

April 23, 2018

Mr. Yukiya Amano, Director General
International Atomic Energy Agency (IAEA)
Vienna International Centre
PO Box 100, 1400 Vienna, Austria

Dear Mr. Amano

We are writing to express as an urgent matter our deep concern that Canada is failing to meet its commitments under the *Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management*. Canada is in our view failing to manage its radioactive wastes in a responsible manner that would protect its citizens and avoid placing excessive burdens on future generations. We would like to bring to your attention the following:

The Canadian Nuclear Safety Commission (CNSC) is currently conducting environmental assessments of three project proposals for permanent disposal of the federal government's own radioactive wastes that we believe are completely out of alignment with IAEA guidance.

A giant, above-ground landfill for one million cubic meters of "low level" radioactive waste, including significant quantities of long-lived alpha and beta/gamma emitters, is proposed to be built beside the Ottawa River at Chalk River, Ontario. IAEA guidance states that near-surface disposal is not suitable for waste with long-lived radionuclides, because a "disposal facility at or near the surface makes it susceptible to processes and events that will degrade its containment and isolation capacity over much shorter periods of time" (1).

Nuclear reactor "entombment" projects are proposed for the [Whiteshell-1](#) reactor beside the Winnipeg River in Pinawa Manitoba; and for the Nuclear Power Demonstration reactor beside the Ottawa River at Rolphton, Ontario. The IAEA does not recommend reactor entombment except in emergencies (2).

Canada has not developed policies and strategies for radioactive waste management as recommended by the IAEA (3). A recent petition to the Auditor General of Canada notes that Canada is grossly deficient in policies and strategies to guide the disposal or long-term management of the federal government's 600,000 cubic meters of radioactive waste (excluding irradiated nuclear fuel), much of it a byproduct of nuclear weapons production activities during the Cold War era.(4)

Canada has not developed a national classification system applicable to radioactive waste disposal despite having been asked about this several times during the IAEA peer review process (2). Canada's classification system allows long-lived radionuclides such as plutonium to be classified as "low level" and makes no mention of keeping these substances contained and isolated from the biosphere.

The federal government, which has responsibility for radioactive waste policy, has only ever released a "framework" composed of three bullets. (5) This "radioactive waste policy framework", developed with no public discussion or consultation, is now more than 20 years old. It states that waste owners must meet their responsibilities "in accordance with approved waste disposal plans," but the Government of Canada, as "owner" of the vast majority of Canada's non-fuel radioactive wastes, has never released an approved plan for long-term management of its own wastes.

If Canada had radioactive waste policies and plans that conform to IAEA guidance we do not believe that the three current proposals would have reached the environmental assessment stage. Canada is proposing to abandon long-lived radionuclides at or near the surface, at sites chosen for convenience rather than for long-term safety. Canada has never conducted a proper siting process for non-fuel radioactive wastes, either for a near-surface disposal facility or for a geological facility.

CNSC – far from intervening to address these problems – is in our view compounding them. It dismissed warnings from scientific experts about serious flaws in the three proposals during the project description phase (6) (7) (8). We are advised that it provided incomplete and misleading information about them in its recent report to the Joint Convention (9). CNSC is widely perceived to be subject to "regulatory capture. (10). As a regulatory body, not a policy-making body, CNSC's so-called "regulatory policy" guides are no substitute for government policy. Canada lacks checks and balances and the involvement of multiple agencies and departments that in our view are needed to strengthen its nuclear governance system.

We believe that an IAEA investigation and report on Canada's radioactive waste management policies and practices is urgently needed. We also request that IAEA review Canada's nuclear governance with a view to providing recommendations that would address serious current deficiencies.

We look forward very much to receiving your assistance in these very important matters.

Yours sincerely,

Grand-Chief Patrick Madahbee, Anishinabek Nation
Chief James Marsden, Alderville First Nation
Chief Joanne G. Rogers, Aamjiwnaang First Nation
Chief Rodney Noganosh, Chippewas of Rama First Nation
Chief Shining Turtle, Whitefish River First Nations
Candace Day Neveau, Bawating Water Protectors

Angela Bischoff, Ontario Clean Air Alliance
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Beatrice Olivastri, Friends of the Earth Canada
Benoit Delage, Conseil Régional de l'Environnement et du Développement Durable de l'Outaouais
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Robb Barnes, Ecology Ottawa
Shawn-Patrick Stensil, Greenpeace Canada
Theresa McClenaghan, Canadian Environmental Law Association

Dr. Éric Notebaert, Canadian Association of Physicians for the Environment
Dr. Gordon Edwards, Canadian Coalition for Nuclear Responsibility
Dr. Ole Hendrickson, Concerned Citizens of Renfrew County and Area
Dr. P. T. Dang, Biodiversity Conservancy International

André Michel, Les Artistes pour la Paix
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Céline Lachapelle, Action Environment Basses-Laurentides
Dave Taylor, Concerned Citizens of Manitoba
Gareth Richardson, Green Coalition Verte
Georges Karpat, Coalition Vigilance Oléoducs
Gilles Provost and Ginette Charbonneau, Ralliement contre la pollution radioactive
Jamie Kneen, Mining Watch
Johanna Echlin, Old Fort William (Quebec) Cottagers' Association
John Jackson, Nuclear Waste Watch
Janet McNeill, Durham Nuclear Awareness
Kirk Groover, Petawawa Point Cottagers' Association
Marc Fafard, Sept-Îles Sans Uranium
Marie Durand, Alerte Pétrole Rive-Sud
Mario Gervais, l'Association pour la Préservation du Lac Témiscamingue
Maryanne MacDonald, Water Care Allies, First United Church, Ottawa
Nadia Alexan, Citizens in Action
Pascal Bergeron, Environnement Vert Plus
Patrick Rasmussen, Mouvement Vert Mauricie
Paul Johannis, Greenspace Alliance of Canada's Capital
Réal Lalande, STOP Oléoduc Outaouais

cc.

The Right Hon. Justin Trudeau, PC MP, Prime Minister of Canada
Chief Perry Bellegarde, Chief of the Assembly of First Nations
Mr. Michael Ferguson, Auditor General of Canada

Ms. Julie Gelfand, Commissioner of Environment and Sustainable Development, Canada

H. E. Ambassador Mark Bailey, Permanent Representative of Canada to the IAEA

The Hon. Carolyn Bennett, PC MP, Minister of Crown-Indigenous Relations, Canada,
The Hon. Catherine McKenna, PC MP, Minister of Environment and Climate Change, Canada

The Hon. Chrystia Freeland, PC MP, Minister of Foreign Affairs, Canada

The Hon. Ginette Petitpas Taylor, PC MP, Minister of Health, Canada

The Hon. Jim Carr, PC MP, Minister of Natural Resources, Canada

The Hon. Elizabeth May, MP, Leader of the Green Party of Canada

The Hon. Luc Thériault, MP, Groupe parlementaire québécois

The Hon. Mario Beaulieu, MP, Bloc Québécois

The Hon. Erin O'Toole, MP, Conservative Party of Canada Foreign Affairs Critic, Canada

The Hon. Shannon Stubbs, MP, Conservative Party of Canada Natural Resources Critic

The Hon. Marilyn Gladu, MP, Conservative Party of Canada, Health Critic

The Hon. Ed Fast, MP, Conservative Party of Canada, Environment and Climate Change Critic

The Hon. Hélène Laverdière, MP, NDP Foreign Affairs Critic

The Hon. Richard Cannings, MP, NDP Natural Resources Critic

The Hon. Don Davies, MP, NDP Health Critic

The Hon. Alexandre Boulerice, MP, NDP Environment and Climate Change Critic

The Hon. Monique Pauzé, MP, Groupe parlementaire québécois Environment Critic

Geoff Williams, Chair, Waste Safety Standards Committee (WASSC)

Sandra Geupel, WASSC Scientific Secretary

The Hon. Isabelle Melançon, MNA, Minister of Sustainable Development, the Environment and the Fight against Climate Change, Québec

The Hon. Chris Ballard, MPP, Minister of the Environment and Climate Change, Ontario

The Hon. Rochelle Squires, MLA, Minister of Sustainable Development, Manitoba

References

- (1) Near Surface Disposal Facilities for Radioactive Waste. Specific Safety Guide No. SSG-29. International Atomic Energy Agency, Vienna, 2014. https://www-pub.iaea.org/MTCD/publications/PDF/Pub1637_web.pdf
- (2) Decommissioning of Facilities. General Safety Requirements Part 6. International Atomic Energy Agency, Vienna, 2014. <https://www-pub.iaea.org/MTCD/publications/PDF/Pub1652web-83896570.pdf>

- (3) Policies and Strategies for Radioactive Waste Management. Nuclear Energy Series Guide No. NW-G-1.1. International Atomic Energy Agency, Vienna, 2009. https://wwwpub.iaea.org/MTCD/Publications/PDF/Pub1093_scr.pdf.
- (4) Policies and Strategies for Managing Non-Fuel Radioactive Waste. Petition number 411 to the Auditor General of Canada, September 21, 2017, summary and response at http://www.oag-bvg.gc.ca/internet/English/pet_411_e_42850.html, full text of petition at <https://tinyurl.com/AG-petition-411>
- (5) Radioactive Waste Policy Framework. Natural Resources Canada, Ottawa, 1996. <https://www.nrcan.gc.ca/energy/uranium-nuclear/7725>
- (6) CNSC Disposition Table of Public and Aboriginal Groups' Comments on Project Description – Near Surface Disposal Facility Project. <http://www.ceaa-acee.gc.ca/050/documents/p80122/118862E.pdf>
- (7) CNSC Disposition Table of Public and Aboriginal Groups' Comments on Project Description – Nuclear Power Demonstration Closure Project. <http://www.ceaa-acee.gc.ca/050/documents/p80121/118857E.pdf>
- (8) CNSC Disposition Table of Public and Aboriginal Groups' Comments on Project Description – In Situ Decommissioning of Whiteshell Reactor #1 Project. <http://www.ceaa-acee.gc.ca/050/documents/p80124/118863E.pdf>
- (9) Letter to Mr. Yukiya Amano of the IAEA from Mr. Ole Hendrickson of Concerned Citizens of Renfrew County and Area, "IAEA Review of Canada's Radioactive Waste Management Practices". March 5, 2018.
- (10) Building Common Ground: A New Vision for Impact Assessment in Canada. The final report of the Expert Panel for the Review of Environmental Assessment Processes. April 2017. <https://www.canada.ca/en/services/environment/conservation/assessments/environmental-reviews/environmental-assessment-processes/building-common-ground.html>