



January 26, 2021

Ms. Meggan Vickerd
Director of Near Surface Disposal Facility
Environmental Remediation Management
Canadian Nuclear Laboratories (CNL)

Subject: Outcome of Federal-Provincial Review Team Review of Final Environmental Impact Statement for the Near Surface Disposal Facility Project

Dear Ms. Vickerd,

Thank you for your December 4, 2020 final Environmental Impact Statement (EIS) submission [1] to the Canadian Nuclear Safety Commission (CNSC) for the proposed Near Surface Disposal Facility (NSDF) Project. The Federal Provincial Review Team (FPRT) have completed their review of Canadian Nuclear Laboratories' (CNL) submission, to form an opinion on whether the final EIS could be deemed as acceptable, to enable the CNSC to proceed with drafting the environmental assessment report (EA Report). CNSC staff have deemed that the information provided in CNL's submission is not complete, and as such, the final EIS cannot be deemed acceptable.

Scope of the Review

The scope of this submission review was for the FPRT to review the final EIS document to confirm that all responses to information requests (IRs) and comments on the draft EIS have been adequately incorporated into the final EIS document, prior to acceptance.

Outstanding Information

CNSC staff recognize that, overall, CNL has adequately revised the final EIS in response to the majority of information requests. However, there is still outstanding information that is required to satisfy IR # CNSC-2-04, in order for CNSC staff to draw conclusions in the EA Report.

CNSC staff would like to acknowledge that the format in which the information has been provided is clear, in both the EIS and in the Appendices, as well as in the Indigenous Engagement Report (IER). However, there is not sufficient information provided to demonstrate that CNL has worked through and has resolved Indigenous groups' issues and concerns in a manner that allows CNSC staff to draw conclusions and make recommendations within the EA Report to the Commission.

CNSC staff also acknowledge that CNL has made significant effort since July 2020 in meeting with Indigenous groups to address comments and concerns and in moving forward to address broader CRL site wide issues. Notwithstanding this, CNSC staff found that CNL did not



adequately reflect the information they committed to providing into the final EIS in response to IR# CNSC-2-04. The EIS does not currently contain sufficient information on CNL's engagement with each identified Indigenous group regarding the Project's potential effects to Indigenous groups and responding to concerns raised by Indigenous groups. There is currently a lack of detail on how CNL has responded to the concerns raised by Indigenous groups and how they have validated their responses to the concerns with each Indigenous group. There is also a lack of clarity and consistency in the EIS and supporting documentation in terms of what measures and commitments CNL has proposed or discussed with each Indigenous group to address those concerns. CNL should clearly identify which concerns and mitigation are specific to the Project and which concerns raised are about the CRL site as a whole and articulate the proposal for addressing these concerns moving forward. This information is needed for CNSC staff to be able to draw conclusions in the EA Report.

Additional Information

As outlined above and in the attached Annex A, CNL will find detailed analysis and direction with respect to what CNSC staff requires in the final EIS in order to accept a complete final EIS for the NSDF Project. At a high level, an updated response needs to contain the following:

- CNL needs to demonstrate that they have engaged with the identified Indigenous groups on specific topics related to:
 - potential effects to Indigenous groups and/or
 - areas of concern to Indigenous groups.
- CNL needs to clearly articulate the concerns raised by Indigenous groups, the proposed mitigation, commitments and /or follow-up measures to address the concerns, issues and/or feedback raised by Indigenous groups about the NSDF Project and demonstrate that CNL has undertaken verification work for these measures, which could include plans to address CRL site-wide issues
- This information needs to be clearly articulated and documented in the EIS and/or supporting documentation including the Indigenous Engagement Report (IER)

CNSC staff also request that CNL provide an updated IER, as well as a Commitments Report [2] as part of the revised final NSDF EIS submission. The IER should include all relevant information and updates regarding CNL's Indigenous engagement activities from August 2020 to February 2021. CNSC staff would also request that CNL update the final EIS to the extent possible based on these two documents, where appropriate.

You will also find additional items for CNL's consideration when making changes to the final EIS, in the attached Annex B.

Next Steps

CNSC staff expect CNL to take the time necessary to perform any additional work, including but not limited to potential additional Indigenous engagement, to then revise the submission and submit the updated final EIS submission. The CNSC is willing to hold a meeting with CNL to



further elaborate on the outcome of this review of the December 4, 2020 submission, and the expectations for a resubmission.

Upon resubmission of a final EIS, CNSC staff will perform a subsequent review. Should the final EIS submission be deemed complete at that time, CNSC staff will then notify CNL of the results of the review and proceed with the preparation of an EA Report.

Should you have any questions, please do not hesitate to contact the Environmental Assessment Specialist for the NSDF Project, Nicole Frigault, directly by phone at 613-608-1965 or by email at Nicole.Frigault@canada.ca.

Sincerely,

NKwamena

Dr. Nana-Owusua Kwamena
Director, Environmental Assessment Division

c.c.: CNSC: C. Cattrysse, C. Cianci, R. Clarke, M. Gacem, N. Frigault, J. Wray

CNL: P. Boyle, S. Faught, S. Karivelil, D. Wood, S. Brewer, C. Gallagher, M. Klukas, S. Cotnam, J. D. Garrick, , G. Doliner, M. Gull, U. Senaratne. J. Willman

Annex A: Detailed review of Revised final EIS for the Near Surface Disposal Facility Project

Annex B: Additional points for CNL consideration

References:

- [1] Letter, M. Vickerd (CNL) to N. Frigault (CNSC), Submission of Final Environment Impact Statement for the Proposed Near Surface Disposal Facility at Chalk River Laboratories, 232-CNNO-20-0045 L, December 4, 2020 (e-Doc: 6470929)
- [2] Letter, N. Frigault (CNSC) to M. Vickerd (CNL) and B. Wilcox (CNL), CNL Commitments Report Request – NSDF, NPD and WR-1, January 7, 2021 (e-Doc: 6458362)



Annex A. Detailed FPRT Review of final EIS for the Near Surface Disposal Facility Project (Submitted December 4, 2020)

Reference #	Link to IR#1 (Original IR Package)	EIS Section	IR and Response	Review of December 2020 Final EIS
CNSC-2-04	FC-36 FC-38 FC-40 FC-149 FC-150 FC-152 FC-153 FC-154 FC-155 FC-158	Section 6	<p>CNSC staff Information Request – Indigenous Physical and Cultural Heritage</p> <p>Question: A. FC-36 + FC-149 + FC-150 + FC-152 + FC-153 + FC-154 + FC-155 + FC-158 (INCOMPLETE December 2020 Final EIS)</p> <p>Provide a complete description of CNL’s engagement with each of the First Nation and Métis groups identified in table 6.2.2-1 regarding potential impacts to Indigenous and/or treaty rights. This information must include what interests, concerns, and/or feedback were raised by each Indigenous group, as well as how CNL addressed these.</p> <p>Examples of discussion topics include but are not limited to archeological sites and artifacts (FC 152), traditional use of land and resources (including trapping, hunting, gathering and fishing) (FC-149, FC-153), Pointe-au-Baptême (FC 154), environmental monitoring (FC-158).</p>	<p>Regarding CNL Response</p> <p>Question: A. FC-36 + FC-149 + FC-150 + FC-152 + FC-153 + FC-154 + FC-155 + FC-158</p> <p>Chapter 6 of the EIS provides a summary of CNL’s engagement with each of the First Nation and Métis groups regarding potential impacts to Indigenous and/or treaty rights, however when combined together with the IER TSD including Appendix H there is not an adequate level of detail or information to determine that all identified Indigenous groups were engaged on the following topics related to Project –specific impacts to Indigenous peoples including but not limited to:</p>



Reference #	Link to IR#1 (Original IR Package)	EIS Section	IR and Response	Review of December 2020 Final EIS
			<ul style="list-style-type: none"> • Clarify if all the First Nation and Métis groups identified in table 6.2.2-1 were engaged on the topics listed above. • Provide details in the EIS and/or IER on which First Nation and Métis groups provided feedback through engagement to the end of December 2019. Include the additional information in the relevant sections of the EIS and IER. Alternatively, please clarify why the end of March or April 2019 is a cutoff time for information provided. <p>B. FC-38 (Complete (With Question for CNL) December 2020 Final EIS) Provide additional information on Indigenous engagement regarding valued components (VCs).</p> <ul style="list-style-type: none"> • Clarify how the Indigenous VCs in table 6.3.2-1 were selected. • Clarify which First Nation and Métis groups 	<ul style="list-style-type: none"> -archaeological sites and artifacts -traditional land use of land and resources (including trapping, hunting, gathering and fishing), -Pointe-au-Baptême cultural site, and - environmental monitoring. <p>The following is also not clear in the EIS:</p> <ul style="list-style-type: none"> - which Indigenous groups provided feedback to CNL through engagement on the specific concerns raised; and - what concerns Indigenous groups raised with respect to Project specific impacts/ effects to Indigenous groups and how CNL proposed to address these concerns as well as if and how CNL resolved these concerns to



Reference #	Link to IR#1 (Original IR Package)	EIS Section	IR and Response	Review of December 2020 Final EIS
			<p>provided input or feedback on the selection of Indigenous VCs listed in table 6.3.2-1.</p> <p>C. FC-40 (COMPLETE December 2020 Final EIS) Provide additional information on the lifestyle survey referred to in section 6.6 of the revised EIS, including the following:</p> <ul style="list-style-type: none"> • Methodology used to develop the survey to ensure it was representative of First Nation and Métis peoples. • Whether groups were consulted on the development and/or results of the survey; if not, provide a rationale. <p>D. Assumption statements FC-149 + FC-153 (INCOMPLETE December 2020 Final EIS) Clarify if assumptions made about Indigenous peoples, and included throughout sections 6.2 and 6.4 of the revised EIS have been validated through engagement activities with First Nation and</p>	<p>the greatest extent possible. Project specific impacts should be in the EIS and IER, and where there are site-wide or broader issues that go beyond the scope of the Project, CNL should highlight that there are processes underway to address these.</p> <p>The EIS and IER indicate August 31, 2020 as the cutoff time for the information provided. It is CNSC staff's understanding that CNL has been conducting engagement from September 01, 2020 until present and has been working to resolve outstanding issues and responding to Indigenous groups concerns.</p> <p>Recognizing that although there needed to be a cut-off date for the Final EIS , CNSC staff require</p>



Reference #	Link to IR#1 (Original IR Package)	EIS Section	IR and Response	Review of December 2020 Final EIS
			<p>Métis groups? If not, provide a rationale.</p> <p>Context: CNL states: <i>“The Indigenous Engagement Report [1] has been revised and is a Technical Supporting Document to the EIS. Section 4 of this report [1] provides further information on Indigenous engagement.”</i></p> <p>Indigenous Engagement Report, Section 4.5 “Feedback Received” states: <i>“Indigenous interests are considered any interests that CNL is generally aware of or that have been expressed to CNL during engagement with identified Indigenous communities.”</i></p> <p>CNL also states: <i>“A new section 6 has been included in the revised EIS, to consolidate and summarize the major areas of assessment relevant to</i></p>	<p>the Final EIS and IER to contain enough information to show that CNL has engaged the identified Indigenous groups regarding their concerns, and issues, responded to the Indigenous groups and validated these responses so as to support their conclusions within the EIS with respect to effects and/or impacts to Indigenous peoples.</p> <p>In addition to the IRs, in April 2020, CNSC staff requested that CNL provide a table that contained concerns, issues and/or feedback from all identified Indigenous groups, responses to those concerns and validation of those responses. This information could come from a number of sources including Indigenous</p>



Reference #	Link to IR#1 (Original IR Package)	EIS Section	IR and Response	Review of December 2020 Final EIS
			<p><i>Indigenous peoples into one single section.”</i></p> <p>Rationale: There is very little detail included in the revised EIS and/or Indigenous Engagement Report (IER) on discussions had and feedback received from each Indigenous community and how this feedback was taken into consideration in the revised documents.</p> <p>As per the requirements/guidance in REGDOC 3.2.2, <i>Indigenous Engagement</i>, CNL should demonstrate that through its engagement activities it had discussions with all identified First Nation and Métis groups regarding potential impacts to Indigenous and/or treaty rights, as well as potential impacts as per the requirements of <i>Canadian Environmental Assessment Act, 2012</i> (CEAA 2012) and has tracked and addressed any interests / concerns / feedback. This has not been demonstrated in the revised/new sections of the EIS or in the responses to</p>	<p>groups’ comments on the EIS, if available.</p> <p>Therefore CNSC requires the following from CNL:</p> <ul style="list-style-type: none"> - Documentation for each Indigenous group that shows CNL’s engagement activities on all identified impacts/ effects to Indigenous groups, any concerns and issues raised by identified Indigenous groups with respect to the Project, CNL’s responses to those concerns and issues, including what commitments, mitigation, follow-up and monitoring is proposed and CNL’s validation with Indigenous groups of those responses.



Reference #	Link to IR#1 (Original IR Package)	EIS Section	IR and Response	Review of December 2020 Final EIS
			<p>CNSC staff original IRs FC-36, FC-38, FC-40, FC- 149, FC-150, FC-152, FC 153, FC-154, FC-155, and FC-158</p> <p>Addendum A – CNSC-2-04 (COMPLETE December 2020 EIS)</p> <p>A. FC-36 + FC-149 + FC-150 + FC-152 + FC-153 + FC-154 + FC-155 + FC-158</p> <p>These sections only provide high-level information. Section 6.2.4 only provides information regarding Algonquin’s of Ontario (AOO) and Métis Nation of Ontario (MNO). Table 6.2.5-1 provides a list of topics of interest for MNO and Algonquin Anishinabeg Nation Tribal Council (AANTC), no concerns/issues are provided. There is also no information on how CNL addressed feedback and whether any feedback from Indigenous groups was incorporated in the EIS and/or IER and if so, where. Also to note that while AANTC is included in this table,</p>	<ul style="list-style-type: none"> - For concerns raised by Indigenous groups with respect to the broader CRL Site, it would be beneficial if CNL could provide a summary of these concerns, as well as related responses and validation with each Indigenous group in an as complete as possible manner within the EIS and supporting documentation. However, CNSC staff recognize that at the time of the Final EIS these concerns may still be ongoing as they are broader issues that may not relate directly to the NSDF Project. - For responses/concerns where there is not full agreement between CNL and the Indigenous group on its adequacy, CNL needs



Reference #	Link to IR#1 (Original IR Package)	EIS Section	IR and Response	Review of December 2020 Final EIS
			<p>there is little mention of AANTC in the rest of the EIS and/or IER (assessment, land use, Indigenous interests) etc.</p> <ul style="list-style-type: none"> Table 6.2.4 1 includes several meetings entitled “Environmental Stewardship Council Meeting” and a meeting entitled “Meeting with Clare Cattrysse and CNSC”. Please provide more information and rationale on how these meetings are related to engagement with Indigenous communities on the proposed NSDF project. In Section 4.5 of the IER, “Feedback Received” includes a definition of “Indigenous interest.” Please define “generally aware”. What due diligence was used to ensure CNL was aware of all potential Indigenous interests in the project area to ensure fulsome and accurate information was provided through the assessments on impacts to Indigenous interests? (To note this 	<p>to clearly indicate in the EIS and/or IER the status of the response to the issue/concern and CNL’s path forward to try to continue to work with the Indigenous group to resolve or manage the concerns moving forward (site wide or for the project specifically)</p> <ul style="list-style-type: none"> Where CNL has not received responses or communications from Indigenous groups regarding the adequacy and appropriateness of the responses to their concerns, CNL must clearly summarize CNL’s efforts in this regard and the current status of the responses from Indigenous groups (i.e. CNL has not received a response from the



Reference #	Link to IR#1 (Original IR Package)	EIS Section	IR and Response	Review of December 2020 Final EIS
			<p>information is also included in Section 6.2 of the EIS)</p> <ul style="list-style-type: none"> ● Provide details in the EIS and/or IER on which First Nation and Métis groups provided feedback through “formal and informal consultation activities”, what the feedback was and how it was addressed by CNL. ● In section 6, where CNL describes the potential interactions of the NSDF Project with trapping, hunting, gathering and fishing activities, it does not provide information or validation that CNL has attempted to or gathered any details regarding traditional land use activities in close proximity to the CRL property directly from all identified First Nation and Métis groups. While it incorporated information received from the MNO TKLUS, it still uses assumptions in the text regarding land use by Métis citizens. It 	<p>Indigenous group to date regarding validation of the adequacy of CNL’s responses to their concerns raised to date).</p> <p>B. FC-38</p> <p>The response has been accepted. However, CNSC staff require information regarding how CNL intends to incorporate AOO’s review of the Final EIS including but not limited to the comments provided on the incorporation of AOO’s VCs.</p> <p>C. FC-40</p> <p>This response has been accepted.</p>



Reference #	Link to IR#1 (Original IR Package)	EIS Section	IR and Response	Review of December 2020 Final EIS
			<p>also does not provide any information on engagement activities with the seven (7) Williams Treaties First Nations and/or AANTC and/or its member First Nations.</p> <ul style="list-style-type: none"> • (FC-150) CNSC staff noted in the previous IR that it “will be important for CNL to clarify in the final EIS if there is any active hunting or trapping in the adjacent PE025 and PE002 trap lines, as well as on adjacent private (patent) lands, specifically if they are being used by any of the identified Aboriginal groups.” Section 6.4.4.1.2.1 only provides information regarding AOO and MNO. Table 6.2.2-1 identifies First Nation and Métis groups with potential interest in the project that are not included in the information provided in Section 6.4.4.1.1. Please clarify if all the First Nation and Métis groups identified in Table 6.2.2-1 were engaged on this topic. If so, please provide the details on this 	<p>D. Assumptions Statements FC-149 +FC-153</p> <p>The IR required that CNL demonstrate that where assumption statements were used they were validated with Indigenous groups. CNL’s response referenced Appendix H of the IER TSD; however, within the table, information was not provided and/ or it is not clear that CNL provided or flagged these specific sections for the Indigenous groups to review or worked directly with Indigenous groups to discuss the information in the EIS and/or IER specific to their communities to ensure that the information is accurate and appropriate.</p>



Reference #	Link to IR#1 (Original IR Package)	EIS Section	IR and Response	Review of December 2020 Final EIS
			<p>engagement, including what issues, concerns, and/or feedback raised by each Indigenous group, as well as how CNL addressed these. If not, please provide a rationale.</p> <ul style="list-style-type: none"> • (FC 155) The information provided in the response on the engagement with Curve Lake First Nation cannot be located in the EIS and/IER. Provide a rationale as to why Section 6.4.1 only refers to Métis and Algonquin peoples. Please ensure the information provided on the engagement with Curve Lake First Nation is included in the EIS and/or IER. • A number of First Nation and Métis groups, including the AOO, Kitigan Zibi Anishinabeg Nation and the AANTC, have expressed an interest in being engaged in on-going monitoring activities for the NSDF Project and CRL site in general, especially as it relates 	<p>Please provide information that demonstrates that CNL has engaged and validated the use of assumption statements with identified Indigenous groups.</p>



Reference #	Link to IR#1 (Original IR Package)	EIS Section	IR and Response	Review of December 2020 Final EIS
			<p>to their traditional land use activities (e.g., fishing). The response and EIS and/IER only provide high-level information and no reference to which First Nation and Métis groups were involved in the discussions.</p> <ul style="list-style-type: none"> • Section 6.4.6 states , “A couple of the Indigenous communities have indicated that they think their citizens have negative perceptions associated with harvesting near the CRL site which results in not using an area (KnowHistory2019).” The source quoted is the MNO IK study, this will only indicate concerns of Métis Nation citizens, despite the sentence stating, “a couple of the Indigenous communities...” Please clarify which communities this sentence refers to. • Provide more information in the EIS and/or IER on discussions had with and feedback provided by interested First Nation and Métis groups on environmental monitoring activities specific to the NSDF Project and the 	



Reference #	Link to IR#1 (Original IR Package)	EIS Section	IR and Response	Review of December 2020 Final EIS
			<p>CRL site more generally is included in the final EIS.</p> <p>B. FC-38 Section 6.3 Valued Components, identifies the AOO and MNO, however, does not include information in relation to engagement and feedback on valued components with the other First Nation and Métis groups identified with potential interest in the project as per list identified in Table 6.2.2-1, such as the 7 Williams Treaties First Nations and/or the Algonquin Anishinabeg Tribal Council and/or its member First Nations.</p> <p>Please clarify if all First Nation and Métis groups identified in Table 6.2.2-1 were engaged on this topic. If so, please provide the details on this engagement, including what issues, concerns, and/or feedback raised by each Indigenous</p>	



Reference #	Link to IR#1 (Original IR Package)	EIS Section	IR and Response	Review of December 2020 Final EIS
			<p>group, as well as how CNL addressed these. If not, please provide a rationale.</p> <ul style="list-style-type: none">• In addition to the MNO TKLUS study, what other methods of obtaining feedback and from which First Nation and Métis groups, influenced the identification of the “Indigenous VCS” that are capture in Table 6.3.2-1?• Please explain why this VC section does not include information in relation to engagement and feedback on valued components with all of the First Nation and Métis groups identified with potential interest in the project, including the 7 Williams Treaties First Nations and/or the Algonquin Anishinabeg Nation Tribal Council and/or its member First Nations. While the section does mention the Algonquin’s of Ontario and the Métis Nation of Ontario, it does not provide detailed information on	



Reference #	Link to IR#1 (Original IR Package)	EIS Section	IR and Response	Review of December 2020 Final EIS
			<p>engagement and feedback on valued components with these groups.</p> <ul style="list-style-type: none"> ● Please clarify if the final list of NSDF VCs included in Table 6.3.2-1 were shared with the First Nation and Métis groups identified with potential interest in the project and what feedback was provided. If so? How was the feedback addressed by CNL? If not, please provide a rationale. ● Please clarify which First Nation and Métis groups have conducted TKLUS, or plan to complete a TKLUS, and how that influenced (or potentially will influence) the identification of the “Indigenous VCS” that are captured in Table 6.3.2-1 and to support the NDSF project as stated by CNL in Section 6.3. <p>C. FC-40 It appears the survey did not take into account the lifestyles of First Nation and</p>	



Reference #	Link to IR#1 (Original IR Package)	EIS Section	IR and Response	Review of December 2020 Final EIS
			<p>Métis peoples, as they did not engage with the First Nation or Métis groups within the area. This survey also assumes that First Nation and Métis peoples only obtain “local foods” from farmers market, local farms and/or grown on their own property. This does not take into consideration harvesting of traditional foods (hunting/fishing/gathering). CNL should ensure that First Nations and Métis populations are adequately represented in the Human Health Risk Assessment and that dose estimates reflect their consumption rate.</p> <ul style="list-style-type: none">• Please provide more detail on the methodology used to develop this survey. If First Nation and Métis lifestyles were to be a focus of the survey and conclusions, how did the methodology ensure that First Nation and Métis peoples would be accurately reflected?• Please provided more detail on the results	



Reference #	Link to IR#1 (Original IR Package)	EIS Section	IR and Response	Review of December 2020 Final EIS
			<p>of the lifestyle survey. Include information such as how many people identified as First Nations? How many people identified as Métis? How many people overall participated in the survey? What questions were used to ensure that First Nation and Métis lifestyles would be reflected accurately in the survey results?</p> <ul style="list-style-type: none"> • Please clarify if the survey results and conclusions were shared with First Nation and Métis groups with interest in the project, as identified in Table 6.2.2-1. If so, what feedback was provided and how was it addressed by CNL? If not, please provide a rationale. • Please clarify if First Nation and Métis groups with interest in the project, as identified in Table 6.2.2-1 were consulted on the development of the survey. If not, please provide a rationale. 	



Reference #	Link to IR#1 (Original IR Package)	EIS Section	IR and Response	Review of December 2020 Final EIS
			<ul style="list-style-type: none"> ● Please provide a rationale as to why First Nation and Métis groups with interest in project were not surveyed. ● Please clarify why the <i>Life Style Surveys: Preliminary Local Food Fraction Findings</i>, only Indicates First Nation and Non-First Nation participant categories? How are Métis participants included in the results? ● Please clarify which First Nation and Métis groups provided input or feedback on the draft EIS to refine the human health risk assessment to ensure conservative representation. Please provide details on which First Nation and Métis groups provided feedback, what feedback provided and how it influenced the hunter/recreational receptor within the Post-closure Safety Assessment. <p>D. Assumption statements FC-149 + FC-153</p>	



Reference #	Link to IR#1 (Original IR Package)	EIS Section	IR and Response	Review of December 2020 Final EIS
			<p>Section 6.4.4.1 – includes information that appears to be from existing reports/agreement/websites and does not indicate if and how the information was validated directly with the communities/groups through engagement activities and feedback. In Section 6.4.4.1 the use of “it is likely”, “there could be”, “it seems reasonable” etc. is common. Very few source documents/resources are identified for these statements.</p> <ul style="list-style-type: none">• Please provide details in the EIS and/or IER on whether the information included in the paragraphs where “it is likely”, “there could be”, “it seems reasonable” etc. is used was provided to First Nations and Métis groups for validation and/or feedback? If so, which groups and what feedback was provided? If not, please provide a rationale as to why it was not shared with groups and how these assumptions were validated.	



Annex B. Additional points for CNL consideration

Reference #	Additional Technical Discussion / Minor Comments for CNL Consideration
<p>CNSC</p> <p>Perch Lake Fish Community Structure</p>	<p>The NSDF EIS indicates in the Executive Summary that there has been no major changes to Perch Lake fish community structure over time (Volume 1, Page ES-13), but in the main body of the EIS it refers to introduction of Northern Pike to Perch Lake (Volume 2, Page 5-324), which reflects current distributions. These two statements appear to contradict each other.</p> <p>Expectation to Address: CNSC staff expect CNL to revise text to ensure consistent and accurate statements regarding Perch Lake fish community structure in Volume 1 and 2 of the NSDF EIS.</p>
<p>CNSC</p> <p>EIS Section 2.5.7.5 No Liquid Discharge (Thermal Evaporator) and 2.5.7.5.1 Technical Feasibility</p>	<p>Please note that this issue was raised with CNL during the review of the WWTP discharge options study [Ref.1 and 2]. It is recognized that a thermal evaporator could be installed in the WWTP to evaporate the treated effluent and release it to atmosphere. CNL indicated that the evaporator would be technically feasible for normal flow conditions, however discounted (not feasible technically) based on a determination that it (evaporator) will not handle the capacity to manage the flow from two back-to-back 100-year, 24-hour storm event. In addition, CNL noted that this option would not eliminate the need for infrastructure to allow for liquid discharges of treated effluent during storm events.</p> <p>CNL should revisit the “No Liquid Discharge” option which uses thermal evaporation, as discounting this option without any technical justification, is not acceptable. CNL should assess the use of a suitable thermal evaporator that could handle both the normal operational and storm event flows. CNSC staff expect that this option be further assessed and implemented. Such an undertaking is considered as an enhancement to the NSDF design and as design optimization.</p> <p>Reference [1]: Letter, M. Vickerd (CNL) to M.C. Gacem (CNSC), Response to CNCS Staff Comments – Near Surface Disposal Facility Waste Water Treatment Plant Discharge Options, 232-CNNO-19-0005-L, March 4, 2019 – e-Doc 5827146.</p> <p>Reference [2]: Letter, M.C. Gacem (CNSC) to M. Vickerd (CNL), Near Surface Disposal Facility (NSDF) Waste Water Treatment Plant Discharge Options, May 6, 2019 – e-Doc 5895202.</p>



Reference #	Additional Technical Discussion / Minor Comments for CNL Consideration
<p>Health Canada HC-4-01</p>	<p><i>January 2021 Review:</i> The final EIS does not clearly address Health Canada’s technical advice, dated October 23, 2020, on the proposed traffic study. We recommend the proponent update the final EIS with the commitment to assess baseline nighttime noise levels and potential impacts of project-associated nighttime traffic noise on human health as per Health Canada’s technical guidance.</p> <p><i>October 23, 2020 Review:</i> Health Canada is providing the following advice to guide an assessment of the nighttime baseline noise levels and potential impacts of project-associated noise:</p> <ul style="list-style-type: none"> • document the distribution of vehicles by type over daytime and nighttime hours; • provide precise study location maps; and • carry out the study well in advance of any preparatory/actual construction-related activity. <p>Should the new traffic count study reveal that the existing nighttime noise levels are above the WHO (1999, 2009) recommended limit for sleep (i.e. 40 dBA) for steady-state noise, the Proponent should consider appropriate mitigation measures as part of the proposed noise mitigation plan. Furthermore, events that exceed 60 dBA Lmax outdoors during the nighttime should be limited to no more than 15 per night (WHO, 1999) to avoid sleep disturbance.</p>
<p>Province of Quebec</p>	<p>It appears that the translation of the documents provided contains certain errors, in particular with the name of the animal species. For example, the term "clam" is used incorrectly to identify freshwater mussels (p.5-774). Clam is a marine species that cannot be sampled in the Ottawa River. These translation errors could lead to misunderstanding when reading the impact study and thus introduce bias when analyzing the text. A check of the terms used in French is necessary to ensure their accuracy.</p>
<p>Province of Quebec</p>	<p>The corrections and clarifications requested for table 5.7.6-6 (see comments from June 26, 2020) were not made in the final version of the EIS. Please refer to QC-2-04 [Ref. 1]</p>



Reference #	Additional Technical Discussion / Minor Comments for CNL Consideration
	<p>Reference [1]: Questions et commentaires sur le projet d'une installation de gestion des déchets près de la surface (IGDPS) sur le territoire des Laboratoires de Chalk River (LCR) en Ontario proposé par les Laboratoires nucléaires canadiens (LNC) Dossier 3212-13-003, Le 26 juin 2020</p> <p> Commentaires - Chalk River - 2020-06</p>
Province of Quebec	<p>For the socio-economic analysis of the project, the regional study area includes the entire Outaouais, but it does not describe the Pontiac region, which has a very different socio-economic reality from Gatineau.</p> <p>The description of the MRC du Pontiac is incomplete. In particular, the analysis team noted the lack of data regarding the emergency and protection services of the MRC, essential in the event of an accident. In addition, data on quality of life are limited to road accidents but should also include impacts related to noise, in particular during blasting.</p>