regarding the Joint Review Panel's ultimate decision on the OPG DGR Application. If that is so it makes the CEAA's requirement that funding applications must be made prior to the JRP's decision even more inexplicable and bewildering! Obviously no one can know if they might be interested in seeking funding to seek conditions related to the JRP Report before the Report has been released and before they have had time to review it. Likewise, if the JRP dismisses the Application, no conditions and no funding is necessary in the first place.
3. The bottom line: It is impossible for Registered Participants to apply for funding to review the JRP Report prior to release of the Report 2 weeks from now on May 6, 2015!
4. Ms. Smith attempted to justify the premature notice for funding that is impossible to fulfill by simply saying that the Minister of Environment must make her decision on the OPG DGR Application within 4 months after the JRP release of its OPG DGR Report, so funding has to be determined quickly. In other words, this confirms Registered Participants participation is meaningless, illusory, and merely window dressing that sounds like Citizen input is meaningfully considered by the Minister.
5. I was thanked for expressing some of my overall concerns related to the DGR process over the course of the more than 1 hour phone conversation, but I was advised by Ms. Smith that there would be no follow up meetings with her or any other officials. Ms. Smith advised that she was not going to do anything about my comments.

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6. I requested a further follow up but was advised I would be limited to sending in only my comments related to the impending Joint Review Panel Report after it is released. If I was not satisfied with that, I was advised that a Judicial Review would be available after the Minister's decision.

7. I was advised by Ms. Smith that she was pleased to hear about my concerns and she now had a better understanding of my concerns, but there would be no follow up and she was not going to set up any further meetings or discussions with me or any other officials. Ms. Smith relied upon the fact that the DGR process had been proceeding for 10 years and that I had been given the opportunity to express my concerns and that she did not agree with me about any of my points including that the process was fatally flawed and should start over. So that was the end of any further discussion through other phone calls or meetings that I was requesting.

8. With all due respect, in my view Ms. Smith misses the point related to 10 years of Community Consultation re the OPG DGR. Citizens have not been meaningfully included in the DGR process. I have been involved with the DGR process for 10 years and my 3,000 plus page Record that has been filed with the Joint Review Panel presents proof to a certainty that Citizens have not been meaningfully included in the DGR process – including being SPAMMED and meaningfully excluded throughout the JRP process!

9. Citizens are very alarmed about the WIPP DGR catastrophe that leaked radiation into the New Mexico Community on February 14, 2014, closing and sealing it up to the present day, with the New York Times reporting that WIPP may never reopen again! To this day no one knows why or how the WIPP radiation disaster happened! Why are Citizens alarmed by the WIPP catastrophe? Because the OPG DGR safety-model investigation and report is based upon the WIPP DGR as its state-of-the-art safety-model. Yet when Citizens raise this alarming failure of WIPP the only response from OPG and CNSC is that OPG has a better "safety culture" than the WIPP DGR Community! And OPG and CNSC has no idea why the WIPP catastrophe occurred! That is the end of what our government concludes is "meaningful" consultation and inclusion of Citizens in the DGR process. No discussion with Citizens, no debate, no rational and legitimate responses! No respect for the Taxpayer and Citizen!

10. Ms. Smith had absolutely no comment when I raised my concerns about the WIPP disaster and catastrophe during our phone conversation.

11. Next, Citizens have alarming concerns about the proven 7 years of unlawful secret closed DGR meetings conducted from 2005 to 2012 by our Bruce County Council with OPG and CNSC. OPG and CNSC do not respond. The ombudsman agent's Report merely recommends that Bruce County Council is encouraged to do better in the future to keep meetings lawfully open to Citizens as required by the most basic of Democratic rights. That ends the government's "meaningful" Community consultation and inclusion related to our alarming concerns related to 7 years of unlawful secret closed DGR meetings by our local government. That is unacceptable. The process is fatally flawed and premised on secrecy and exclusion of Citizens and illusory Community Consultation without meaningfully providing for any Citizen and Taxpayer participation.

12. Ms. Smith had no comment when I raised my concerns about the 7 years of unlawful secret closed DGR meetings conducted from 2005 to 2012 by our Bruce County Council. Ms. Smith did say it was too late to turn back the clock because the DGR process for clothes and rags had been plodding along for

10 years and Citizens had 10 years to express their concerns in the DGR process. Ms. Smith had no comment when I stated that the Community campaign by OPG and CNSC that marketed a clothes and rags DGR while prohibiting spent fuel storage, would never have gotten off the ground had Citizens been included in those 7 years of unlawful secret closed DGR meetings. Had Citizens been included in the unlawful secret closed meeting of Bruce County Council in 2009, Mike Binder, President of CNSC, our leader and watchdog over nuclear waste on behalf of Citizens, would never have dared to say that he hoped to see the mayors of our Bruce County Community at the "ribbon-cutting" for the OPG DGR. The irresponsible boondoggle of pursuing Kincardine council's incomprehensible nightmare of a clothes and rags DGR would never have gotten off the ground had Citizens been included immediately in the DGR process demanded by Democracy and our Constitution and *Canadian Charter of Rights and Freedoms*! The clothes and rags DGR was not dreamed up by any nuclear power person or entity or OPG or CNSC – only the dream of Kincardine council! Everyone agrees the DGR for clothes and rags is not necessary! Incomprehensible!

13. Another major concern of alarm to Citizens is the fact that NWMO has proven that our Bruce County Community is unsafe for a DGR, yet OPG continues to forge ahead related to its DGR because the 2-Track 2-DGR jurisdictions are incomprehensibly separated between a low and intermediate nuclear waste DGR and a high level nuclear waste DGR [spent fuel]. The government refuses to include Citizens further in any discussion and debate about this alarming issue. Again, no comment from CEAA except that the spent fuel DGR is not part of the OPG DGR Application. The 2 DGRs are inextricably intertwined and relate to one another and must be joined as one process. Yet our government stubbornly steamrolls onward following a separate 2-Track 2-DGR boondoggle of all boondoggles – and all at the obscene expense and waste of billions of Taxpayer dollars, while our critical Health Care system and Legal Aid suffer through inadequate funding! This is what our government considers "meaningful" consultation and inclusion in the DGR process – and at unconscionable Taxpayer and Citizen cost that is completely inexcusable! Incomprehensible!

14. My Record documents and confirms other continuing instances of leaving me and Citizens out of any "meaningful" consultation and inclusion in the DGR process.

15. "Meaningful" consultation and inclusion is not accomplished by merely letting me express my concerns for over 1 hour over the telephone to a government official.

16. "Meaningful" consultation and inclusion is providing thoughtful and respectful and fully developed answers and responses to my concerns and the concerns of my fellow Citizens, and incorporating those concerns with full and complete explanation in our government's DGR process.

17. If no thoughtful, respectful, fulsome answers and responses are forthcoming, it is presumed that there is agreement with what is being expressed and our government is unable to provide answers to and unable to dispute what is being presented. Instead, our government simply ignores these concerns without comment while continuing with the conceded flawed process unabated. Our government must correct the flaw that it has no legitimate answer or solution for. A public and Judicial Inquiry will eventually correct this flawed DGR process in favour of a DGR process dedicated to protecting and preserving the absolute and fundamental Rights of Citizens and Taxpayers pursuant to Democratic principles and Due Process enshrined in our Constitution and *Charter*.

18. I was advised by Ms. Smith that she had to end our telephone conversation because she had a

meeting to attend. I requested further meetings, including meetings with persons that could answer my concerns. Ms. Smith denied those requests. I asked what she intended to do about the concerns I had raised for over 1 hour. She advised that she disagreed with what I said, thanked me for expressing my concerns, and she had a much better understanding about where I was coming from, but that once the telephone conference ended she would not do anything about what was said. When saying good-bye she said that she would look forward to seeing my proposed conditions sent to the Minister after the Joint Review Panel Report, again leaving me with the impression that the JRP was going to approve the OPG DGR Application. I asked if I could seek funding after I reviewed the Joint Review Panel Report and was emphatically told that I could not seek funding because the deadline for funding Application had already past on April 13, 2015! As I stated earlier, seeking funding prior to release of the JRP Report being released and reviewed is impossible! Therefore, all Citizens have been denied this funding opportunity, thus violating Due Process and all Democratic principles under our Constitution and *Charter*! The remedy is to start the DGR process over from the beginning so that Citizens and Taxpayers can have meaningful Democratic and Due Process participation. The actual bias, reasonable apprehension of bias, or the appearance of bias shown here and throughout by our government requires the start-over of the DGR process. A Public and Judicial Inquiry must look into what went wrong in what appears to be a systemic breakdown of government process and Citizen and Taxpayer participation related to the DGR. Respect for the Citizens and Taxpayers of our Community, regarding the most grave process ever to confront our Community, requires the DGR process to start over from the beginning and a Public and Judicial Inquiry. Otherwise, our Constitution and *Charter* are nothing more than illusory documents.

19. In my view, the “meaningful” Citizen consultation our government pretends to provide can be summed up this way: Our government says it values Citizen input! Our government thanks Citizens for participating in the DGR process! Our government thanks Citizens and Taxpayers for expressing their views and concerns! And our government maintains that it hears and listens to Citizens and Taxpayers! The DGR process has translated this “meaningful” Citizen and Taxpayer consultation and participation as follows: A Citizen and Taxpayer might as well read the phone book to our government for all the good it will do. The Supreme Court of Canada has held that there must be meaningful Community Consultation related to government processes. The DGR process is the gold standard for how to destroy Due Process! The DGR process is the model for how to destroy Democracy! The DGR process is the blueprint and precedent for how to violate the most sacred of our Democratic and Due Process Rights secured by our *Canadian Charter of Rights and Freedoms*.

20. As I have said, I was concerned about the CEAA soliciting Applications for Registered Participant Funding from Citizens prior to the Joint Review Panel Report being released. [See my two other emails sent to you that set forth my position].

21. To reiterate, it is impossible to apply for funding to review the Joint Review Panel Report when the Report has not been released. CEAA provided no explanation that would justify seeking and reviewing Applications prior to knowing why anyone might need funding, other than the Minister has a 4 month deadline and the CEAA must move on the funding requirement quickly. This explanation is ludicrous and meaningless related to the obvious fact that no one knows why or what funding they may need before knowing what the Report from the JRP says. The person or entity might be perfectly satisfied with the Report, and if the JRP dismisses the OPG DGR Application, there would be no need for any funding to Registered Participants in the first place. While you say the CEAA does not know what the decision of the JRP is going to be, in light of the history of the flawed DGR process and the SPAMMING

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of Citizen and Taxpayer evidence and the 7 years of unlawful secret DGR Bruce County Council meetings make the impossible premature request for funding concerning and impossible to rationally reconcile. The inexplicable explanation confirmed that there is no way for anyone to apply for funding prior to the release of the JRP Report, yet you continue to forge ahead and merely tell me that you do not agree with me and thanks for telling us.

22. CEAA indicated that Citizens had 10 years to provide input and the OPG DGR process is just too far along to turn back. I appreciate you confirming that for me, because I have been saying that all along. OPG, NWMO, CNSC, and all supporters of OPG's DGR for clothes and rags have wasted obscene amounts of Taxpayer dollars on what turns out to be a useless and meaningless, yet catastrophically dangerous, DGR, all dreamed up by the initiative of Kincardine's town Council some 10 years ago. Everyone supporting this eventual doomed project will look foolish, and thus, do not have a valid explanation for the rags and clothes DGR process – therefore, forge ahead unabated and undaunted by a project that is destined to make the 2 gas-plant fiasco look like nothing more than Taxpayer dollar chump change waste by comparison. CEAA is apparently not aware of the unlawful secret closed DGR meetings conducted by our DGR Community Bruce County Council for 7 years between 2005 and 2012. Had Citizens known about the unlawful DGR meetings the 10 years of irresponsible pursuit of a clothes and rags DGR to be followed by a spent fuel DGR in our DGR Bruce County Community would never have happened. The press was not allowed to cover these unlawful and secret DGR meetings. Had the meetings been lawfully open to press and Citizens and Taxpayers, Michael Binder [CNSC watchdog for Citizens] in 2009 never would have said that he hoped to see all of the mayors of Bruce County at the "ribbon-cutting" for the OPG DGR. I was advised by CEAA that the clothes and rags that were worn and used by the nuclear workers required a DGR to ensure that the Public was protected from radiation from the clothes and rags. Yet the JRP Record and all nuclear experts agree that a DGR for clothes and rags is not required. My filed DGR Record confirms with certainty that the clothes and rags DGR was the only way OPG could "sell" the DGR to our Community because OPG knew it would never be able to "sell" the spent fuel DGR to our Community. OPG and CNSC knew if they could build the clothes and rags DGR, they could thereafter replace the clothes and rags with spent fuel and that would be an easy way to solve the spent fuel nightmare – and the Citizens and Taxpayers of our Community would not be able to stop it at that point. If a DGR is required to protect the Public from radiation from clothes and rags worn and used by nuclear workers, what protection did the actual workers have while they wore and used the clothes and rags before the clothes and rags became nuclear waste required to be buried a mile underground lest the Public would be harmed. It has always been my understanding that the clothes and rags cannot hurt anyone, otherwise the actual workers who wore the clothes and used the rags would have been in radiation-harms-way throughout their careers. It is my understanding that there is no dispute about this. Thus, since the clothes and rags could not have been harming the workers who wore and worked with the clothes and rags there is obviously no need for a DGR to store them after the workers throw them away. Nevertheless, in light of OPG's and CNSC's relentless pursuit of a DGR for clothes and rags brings into question the adverse radiation and adverse health affects the clothes and rags may have had on the nuclear workers throughout their careers. Please explain to all Citizens why OPG and CNSC continue to pursue a DGR for clothes and rags if they cannot harm anyone.

23. Commencing with a Toronto Star article on March 13, 2013, and continuing with evidence presented at the Joint Review Panel OPG DGR Public Hearings, OPG has agreed that there is no need for 2 DGR's and all nuclear waste can be stored in 1 DGR. Yet our government continues unabated to proceed on the 2-Track 2-DGR process and absolutely wasting billions of our Taxpayer dollars and wasting our time and putting our Communities in twice the harms way! Thus, the Public and Judicial

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Inquiry will eventually correct this absolutely flawed and doomed process! And don't forget about the WIPP catastrophe scripted for our Community at the expense of our Community, Ontario, Canada, and the World! What is SNC-Lavalin's role?

24. I was advised that a total of 5 Applications have been received by the deadline. We look forward to CEAA posting the 5 Applications on its website so Citizens can review and witness the sham firsthand. The Applications cannot possibly have complied with the requirements to receive Registered Participant funding, and this is confirmed by the Application Form that you say was meticulously created to protect and preserve our finite and precious Taxpayer dollars. While the Application Form for funding is rife with problems, the one glaring requirement that no one could possibly comply with to allow funding to be provided is found at page 3 of 11, pursuant to number 7 that expressly requires the following quoted passage as a prerequisite to funding being available:

"[Number] 7. Formal Participation Opportunity

You must provide details on the activities and expenses that you plan on doing, as well as your funding request for these activities and expenses during your participation in the environmental process."

Then in bold letters the following prerequisite requirement is set forth that cannot possibly be complied with prior to the Joint Review Panel Report being released on May 6, 2015, 2 weeks from the date of this email [April 22, 2015]:

"Participation Opportunity: You must review and provide written comments to the Agency on the Environmental Assessment Report by the joint review panel and potential environmental assessment decision statement conditions."

The 5 funding Applications that you are reviewing cannot comply with this prerequisite requirement because no one in the World can review and provide written comment on the Environmental Assessment Report by the joint review panel that does not exist and will not exist until May 6, 2015 two weeks from now. As a result, the funding Applications will have to be denied by you lest you be in violation of your own requirements that must be adhered to prior to spending our finite and precious Taxpayer dollars, and improper to authorize. Furthermore, we Citizens who want to apply for funding are out of luck when the joint review panel finally releases its Report. This is a whole new level of bewildering government incompetence that precludes Citizens' meaningful participation in the DGR process. And the explanation CEAA provides is that it had to proceed in this impossible fashion because the Minister of Environment only has 4 months to make her decision!!! And this explanation is provided in a backdrop of the Joint Review Panel's unilateral decision to reopen the OPG DGR hearings in 2014, 1 year after the hearings had officially closed, with the commensurate unfair due process loss of memory related to witnesses and evidence presented over 1 year before in 2013, followed by the equally damaging unilateral extension of time for the Joint Review Panel to file its Report by some 3 or 4 months. So the JRP can change and make up its own rules to accommodate itself along the way, while Citizens are stuck with the unbending time rules established by the same entity. See the rejection of my emails by SPAM and because submitted outside an arbitrary deadline even though the emails dealt with important and new critical facts that have a direct bearing on the safety of the OPG DGR. Similarly, the CEAA April 13, 2015 deadline for Registered Citizens to apply for funding is unbending! When will Citizens and Taxpayers obtain the respect from our government people employed by us to

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be our Public Servants and protect and preserve our Democratic and Due Process Rights and our finite and precious Taxpayer dollars!

25. I was advised that I could not apply for Registered Participant funding related to the Minister's review of the Joint Review Panel's Report because the April 13, 2015 is the mandatory deadline. In fact, no Citizen and no Taxpayer can apply for funds beyond the April 13, 2015 mandatory and unbending deadline that expired some 11 days ago and with 2 more weeks to go before the May 6, 2015 release of the Joint Review Panel Report that is the subject of the funding Application. Ludicrous!

26. My comments made in this email and my other emails confirm what a sham the OPG DGR is. For over 10 years our Community was misled by propaganda manufactured by OPG and CNSC that the DGR would be for clothes and rags and high level spent fuel nuclear waste would never see the dark of day in the OPG DGR. Well, as we all know now, that is an absolute fraud. With a stroke of the pen by a future Kincardine Council, spent fuel could be introduced into the OPG DGR. Furthermore, NWMO [owned by OPG] is seeking to have spent fuel stored in our Community, even though for 10 years our Community was informed that no spent fuel would be stored in our Community. The first question, why not figure out what to do with spent fuel and then throw whatever low and intermediate nuclear waste into the same pathway. I made the point in our phone conversation that the rush to dig the OPG DGR for clothes and rags is nothing more than to gain a foothold DGR in our Community wherein OPG will later be able to replace the clothes and rags that do not need a DGR with the infamous spent fuel. CEAA indicated to me that it was not interested in discussing this because the only Application in front of CEAA at the present time is OPG's DGR for clothes and rags. CEAA would not "speculate" on whether or not it is a good idea to eventually transport the spent fuel to a DGR off-site, rather than on-site at the Western Nuclear Waste Management facility at the Bruce Power facility. In my view, that is irresponsible. The CEAA has a solemn obligation and duty to make sure all nuclear waste is dealt with in the best and safest way possible, and to protect our finite and precious Taxpayer dollars without foolishly proceeding headlong into a haphazard and negligent process.

27. I have been advised that a Citizen's only recourse to gain answers to these concerns set forth here and in my Record is to proceed with an expensive and endless Judicial Review. Citizens should never suffer through such disrespect when attempting to meaningfully participate in the biggest process that will ever confront our Community. The public and Judicial Inquiry will protect our Democracy and our *Charter*.

28. The DGR process is a done deal and Citizen participation is a sham. Having said that, everyone in our Community of Bruce County, everyone in Ontario, everyone in Canada, and everyone in the World have a solemn obligation and duty to figure out the best solution for all nuclear waste. As a result, the current DGR process must start over from the beginning to allow everyone to be involved and included in a meaningful way, i.e., to have all concerns and input from every Citizen meaningfully reviewed, considered, and implemented and incorporated in the final solution by our public servants in our government that work solely for the Citizens and Taxpayers. I suggest that we appoint Duncan Hawthorne as the leader of this spectacular task. In my view Duncan Hawthorne is the best CEO in the World and runs Bruce Power in a wonderful manner for our Community and the World. I nominate Duncan Hawthorne to become the first President and Dean of the inaugural University of Energy and Nuclear Waste in our Town of Port Elgin, mandated to figure out how to recycle, reuse, and recondition all nuclear waste for the benefit of all. We figured out how to get to the Moon, so we can figure out finding a recycle solution for nuclear waste rather than dangerously burying and exposing

our Community, the Great Lakes, and the World to deadly radiation forever. CEAA and the rest of government forgot to meaningfully include Citizens and Taxpayers in the DGR process. Through our Due Process Rights, our Democratic Rights, our Constitution and *Charter* rights and freedoms, Citizens and Taxpayers demand and require our government to start the process over from the beginning to meaningfully include us. 7 years of unlawful secret closed DGR meetings by Bruce County Council [meetings with OPG and CNSC] require starting over. Our government must step forward and start the DGR process over. Our government should not force a Public and Judicial Inquiry for Citizens and Taxpayers to protect and preserve their Democratic Rights and Freedoms and Due Process enshrined in the *Charter*!

Most Respectfully,

John Mann
Saugeen Shores

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John Mann

From: "John Mann"
Date: Friday, April 24, 2015 9:49 AM
To:

Cc:

1,577

Subject: Clothes and rags could not harm nuclear workers, thus, no need for clothes and rags DGR to protect Citizens.

April 24, 2015

Hi Joint Review Panel, OPG, NWMO, CNSC, CEEA, MPP Lisa Thompson, and MP Ben Lobb:

It is my understanding that the clothes worn by nuclear power workers and the rags used by nuclear power workers in their employment cannot possibly cause adverse radiation and adverse health affects to those nuclear workers. I understand that there is no dispute about this. So why is OPG and CNSC relentlessly pursuing building a DGR to bury the clothes and rags in order to protect Citizens and Taxpayers from harmful radiation? Our Community and the World look forward to your response. Thank you.

Most Respectfully,

John Mann
Saugeen Shores

1,578

John Mann

From: "DGR Review / Examen DFGP [CEAA]" <DGR.Review@ceaa-acee.gc.ca>
Date: Tuesday, April 28, 2015 10:03 AM
To: "John Mann"
Cc: "DGR Review / Examen DFGP [CEAA]" <DGR.Review@ceaa-acee.gc.ca>
Subject: RE: DGR process must start over to remedy Charter violations to Democracy and Due Process

Please note that the Joint Review Panel closed the record for the environmental assessment of the DGR project on November 18, 2014. No additional submissions or information will be accepted by the Panel. For further information regarding the close of the record, please see the Panel's notice to interested parties which is available on the Canadian Environmental Assessment Registry Internet Site (Registry) at <http://www.ceaa-acee.gc.ca/050/documents/p17520/100522E.pdf>.

The Joint Review Panel is proceeding with the preparation of its Environmental Assessment Report which will set out the rationale, conclusions and recommendations of the Panel, and a summary of comments received from the public during the course of the review. The Panel will deliver its Report to the Minister of the Environment on or before May 6, 2015.

Thank you for your continued interest in the DGR Project.

Joint Review Panel Secretariat
DGR.Review@ceaa-acee.gc.ca

From: John Mann
Sent: April 24, 2015 9:47 AM

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re

Subject: DGR process must start over to remedy Charter violations to Democracy and Due Process

April 24, 2015

Hi CEAA President Ron Hallman, CEAA Vice President Heather Smith, and CEAA Director of National Programs Steve Chapman, Joint Review Panel, OPG, NWMO, CNSC, CEAA, MPP Lisa Thompson, and MP Ben Lobb:

The DGR process must start over to remedy Charter violations to Democracy and Due Process.

1. I spoke by telephone with CEAA Vice President Heather Smith and CEAA Director of National Programs Steve Chapman for over 1 hour on Friday, April 17, 2015, regarding my emails challenging the CEAA's irresponsible notice that Registered Participants were required to apply for government funding to review conditions for the OPG DGR prior to the Joint Review Panel's [JRP's] Report being released approving the OPG DGR Application. [See my 2 previous emails directed to CEAA that form the basis of the telephone call and incorporated herein.] Furthermore and inexplicably, if Citizens are not Registered Participants they are not eligible to apply for this government funding, violating all Democratic and Due Process principles that is the hallmark of our free and Democratic society.
2. Ms. Smith and Mr. Chapman wanted to make it clear to me that CEAA has had no prior knowledge regarding the Joint Review Panel's ultimate decision on the OPG DGR Application. If that is so it makes the CEAA's requirement that funding applications must be made prior to the JRP's decision even more inexplicable and bewildering! Obviously no one can know if they might be interested in seeking funding to seek conditions related to the JRP Report before the Report has been released and before they have had time to review it. Likewise, if the JRP dismisses the Application, no conditions and no funding is necessary in the first place.
3. The bottom line: It is impossible for Registered Participants to apply for funding to review the JRP Report prior to release of the Report 2 weeks from now on May 6, 2015!
4. Ms. Smith attempted to justify the premature notice for funding that is impossible to fulfill by simply saying that the Minister of Environment must make her decision on the OPG DGR Application within 4 months after the JRP release of its OPG DGR Report, so funding has to be determined quickly. In other words, this confirms Registered Participants participation is meaningless, illusory, and merely window dressing that sounds like Citizen input is meaningfully considered by the Minister.
5. I was thanked for expressing some of my overall concerns related to the DGR process over the course of the more than 1 hour phone conversation, but I was advised by Ms. Smith that there would be no follow up meetings with her or any other officials. Ms. Smith advised that she was not going to do anything about my comments.
6. I requested a further follow up but was advised I would be limited to sending in only my comments related to the impending Joint Review Panel Report after it is released. If I was not satisfied with that, I was advised that a Judicial Review would be available after the Minister's decision.
7. I was advised by Ms. Smith that she was pleased to hear about my concerns and she now had a

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better understanding of my concerns, but there would be no follow up and she was not going to set up any further meetings or discussions with me or any other officials. Ms. Smith relied upon the fact that the DGR process had been proceeding for 10 years and that I had been given the opportunity to express my concerns and that she did not agree with me about any of my points including that the process was fatally flawed and should start over. So that was the end of any further discussion through other phone calls or meetings that I was requesting.

8. With all due respect, in my view Ms. Smith misses the point related to 10 years of Community Consultation re the OPG DGR. Citizens have not been meaningfully included in the DGR process. I have been involved with the DGR process for 10 years and my 3,000 plus page Record that has been filed with the Joint Review Panel presents proof to a certainty that Citizens have not been meaningfully included in the DGR process – including being SPAMMED and meaningfully excluded throughout the JRP process!

9. Citizens are very alarmed about the WIPP DGR catastrophe that leaked radiation into the New Mexico Community on February 14, 2014, closing and sealing it up to the present day, with the New York Times reporting that WIPP may never reopen again! To this day no one knows why or how the WIPP radiation disaster happened! Why are Citizens alarmed by the WIPP catastrophe? Because the OPG DGR safety-model investigation and report is based upon the WIPP DGR as its state-of-the-art safety-model. Yet when Citizens raise this alarming failure of WIPP the only response from OPG and CNSC is that OPG has a better “safety culture” than the WIPP DGR Community! And OPG and CNSC has no idea why the WIPP catastrophe occurred! That is the end of what our government concludes is “meaningful” consultation and inclusion of Citizens in the DGR process. No discussion with Citizens, no debate, no rational and legitimate responses! No respect for the Taxpayer and Citizen!

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he hoped to see the mayors of our Bruce County Community at the “ribbon-cutting” for the OPG DGR. The irresponsible boondoggle of pursuing Kincardine council’s incomprehensible nightmare of a clothes and rags DGR would never have gotten off the ground had Citizens been included immediately in the DGR process demanded by Democracy and our Constitution and *Canadian Charter of Rights and Freedoms*! The clothes and rags DGR was not dreamed up by any nuclear power person or entity or OPG or CNSC – only the dream of Kincardine council! Everyone agrees the DGR for clothes and rags is not necessary! Incomprehensible!

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18. I was advised by Ms. Smith that she had to end our telephone conversation because she had a meeting to attend. I requested further meetings, including meetings with persons that could answer my concerns. Ms. Smith denied those requests. I asked what she intended to do about the concerns I had raised for over 1 hour. She advised that she disagreed with what I said, thanked me for expressing my concerns, and she had a much better understanding about where I was coming from, but that once the telephone conference ended she would not do anything about what was said. When saying good-bye she said that she would look forward to seeing my proposed conditions sent to the Minister after

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the Joint Review Panel Report, again leaving me with the impression that the JRP was going to approve the OPG DGR Application. I asked if I could seek funding after I reviewed the Joint Review Panel Report and was emphatically told that I could not seek funding because the deadline for funding Application had already past on April 13, 2015! As I stated earlier, seeking funding prior to release of the JRP Report being released and reviewed is impossible! Therefore, all Citizens have been denied this funding opportunity, thus violating Due Process and all Democratic principles under our Constitution and *Charter*! The remedy is to start the DGR process over from the beginning so that Citizens and Taxpayers can have meaningful Democratic and Due Process participation. The actual bias, reasonable apprehension of bias, or the appearance of bias shown here and throughout by our government requires the start-over of the DGR process. A Public and Judicial Inquiry must look into what went wrong in what appears to be a systemic breakdown of government process and Citizen and Taxpayer participation related to the DGR. Respect for the Citizens and Taxpayers of our Community, regarding the most grave process ever to confront our Community, requires the DGR process to start over from the beginning and a Public and Judicial Inquiry. Otherwise, our Constitution and *Charter* are nothing more than illusory documents.

19. In my view, the “meaningful” Citizen consultation our government pretends to provide can be summed up this way: Our government says it values Citizen input! Our government thanks Citizens for participating in the DGR process! Our government thanks Citizens and Taxpayers for expressing their views and concerns! And our government maintains that it hears and listens to Citizens and Taxpayers! The DGR process has translated this “meaningful” Citizen and Taxpayer consultation and participation as follows: A Citizen and Taxpayer might as well read the phone book to our government for all the good it will do. The Supreme Court of Canada has held that there must be meaningful Community Consultation related to government processes. The DGR process is the gold standard for how to destroy Due Process! The DGR process is the model for how to destroy Democracy! The DGR process is the blueprint and precedent for how to violate the most sacred of our Democratic and Due Process Rights secured by our *Canadian Charter of Rights and Freedoms*.

20. As I have said, I was concerned about the CEAA soliciting Applications for Registered Participant Funding from Citizens prior to the Joint Review Panel Report being released. [See my two other emails sent to you that set forth my position].

21. To reiterate, it is impossible to apply for funding to review the Joint Review Panel Report when the Report has not been released. CEAA provided no explanation that would justify seeking and reviewing Applications prior to knowing why anyone might need funding, other than the Minister has a 4 month deadline and the CEAA must move on the funding requirement quickly. This explanation is ludicrous and meaningless related to the obvious fact that no one knows why or what funding they may need before knowing what the Report from the JRP says. The person or entity might be perfectly satisfied with the Report, and if the JRP dismisses the OPG DGR Application, there would be no need for any funding to Registered Participants in the first place. While you say the CEAA does not know what the decision of the JRP is going to be, in light of the history of the flawed DGR process and the SPAMMING of Citizen and Taxpayer evidence and the 7 years of unlawful secret DGR Bruce County Council meetings make the impossible premature request for funding concerning and impossible to rationally reconcile. The inexplicable explanation confirmed that there is no way for anyone to apply for funding prior to the release of the JRP Report, yet you continue to forge ahead and merely tell me that you do not agree with me and thanks for telling us.

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22. CEAA indicated that Citizens had 10 years to provide input and the OPG DGR process is just too far along to turn back. I appreciate you confirming that for me, because I have been saying that all along. OPG, NWMO, CNSC, and all supporters of OPG's DGR for clothes and rags have wasted obscene amounts of Taxpayer dollars on what turns out to be a useless and meaningless, yet catastrophically dangerous, DGR, all dreamed up by the initiative of Kincardine's town Council some 10 years ago. Everyone supporting this eventual doomed project will look foolish, and thus, do not have a valid explanation for the rags and clothes DGR process – therefore, forge ahead unabated and undaunted by a project that is destined to make the 2 gas-plant fiasco look like nothing more than Taxpayer dollar chump change waste by comparison. CEAA is apparently not aware of the unlawful secret closed DGR meetings conducted by our DGR Community Bruce County Council for 7 years between 2005 and 2012. Had Citizens known about the unlawful DGR meetings the 10 years of irresponsible pursuit of a clothes and rags DGR to be followed by a spent fuel DGR in our DGR Bruce County Community would never have happened. The press was not allowed to cover these unlawful and secret DGR meetings. Had the meetings been lawfully open to press and Citizens and Taxpayers, Michael Binder [CNSC watchdog for Citizens] in 2009 never would have said that he hoped to see all of the mayors of Bruce County at the "ribbon-cutting" for the OPG DGR. I was advised by CEAA that the clothes and rags that were worn and used by the nuclear workers required a DGR to ensure that the Public was protected from radiation from the clothes and rags. Yet the JRP Record and all nuclear experts agree that a DGR for clothes and rags is not required. My filed DGR Record confirms with certainty that the clothes and rags DGR was the only way OPG could "sell" the DGR to our Community because OPG knew it would never be able to "sell" the spent fuel DGR to our Community. OPG and CNSC knew if they could build the clothes and rags DGR, they could thereafter replace the clothes and rags with spent fuel and that would be an easy way to solve the spent fuel nightmare – and the Citizens and Taxpayers of our Community would not be able to stop it at that point. If a DGR is required to protect the Public from radiation from clothes and rags worn and used by nuclear workers, what protection did the actual workers have while they wore and used the clothes and rags before the clothes and rags became nuclear waste required to be buried a mile underground lest the Public would be harmed. It has always been my understanding that the clothes and rags cannot hurt anyone, otherwise the actual workers who wore the clothes and used the rags would have been in radiation-harms-way throughout their careers. It is my understanding that there is no dispute about this. Thus, since the clothes and rags could not have been harming the workers who wore and worked with the clothes and rags there is obviously no need for a DGR to store them after the workers throw them away. Nevertheless, in light of OPG's and CNSC's relentless pursuit of a DGR for clothes and rags brings into question the adverse radiation and adverse health affects the clothes and rags may have had on the nuclear workers throughout their careers. Please explain to all Citizens why OPG and CNSC continue to pursue a DGR for clothes and rags if they cannot harm anyone.

23. Commencing with a Toronto Star article on March 13, 2013, and continuing with evidence presented at the Joint Review Panel OPG DGR Public Hearings, OPG has agreed that there is no need for 2 DGR's and all nuclear waste can be stored in 1 DGR. Yet our government continues unabated to proceed on the 2-Track 2-DGR process and absolutely wasting billions of our Taxpayer dollars and wasting our time and putting our Communities in twice the harms way! Thus, the Public and Judicial Inquiry will eventually correct this absolutely flawed and doomed process! And don't forget about the WIPP catastrophe scripted for our Community at the expense of our Community, Ontario, Canada, and the World! What is SNC-Lavalin's role?

24. I was advised that a total of 5 Applications have been received by the deadline. We look forward to CEAA posting the 5 Applications on its website so Citizens can review and witness the sham firsthand.

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The Applications cannot possibly have complied with the requirements to receive Registered Participant funding, and this is confirmed by the Application Form that you say was meticulously created to protect and preserve our finite and precious Taxpayer dollars. While the Application Form for funding is rife with problems, the one glaring requirement that no one could possibly comply with to allow funding to be provided is found at page 3 of 11, pursuant to number 7 that expressly requires the following quoted passage as a prerequisite to funding being available:

“[Number] 7. Formal Participation Opportunity

You must provide details on the activities and expenses that you plan on doing, as well as your funding request for these activities and expenses during your participation in the environmental process.”

Then in bold letters the following prerequisite requirement is set forth that cannot possibly be complied with prior to the Joint Review Panel Report being released on May 6, 2015, 2 weeks from the date of this email [April 22, 2015]:

“Participation Opportunity: You must review and provide written comments to the Agency on the Environmental Assessment Report by the joint review panel and potential environmental assessment decision statement conditions.”

The 5 funding Applications that you are reviewing cannot comply with this prerequisite requirement because no one in the World can review and provide written comment on the Environmental Assessment Report by the joint review panel that does not exist and will not exist until May 6, 2015 two weeks from now. As a result, the funding Applications will have to be denied by you lest you be in violation of your own requirements that must be adhered to prior to spending our finite and precious Taxpayer dollars, and improper to authorize. Furthermore, we Citizens who want to apply for funding are out of luck when the joint review panel finally releases its Report. This is a whole new level of bewildering government incompetence that precludes Citizens’ meaningful participation in the DGR process. And the explanation CEAA provides is that it had to proceed in this impossible fashion because the Minister of Environment only has 4 months to make her decision!!! And this explanation is provided in a backdrop of the Joint Review Panel’s unilateral decision to reopen the OPG DGR hearings in 2014, 1 year after the hearings had officially closed, with the commensurate unfair due process loss of memory related to witnesses and evidence presented over 1 year before in 2013, followed by the equally damaging unilateral extension of time for the Joint Review Panel to file its Report by some 3 or 4 months. So the JRP can change and make up its own rules to accommodate itself along the way, while Citizens are stuck with the unbending time rules established by the same entity. See the rejection of my emails by SPAM and because submitted outside an arbitrary deadline even though the emails dealt with important and new critical facts that have a direct bearing on the safety of the OPG DGR. Similarly, the CEAA April 13, 2015 deadline for Registered Citizens to apply for funding is unbending! When will Citizens and Taxpayers obtain the respect from our government people employed by us to be our Public Servants and protect and preserve our Democratic and Due Process Rights and our finite and precious Taxpayer dollars!

25. I was advised that I could not apply for Registered Participant funding related to the Minister’s review of the Joint Review Panel’s Report because the April 13, 2015 is the mandatory deadline. In fact, no Citizen and no Taxpayer can apply for funds beyond the April 13, 2015 mandatory and

unbending deadline that expired some 11 days ago and with 2 more weeks to go before the May 6, 2015 release of the Joint Review Panel Report that is the subject of the funding Application. Ludicrous!

26. My comments made in this email and my other emails confirm what a sham the OPG DGR is. For over 10 years our Community was misled by propaganda manufactured by OPG and CNSC that the DGR would be for clothes and rags and high level spent fuel nuclear waste would never see the dark of day in the OPG DGR. Well, as we all know now, that is an absolute fraud. With a stroke of the pen by a future Kincardine Council, spent fuel could be introduced into the OPG DGR. Furthermore, NWMO [owned by OPG] is seeking to have spent fuel stored in our Community, even though for 10 years our Community was informed that no spent fuel would be stored in our Community. The first question, why not figure out what to do with spent fuel and then throw whatever low and intermediate nuclear waste into the same pathway. I made the point in our phone conversation that the rush to dig the OPG DGR for clothes and rags is nothing more than to gain a foothold DGR in our Community wherein OPG will later be able to replace the clothes and rags that do not need a DGR with the infamous spent fuel. CEAA indicated to me that it was not interested in discussing this because the only Application in front of CEAA at the present time is OPG's DGR for clothes and rags. CEAA would not "speculate" on whether or not it is a good idea to eventually transport the spent fuel to a DGR off-site, rather than on-site at the Western Nuclear Waste Management facility at the Bruce Power facility. In my view, that is irresponsible. The CEAA has a solemn obligation and duty to make sure all nuclear waste is dealt with in the best and safest way possible, and to protect our finite and precious Taxpayer dollars without foolishly proceeding headlong into a haphazard and negligent process.

27. I have been advised that a Citizen's only recourse to gain answers to these concerns set forth here and in my Record is to proceed with an expensive and endless Judicial Review. Citizens should never suffer through such disrespect when attempting to meaningfully participate in the biggest process that will ever confront our Community. The public and Judicial Inquiry will protect our Democracy and our *Charter*.

28. The DGR process is a done deal and Citizen participation is a sham. Having said that, everyone in our Community of Bruce County, everyone in Ontario, everyone in Canada, and everyone in the World have a solemn obligation and duty to figure out the best solution for all nuclear waste. As a result, the current DGR process must start over from the beginning to allow everyone to be involved and included in a meaningful way, i.e., to have all concerns and input from every Citizen meaningfully reviewed, considered, and implemented and incorporated in the final solution by our public servants in our government that work solely for the Citizens and Taxpayers. I suggest that we appoint Duncan Hawthorne as the leader of this spectacular task. In my view Duncan Hawthorne is the best CEO in the World and runs Bruce Power in a wonderful manner for our Community and the World. I nominate Duncan Hawthorne to become the first President and Dean of the inaugural University of Energy and Nuclear Waste in our Town of Port Elgin, mandated to figure out how to recycle, reuse, and recondition all nuclear waste for the benefit of all. We figured out how to get to the Moon, so we can figure out finding a recycle solution for nuclear waste rather than dangerously burying and exposing our Community, the Great Lakes, and the World to deadly radiation forever. CEAA and the rest of government forgot to meaningfully include Citizens and Taxpayers in the DGR process. Through our Due Process Rights, our Democratic Rights, our Constitution and *Charter* rights and freedoms, Citizens and Taxpayers demand and require our government to start the process over from the beginning to meaningfully include us. 7 years of unlawful secret closed DGR meetings by Bruce County Council [meetings with OPG and CNSC] require starting over. Our government must step forward and start the

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DGR process over. Our government should not force a Public and Judicial Inquiry for Citizens and Taxpayers to protect and preserve their Democratic Rights and Freedoms and Due Process enshrined in the *Charter*!

Most Respectfully,

John Mann
Saugeen Shores

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John Mann

From: "McGee, Kelly" <Kelly.McGee@cnsccsn.gc.ca>
Date: Monday, April 27, 2015 2:11 PM
To: "John Mann"
Subject: RE: DGR process must start over to remedy Charter violations to Democracy and Due Process

Mr. Mann,

Further to my email to you on April 15, 2015, I repeat the following:

On November 18, 2014 the Joint Review Panel announced the close of the public record. The Panel noted in that announcement, " The information that the Panel requires to complete its mandate has been obtained and made available on the public registry. Effective immediately, no additional comments or information will be accepted by the Panel."

The Panel will therefore not accept or review information forwarded after November 18, 2014. Specifically, neither the email below nor your second April 24, 2015 email will be accepted or reviewed by the Panel.

Kelly McGee
Co-Manager
DGR Joint Review Panel

From: John Mann
Sent: Friday, April 24, 2015 9:47 AM

in

;

Subject: DGR process must start over to remedy Charter violations to Democracy and Due Process

April 24, 2015

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Hi CEAA President Ron Hallman, CEAA Vice President Heather Smith, and CEAA Director of National Programs Steve Chapman, Joint Review Panel, OPG, NWMO, CNSC, CEAA, MPP Lisa Thompson, and MP Ben Lobb:

The DGR process must start over to remedy Charter violations to Democracy and Due Process.

1. I spoke by telephone with CEAA Vice President Heather Smith and CEAA Director of National Programs Steve Chapman for over 1 hour on Friday, April 17, 2015, regarding my emails challenging the CEAA's irresponsible notice that Registered Participants were required to apply for government funding to review conditions for the OPG DGR prior to the Joint Review Panel's [JRP's] Report being released approving the OPG DGR Application. [See my 2 previous emails directed to CEAA that form the basis of the telephone call and incorporated herein.] Furthermore and inexplicably, if Citizens are not Registered Participants they are not eligible to apply for this government funding, violating all Democratic and Due Process principles that is the hallmark of our free and Democratic society.
2. Ms. Smith and Mr. Chapman wanted to make it clear to me that CEAA has had no prior knowledge regarding the Joint Review Panel's ultimate decision on the OPG DGR Application. If that is so it makes the CEAA's requirement that funding applications must be made prior to the JRP's decision even more inexplicable and bewildering! Obviously no one can know if they might be interested in seeking funding to seek conditions related to the JRP Report before the Report has been released and before they have had time to review it. Likewise, if the JRP dismisses the Application, no conditions and no funding is necessary in the first place.
3. The bottom line: It is impossible for Registered Participants to apply for funding to review the JRP Report prior to release of the Report 2 weeks from now on May 6, 2015!
4. Ms. Smith attempted to justify the premature notice for funding that is impossible to fulfill by simply saying that the Minister of Environment must make her decision on the OPG DGR Application within 4 months after the JRP release of its OPG DGR Report, so funding has to be determined quickly. In other words, this confirms Registered Participants participation is meaningless, illusory, and merely window dressing that sounds like Citizen input is meaningfully considered by the Minister.
5. I was thanked for expressing some of my overall concerns related to the DGR process over the course of the more than 1 hour phone conversation, but I was advised by Ms. Smith that there would be no follow up meetings with her or any other officials. Ms. Smith advised that she was not going to do anything about my comments.
6. I requested a further follow up but was advised I would be limited to sending in only my comments related to the impending Joint Review Panel Report after it is released. If I was not satisfied with that, I was advised that a Judicial Review would be available after the Minister's decision.
7. I was advised by Ms. Smith that she was pleased to hear about my concerns and she now had a better understanding of my concerns, but there would be no follow up and she was not going to set up any further meetings or discussions with me or any other officials. Ms. Smith relied upon the fact that the DGR process had been proceeding for 10 years and that I had been given the opportunity to express my concerns and that she did not agree with me about any of my points including that the process was fatally flawed and should start over. So that was the end of any further discussion through

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other phone calls or meetings that I was requesting.

8. With all due respect, in my view Ms. Smith misses the point related to 10 years of Community Consultation re the OPG DGR. Citizens have not been meaningfully included in the DGR process. I have been involved with the DGR process for 10 years and my 3,000 plus page Record that has been filed with the Joint Review Panel presents proof to a certainty that Citizens have not been meaningfully included in the DGR process – including being SPAMMED and meaningfully excluded throughout the JRP process!

9. Citizens are very alarmed about the WIPP DGR catastrophe that leaked radiation into the New Mexico Community on February 14, 2014, closing and sealing it up to the present day, with the New York Times reporting that WIPP may never reopen again! To this day no one knows why or how the WIPP radiation disaster happened! Why are Citizens alarmed by the WIPP catastrophe? Because the OPG DGR safety-model investigation and report is based upon the WIPP DGR as its state-of-the-art safety-model. Yet when Citizens raise this alarming failure of WIPP the only response from OPG and CNSC is that OPG has a better “safety culture” than the WIPP DGR Community! And OPG and CNSC has no idea why the WIPP catastrophe occurred! That is the end of what our government concludes is “meaningful” consultation and inclusion of Citizens in the DGR process. No discussion with Citizens, no debate, no rational and legitimate responses! No respect for the Taxpayer and Citizen!

10. Ms. Smith had absolutely no comment when I raised my concerns about the WIPP disaster and catastrophe during our phone conversation.

11. Next, Citizens have alarming concerns about the proven 7 years of unlawful secret closed DGR meetings conducted from 2005 to 2012 by our Bruce County Council with OPG and CNSC. OPG and CNSC do not respond. The ombudsman agent’s Report merely recommends that Bruce County Council is encouraged to do better in the future to keep meetings lawfully open to Citizens as required by the most basic of Democratic rights. That ends the government’s “meaningful” Community consultation and inclusion related to our alarming concerns related to 7 years of unlawful secret closed DGR meetings by our local government. That is unacceptable. The process is fatally flawed and premised on secrecy and exclusion of Citizens and illusory Community Consultation without meaningfully providing for any Citizen and Taxpayer participation.

12. Ms. Smith had no comment when I raised my concerns about the 7 years of unlawful secret closed DGR meetings conducted from 2005 to 2012 by our Bruce County Council. Ms. Smith did say it was too late to turn back the clock because the DGR process for clothes and rags had been plodding along for 10 years and Citizens had 10 years to express their concerns in the DGR process. Ms. Smith had no comment when I stated that the Community campaign by OPG and CNSC that marketed a clothes and rags DGR while prohibiting spent fuel storage, would never have gotten off the ground had Citizens been included in those 7 years of unlawful secret closed DGR meetings. Had Citizens been included in the unlawful secret closed meeting of Bruce County Council in 2009, Mike Binder, President of CNSC, our leader and watchdog over nuclear waste on behalf of Citizens, would never have dared to say that he hoped to see the mayors of our Bruce County Community at the “ribbon-cutting” for the OPG DGR. The irresponsible boondoggle of pursuing Kincardine council’s incomprehensible nightmare of a clothes and rags DGR would never have gotten off the ground had Citizens been included immediately in the DGR process demanded by Democracy and our Constitution and *Canadian Charter of Rights and Freedoms*! The clothes and rags DGR was not dreamed up by any nuclear power person or entity or

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OPG or CNSC – only the dream of Kincardine council! Everyone agrees the DGR for clothes and rags is not necessary! Incomprehensible!

13. Another major concern of alarm to Citizens is the fact that NWMO has proven that our Bruce County Community is unsafe for a DGR, yet OPG continues to forge ahead related to its DGR because the 2-Track 2-DGR jurisdictions are incomprehensibly separated between a low and intermediate nuclear waste DGR and a high level nuclear waste DGR [spent fuel]. The government refuses to include Citizens further in any discussion and debate about this alarming issue. Again, no comment from CEAA except that the spent fuel DGR is not part of the OPG DGR Application. The 2 DGRs are inextricably intertwined and relate to one another and must be joined as one process. Yet our government stubbornly steamrolls onward following a separate 2-Track 2-DGR boondoggle of all boondoggles – and all at the obscene expense and waste of billions of Taxpayer dollars, while our critical Health Care system and Legal Aid suffer through inadequate funding! This is what our government considers “meaningful” consultation and inclusion in the DGR process – and at unconscionable Taxpayer and Citizen cost that is completely inexcusable! Incomprehensible!

14. My Record documents and confirms other continuing instances of leaving me and Citizens out of any “meaningful” consultation and inclusion in the DGR process.

15. “Meaningful” consultation and inclusion is not accomplished by merely letting me express my concerns for over 1 hour over the telephone to a government official.

16. “Meaningful” consultation and inclusion is providing thoughtful and respectful and fully developed answers and responses to my concerns and the concerns of my fellow Citizens, and incorporating those concerns with full and complete explanation in our government’s DGR process.

17. If no thoughtful, respectful, fulsome answers and responses are forthcoming, it is presumed that there is agreement with what is being expressed and our government is unable to provide answers to and unable to dispute what is being presented. Instead, our government simply ignores these concerns without comment while continuing with the conceded flawed process unabated. Our government must correct the flaw that it has no legitimate answer or solution for. A public and Judicial Inquiry will eventually correct this flawed DGR process in favour of a DGR process dedicated to protecting and preserving the absolute and fundamental Rights of Citizens and Taxpayers pursuant to Democratic principles and Due Process enshrined in our Constitution and *Charter*.

18. I was advised by Ms. Smith that she had to end our telephone conversation because she had a meeting to attend. I requested further meetings, including meetings with persons that could answer my concerns. Ms. Smith denied those requests. I asked what she intended to do about the concerns I had raised for over 1 hour. She advised that she disagreed with what I said, thanked me for expressing my concerns, and she had a much better understanding about where I was coming from, but that once the telephone conference ended she would not do anything about what was said. When saying good-bye she said that she would look forward to seeing my proposed conditions sent to the Minister after the Joint Review Panel Report, again leaving me with the impression that the JRP was going to approve the OPG DGR Application. I asked if I could seek funding after I reviewed the Joint Review Panel Report and was emphatically told that I could not seek funding because the deadline for funding Application had already past on April 13, 2015! As I stated earlier, seeking funding prior to release of the JRP Report being released and reviewed is impossible! Therefore, all Citizens have been denied this funding

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opportunity, thus violating Due Process and all Democratic principles under our Constitution and *Charter*! The remedy is to start the DGR process over from the beginning so that Citizens and Taxpayers can have meaningful Democratic and Due Process participation. The actual bias, reasonable apprehension of bias, or the appearance of bias shown here and throughout by our government requires the start-over of the DGR process. A Public and Judicial Inquiry must look into what went wrong in what appears to be a systemic breakdown of government process and Citizen and Taxpayer participation related to the DGR. Respect for the Citizens and Taxpayers of our Community, regarding the most grave process ever to confront our Community, requires the DGR process to start over from the beginning and a Public and Judicial Inquiry. Otherwise, our Constitution and *Charter* are nothing more than illusory documents.

19. In my view, the “meaningful” Citizen consultation our government pretends to provide can be summed up this way: Our government says it values Citizen input! Our government thanks Citizens for participating in the DGR process! Our government thanks Citizens and Taxpayers for expressing their views and concerns! And our government maintains that it hears and listens to Citizens and Taxpayers! The DGR process has translated this “meaningful” Citizen and Taxpayer consultation and participation as follows: A Citizen and Taxpayer might as well read the phone book to our government for all the good it will do. The Supreme Court of Canada has held that there must be meaningful Community Consultation related to government processes. The DGR process is the gold standard for how to destroy Due Process! The DGR process is the model for how to destroy Democracy! The DGR process is the blueprint and precedent for how to violate the most sacred of our Democratic and Due Process Rights secured by our *Canadian Charter of Rights and Freedoms*.

20. As I have said, I was concerned about the CEAA soliciting Applications for Registered Participant Funding from Citizens prior to the Joint Review Panel Report being released. [See my two other emails sent to you that set forth my position].

21. To reiterate, it is impossible to apply for funding to review the Joint Review Panel Report when the Report has not been released. CEAA provided no explanation that would justify seeking and reviewing Applications prior to knowing why anyone might need funding, other than the Minister has a 4 month deadline and the CEAA must move on the funding requirement quickly. This explanation is ludicrous and meaningless related to the obvious fact that no one knows why or what funding they may need before knowing what the Report from the JRP says. The person or entity might be perfectly satisfied with the Report, and if the JRP dismisses the OPG DGR Application, there would be no need for any funding to Registered Participants in the first place. While you say the CEAA does not know what the decision of the JRP is going to be, in light of the history of the flawed DGR process and the SPAMMING of Citizen and Taxpayer evidence and the 7 years of unlawful secret DGR Bruce County Council meetings make the impossible premature request for funding concerning and impossible to rationally reconcile. The inexplicable explanation confirmed that there is no way for anyone to apply for funding prior to the release of the JRP Report, yet you continue to forge ahead and merely tell me that you do not agree with me and thanks for telling us.

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Everyone supporting this eventual doomed project will look foolish, and thus, do not have a valid explanation for the rags and clothes DGR process – therefore, forge ahead unabated and undaunted by a project that is destined to make the 2 gas-plant fiasco look like nothing more than Taxpayer dollar chump change waste by comparison. CEAA is apparently not aware of the unlawful secret closed DGR meetings conducted by our DGR Community Bruce County Council for 7 years between 2005 and 2012. Had Citizens known about the unlawful DGR meetings the 10 years of irresponsible pursuit of a clothes and rags DGR to be followed by a spent fuel DGR in our DGR Bruce County Community would never have happened. The press was not allowed to cover these unlawful and secret DGR meetings. Had the meetings been lawfully open to press and Citizens and Taxpayers, Michael Binder [CNSC watchdog for Citizens] in 2009 never would have said that he hoped to see all of the mayors of Bruce County at the “ribbon-cutting” for the OPG DGR. I was advised by CEAA that the clothes and rags that were worn and used by the nuclear workers required a DGR to ensure that the Public was protected from radiation from the clothes and rags. Yet the JRP Record and all nuclear experts agree that a DGR for clothes and rags is not required. My filed DGR Record confirms with certainty that the clothes and rags DGR was the only way OPG could “sell” the DGR to our Community because OPG knew it would never be able to “sell” the spent fuel DGR to our Community. OPG and CNSC knew if they could build the clothes and rags DGR, they could thereafter replace the clothes and rags with spent fuel and that would be an easy way to solve the spent fuel nightmare – and the Citizens and Taxpayers of our Community would not be able to stop it at that point. If a DGR is required to protect the Public from radiation from clothes and rags worn and used by nuclear workers, what protection did the actual workers have while they wore and used the clothes and rags before the clothes and rags became nuclear waste required to be buried a mile underground lest the Public would be harmed. It has always been my understanding that the clothes and rags cannot hurt anyone, otherwise the actual workers who wore the clothes and used the rags would have been in radiation-harms-way throughout their careers. It is my understanding that there is no dispute about this. Thus, since the clothes and rags could not have been harming the workers who wore and worked with the clothes and rags there is obviously no need for a DGR to store them after the workers throw them away. Nevertheless, in light of OPG’s and CNSC’s relentless pursuit of a DGR for clothes and rags brings into question the adverse radiation and adverse health affects the clothes and rags may have had on the nuclear workers throughout their careers. Please explain to all Citizens why OPG and CNSC continue to pursue a DGR for clothes and rags if they cannot harm anyone.

23. Commencing with a Toronto Star article on March 13, 2013, and continuing with evidence presented at the Joint Review Panel OPG DGR Public Hearings, OPG has agreed that there is no need for 2 DGR’s and all nuclear waste can be stored in 1 DGR. Yet our government continues unabated to proceed on the 2-Track 2-DGR process and absolutely wasting billions of our Taxpayer dollars and wasting our time and putting our Communities in twice the harms way! Thus, the Public and Judicial Inquiry will eventually correct this absolutely flawed and doomed process! And don’t forget about the WIPP catastrophe scripted for our Community at the expense of our Community, Ontario, Canada, and the World! What is SNC-Lavalin’s role?

24. I was advised that a total of 5 Applications have been received by the deadline. We look forward to CEAA posting the 5 Applications on its website so Citizens can review and witness the sham firsthand. The Applications cannot possibly have complied with the requirements to receive Registered Participant funding, and this is confirmed by the Application Form that you say was meticulously created to protect and preserve our finite and precious Taxpayer dollars. While the Application Form for funding is rife with problems, the one glaring requirement that no one could possibly comply with to allow funding to be provided is found at page 3 of 11, pursuant to number 7 that expressly requires

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the following quoted passage as a prerequisite to funding being available:

"[Number] 7. Formal Participation Opportunity

You must provide details on the activities and expenses that you plan on doing, as well as your funding request for these activities and expenses during your participation in the environmental process."

Then in bold letters the following prerequisite requirement is set forth that cannot possibly be complied with prior to the Joint Review Panel Report being released on May 6, 2015, 2 weeks from the date of this email [April 22, 2015]:

"Participation Opportunity: You must review and provide written comments to the Agency on the Environmental Assessment Report by the joint review panel and potential environmental assessment decision statement conditions."

The 5 funding Applications that you are reviewing cannot comply with this prerequisite requirement because no one in the World can review and provide written comment on the Environmental Assessment Report by the joint review panel that does not exist and will not exist until May 6, 2015 two weeks from now. As a result, the funding Applications will have to be denied by you lest you be in violation of your own requirements that must be adhered to prior to spending our finite and precious Taxpayer dollars, and improper to authorize. Furthermore, we Citizens who want to apply for funding are out of luck when the joint review panel finally releases its Report. This is a whole new level of bewildering government incompetence that precludes Citizens' meaningful participation in the DGR process. And the explanation CEAA provides is that it had to proceed in this impossible fashion because the Minister of Environment only has 4 months to make her decision!!! And this explanation is provided in a backdrop of the Joint Review Panel's unilateral decision to reopen the OPG DGR hearings in 2014, 1 year after the hearings had officially closed, with the commensurate unfair due process loss of memory related to witnesses and evidence presented over 1 year before in 2013, followed by the equally damaging unilateral extension of time for the Joint Review Panel to file its Report by some 3 or 4 months. So the JRP can change and make up its own rules to accommodate itself along the way, while Citizens are stuck with the unbending time rules established by the same entity. See the rejection of my emails by SPAM and because submitted outside an arbitrary deadline even though the emails dealt with important and new critical facts that have a direct bearing on the safety of the OPG DGR. Similarly, the CEAA April 13, 2015 deadline for Registered Citizens to apply for funding is unbending! When will Citizens and Taxpayers obtain the respect from our government people employed by us to be our Public Servants and protect and preserve our Democratic and Due Process Rights and our finite and precious Taxpayer dollars!

25. I was advised that I could not apply for Registered Participant funding related to the Minister's review of the Joint Review Panel's Report because the April 13, 2015 is the mandatory deadline. In fact, no Citizen and no Taxpayer can apply for funds beyond the April 13, 2015 mandatory and unbending deadline that expired some 11 days ago and with 2 more weeks to go before the May 6, 2015 release of the Joint Review Panel Report that is the subject of the funding Application. Ludicrous!

26. My comments made in this email and my other emails confirm what a sham the OPG DGR is. For over 10 years our Community was misled by propaganda manufactured by OPG and CNSC that the

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DGR would be for clothes and rags and high level spent fuel nuclear waste would never see the dark of day in the OPG DGR. Well, as we all know now, that is an absolute fraud. With a stroke of the pen by a future Kincardine Council, spent fuel could be introduced into the OPG DGR. Furthermore, NWMO [owned by OPG] is seeking to have spent fuel stored in our Community, even though for 10 years our Community was informed that no spent fuel would be stored in our Community. The first question, why not figure out what to do with spent fuel and then throw whatever low and intermediate nuclear waste into the same pathway. I made the point in our phone conversation that the rush to dig the OPG DGR for clothes and rags is nothing more than to gain a foothold DGR in our Community wherein OPG will later be able to replace the clothes and rags that do not need a DGR with the infamous spent fuel. CEAA indicated to me that it was not interested in discussing this because the only Application in front of CEAA at the present time is OPG's DGR for clothes and rags. CEAA would not "speculate" on whether or not it is a good idea to eventually transport the spent fuel to a DGR off-site, rather than on-site at the Western Nuclear Waste Management facility at the Bruce Power facility. In my view, that is irresponsible. The CEAA has a solemn obligation and duty to make sure all nuclear waste is dealt with in the best and safest way possible, and to protect our finite and precious Taxpayer dollars without foolishly proceeding headlong into a haphazard and negligent process.

27. I have been advised that a Citizen's only recourse to gain answers to these concerns set forth here and in my Record is to proceed with an expensive and endless Judicial Review. Citizens should never suffer through such disrespect when attempting to meaningfully participate in the biggest process that will ever confront our Community. The public and Judicial Inquiry will protect our Democracy and our *Charter*.

28. The DGR process is a done deal and Citizen participation is a sham. Having said that, everyone in our Community of Bruce County, everyone in Ontario, everyone in Canada, and everyone in the World have a solemn obligation and duty to figure out the best solution for all nuclear waste. As a result, the current DGR process must start over from the beginning to allow everyone to be involved and included in a meaningful way, i.e., to have all concerns and input from every Citizen meaningfully reviewed, considered, and implemented and incorporated in the final solution by our public servants in our government that work solely for the Citizens and Taxpayers. I suggest that we appoint Duncan Hawthorne as the leader of this spectacular task. In my view Duncan Hawthorne is the best CEO in the World and runs Bruce Power in a wonderful manner for our Community and the World. I nominate Duncan Hawthorne to become the first President and Dean of the inaugural University of Energy and Nuclear Waste in our Town of Port Elgin, mandated to figure out how to recycle, reuse, and recondition all nuclear waste for the benefit of all. We figured out how to get to the Moon, so we can figure out finding a recycle solution for nuclear waste rather than dangerously burying and exposing our Community, the Great Lakes, and the World to deadly radiation forever. CEAA and the rest of government forgot to meaningfully include Citizens and Taxpayers in the DGR process. Through our Due Process Rights, our Democratic Rights, our Constitution and *Charter* rights and freedoms, Citizens and Taxpayers demand and require our government to start the process over from the beginning to meaningfully include us. 7 years of unlawful secret closed DGR meetings by Bruce County Council [meetings with OPG and CNSC] require starting over. Our government must step forward and start the DGR process over. Our government should not force a Public and Judicial Inquiry for Citizens and Taxpayers to protect and preserve their Democratic Rights and Freedoms and Due Process enshrined in the *Charter*!

Most Respectfully,

4/29/2015

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John Mann
Saugeen Shores

*** NOTE ***

The CNSC email security server scanned this email and found no potentially hostile or malicious content. To be safe, do not open attachments from unrecognized senders.

*** REMARQUE ****

Le serveur de sécurité de la CCSN a examiné ce courriel et n'y a trouvé aucun contenu potentiellement hostile ou malveillant. Pour protéger votre ordinateur, n'ouvrez pas les pièces jointes en provenance d'expéditeurs inconnus.

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John Mann

From: "DGR Review / Examen DFGP [CEAA]" <DGR.Review@ceaa-acee.gc.ca>
Date: Tuesday, April 28, 2015 10:03 AM
To: "John Mann"
Cc: "DGR Review / Examen DFGP [CEAA]" <DGR.Review@ceaa-acee.gc.ca>
Subject: RE: Clothes and rags could not harm nuclear workers, thus, no need for clothes and rags DGR to protect Citizens.

Please note that the Joint Review Panel closed the record for the environmental assessment of the DGR project on November 18, 2014. No additional submissions or information will be accepted by the Panel. For further information regarding the close of the record, please see the Panel's notice to interested parties which is available on the Canadian Environmental Assessment Registry Internet Site (Registry) at <http://www.ceaa-acee.gc.ca/050/documents/p17520/100522E.pdf>.

The Joint Review Panel is proceeding with the preparation of its Environmental Assessment Report which will set out the rationale, conclusions and recommendations of the Panel, and a summary of comments received from the public during the course of the review. The Panel will deliver its Report to the Minister of the Environment on or before May 6, 2015.

Thank you for your continued interest in the DGR Project.
Joint Review Panel Secretariat
DGR.Review@ceaa-acee.gc.ca

From: John Mann
Sent: April 24, 2015 9:50 AM

Subject: Clothes and rags could not harm nuclear workers, thus, no need for clothes and rags DGR to protect Citizens.

April 24, 2015

Hi Joint Review Panel, OPG, NWMO, CNSC, CEAA, MPP Lisa Thompson, and MP Ben Lobb:

It is my understanding that the clothes worn by nuclear power workers and the rags used by nuclear power workers in their employment cannot possibly cause adverse radiation and adverse health affects to those nuclear workers. I understand that there is no dispute about this. So why is OPG and CNSC relentlessly pursuing building a DGR to bury the clothes and rags in order to protect Citizens and Taxpayers from harmful radiation? Our Community and the World look forward to your response. Thank you.

Most Respectfully,

John Mann
Saugeen Shores

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JOHN R. MANN III

*Citizen
Saugeen Shores*

World Headquarters Port Elgin Beach

May 1, 2015

Joint Review Panel Secretariat – DGR
c/o Canadian Nuclear Safety Commission
P.O. Box 1046, Station B
280 Slater Street, Ottawa, ON
K1P 5S9

Re: Volume XXII of John Mann submissions to the Joint Review Panel

Dear Joint Review Panel Secretariat – DGR:

I am delivering by Purolator the following to the Joint Review Panel for its review, consideration, and meaningful decision to be released May 6, 2015:

1. Volume XXII of DGR Record and written submissions by John Mann, consisting of pages 1,517 – 1,599 [including a copy of this letter];
2. A Computer Memory Stick for downloading Volume XXII of my DGR Record onto the Joint Review Panel DGR Registry for all to review and consider. The Computer Memory Stick also includes the written submissions of John Mann, Volumes I – XXI, with table of contents, previously filed with the Joint Review Panel.

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Please file these materials with the Joint Review Panel for its review, consideration, and meaningful decision, and include them all on the Public Registry for all to review and consider. These materials in Volume XXII are to be added to the 21 Volumes of my DGR Record and written submissions previously filed with you, along with the Computer Memory Sticks previously filed.

Thank you for your assistance. I appreciate it.

Most Respectfully,

John Mann
Saugeen Shores

Read Receipt Requested