



May 5, 2020

Mr. Brian Wilcox
Director – Reactor Decommissioning
Canadian Nuclear Laboratories (CNL)

Subject: CNSC Staff Completeness Check of Revised Environmental Impact Statement and Dispositions to Federal and Provincial Comments for the Nuclear Power Demonstration Closure Project

Dear Mr. Wilcox:

Thank you for your March 31, 2020 submission [1] to the Canadian Nuclear Safety Commission (CNSC) that included a revised environmental impact statement (EIS) for the proposed Nuclear Power Demonstration (NPD) Closure Project. CNSC staff have conducted a completeness check of the Canadian Nuclear Laboratories' (CNL) submission, including draft consolidated responses to the federal and provincial information requests (IRs) on the EIS [2], to form an opinion on whether the required information has been provided to enable the federal and provincial review team to proceed with the EIS technical review. CNSC staff have deemed the submission incomplete.

Overall Review

During the completeness check, CNSC staff reviewed each IR response for consistency with the guidance provided to CNL and using the information available to provide feedback, and determined that a significant number of the responses are incomplete. The main reasons for determining incompleteness of an IR response include the following:

- response does not directly or fully address the comment(s)
- insufficient information to conduct a technical review
- response refers to entire documents (or large sections) rather than specific sub-sections therein
- missing reference documentation that underpins the response

Detailed review feedback is provided in the attached table.

CNSC staff note that for some responses deemed complete, CNL referenced documents that were not provided in the complete package. While CNSC staff determined these documents did not underpin the responses for the purposes of the completeness check, experts performing the subsequent technical review may request these references on an ad-hoc basis.

Indigenous Engagement

CNSC staff are aware that the Algonquins of Pikwakanagan First Nation (AOPFN) intend to provide comments on the revised EIS within the next few weeks. As part of addressing the comments resulting from the completeness check, it is CNSC staff's expectation that CNL work with AOPFN to address the comments and gaps identified in their review of the revised EIS and incorporate this information in the EIS submission and IR responses. As part of this work, CNSC staff expects CNL to include the issues, concerns, and/or feedback identified by AOPFN into the revised EIS and the Indigenous Engagement Report (IER), address these issues, concerns, and/or feedback and demonstrate validation with AOPFN. CNL should further ensure that all the comments provided are recorded and dispositioned in the table of public and Indigenous comments to be submitted at a later date.

CNSC staff further expect CNL to clearly document in the revised EIS and related documentation how CNL has addressed the issues, concerns, and/or feedback raised by each identified Indigenous group, including validation by each group of the adequacy and completeness of the responses from their perspectives. Should CNL not be able to fully address the issues, concerns, and/or feedback raised from the perspective of each Indigenous group, CNSC staff expect that CNL will document this, provide a rationale, and clearly identify any ongoing engagement activities or steps CNL is committed to pursuing in collaboration with each Indigenous group to address outstanding concerns, where possible. In addition, it is CNSC staff's expectation that CNL is taking the opportunity and using the lessons learned from the Near Surface Disposal Facility Project to inform this project.

Next Steps

CNSC staff expect CNL to take the time necessary to perform any additional work, including but not limited to technical revisions and Indigenous engagement, to then revise the responses according to the outcome of this completeness check and submit the updated EIS submission, including all references that underpin the responses. Upon submission, CNSC staff will perform a subsequent completeness check. Should the EIS submission be deemed complete at that time, the technical review will commence.

Should you have any questions, please do not hesitate to contact me directly by email at candida.cianci@canada.ca.

Sincerely,

Candida Cianci

Candida Cianci
Director, Environmental Assessment Division

c.c.: CNSC: K. Murthy, C. Cattrysse, M. Herod, M. Phaneuf, R. Clarke, S. Watt

CNL: I. Bainbridge, P. Boyle, S. Brewer, S. Cotnam, J. D. Garrick, M. Gull, S. Karivelil, J. McBreaty, B. Phillips, U. Senaratne, K. Schruder, C. Williams, B. Wilcox

References:

- [1] Letter, K. Schruder (CNL) to K. Murthy (CNSC), *Submission of Revised Environmental Impact Statement for the Nuclear Power Demonstration Closure Project*, March 30, 2020 ([e-Doc: 6270691](#))
- [2] CNL, Nuclear Power Demonstration (NPD) Closure Project 2020 March 31 – Federal and Provincial Technical Responses 64-509200-021-000 ([e-Doc: 6271273](#))

Appendix A

Completeness Check of CNL's Submission of the Revised EIS for the NPD Closure Project