



April 30, 2020

Mr. Brian Wilcox
Director – NPD and WR-1 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 WR-1 In Situ Decommissioning Project

Dear Mr. Wilcox:

Thank you for your March 27, 2020 submission [1] to the Canadian Nuclear Safety Commission (CNSC) that included a revised environmental impact statement (EIS) for the proposed WR-1 In Situ Decommissioning Project at the Whiteshell Laboratories site. CNSC staff have conducted a completeness check of CNL's 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:

- response does not fully address the comment(s)
- not enough information to conduct a technical review
- response refers to entire documents rather than specific sections therein
- response refers to sections that are not in the revised documents
- missing reference documentation that underpins the response
- response indicates revisions will be made in the future

Detailed review feedback is provided in the attached table. For many responses deemed complete, CNSC staff noted that while sufficient information was provided for the responses to qualify as complete, these responses nonetheless were not aligned with the guidance provided to CNL. In light of this, CNSC staff would encourage CNL to review responses to all IRs and revise as needed to ensure consistency.

Additionally, the references provided in the EIS submission should be reviewed for completeness against the IR responses and the naming conventions should be consistent between the EIS submission and the responses.

Indigenous Engagement

CNSC staff are aware of feedback provided on the revised EIS by Sagkeeng Anicinabe in a letter dated February 18, 2020 [3] and submissions provided by the Manitoba Metis Federation in February and March 2020 [4],[5]. As part of addressing the comments resulting from the completeness check, it is CNSC staff's expectation that CNL work with each Indigenous group to address the issues, concerns and/or feedback identified by each group's review of the revised EIS and incorporate this information in the EIS submission and IR responses.

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, the CNSC 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, S. Watt, J. Way, R. Clarke, K. Ross, M. Herod

CNL: U. Akpan, P. Boyle, S. Brewer, A. Caron, S. Cotnam, D. Fillion, M. Gull, S. Karivelil, J. McBreaty, T. Reimer, U. Senaratne, A. Stelko, R. Swartz, B. Wilcox, C. Williams

References:

- [1] Letter, J. Gilbert (CNL) to K. Murthy (CNSC), *Submission of Revised Environmental Impact Statement for In Situ Disposal of the WR-1 Reactor at Whiteshell Laboratories*, March 27, 2020 ([e-Doc: 6268929](#))
- [2] CNL, WR-1 Federal and Provincial Environmental Impact Statement Comment Responses – March 2020 WLDP-26000-055-000 Rev 1 ([e-Doc: 6269477](#))
- [3] Letter, Chief D. Henderson (Sagkeeng Anicinabe) to B. Wilcox (CNL), *Re: Advance Review of Revised Draft Environmental Impact Statement (EIS) for the Proposed In-Situ Decommissioning of the WR-1 Reactor*, February 18, 2020 ([e-Doc: 6286980](#))
- [4] Manitoba Metis Federation, *Review of In Situ Decommissioning of the Whiteshell Reactor #1 Technical Review of the Updated Environmental Impact Statement*, February 12, 2020 ([e-Doc: 6238896](#))
- [5] Letter, M Riel (MMF) to CNL, *Review of February 25, 2020 Canadian Nuclear Laboratories (CNL) responses- Whiteshell Laboratories in situ decommissioning of the WR-1 nuclear reactor updated EIS*, March 27, 2020 ([e-Doc: 6287012](#))

Appendix A

Completeness Check of CNL's Submission of the Revised EIS for the WR-1 Reactor Decommissioning Project