

Speaking notes – Environment Haliburton! – Presentation to CNSC - January 24, 2018

Good afternoon.

Thank you for providing the opportunity to address this hearing. Let me take this moment to recognize that we are on lands so well stewarded by the Algonquins of Ontario.

I amCarolynn Coburn, President of Environment Haliburton!. Environment Haliburton! is a volunteer-run, non-governmental organization based in Haliburton County. We take a comprehensive view of environmental issues. Our activity is focused within the County. However, we recognize that everything is related, that we are inter-dependent, and inter-responsible for life outside those human-imposed limits. The headwaters of the York River Watershed are within Haliburton County. That watershed delivers water to the Ottawa River. We believe we share responsibility with all those whose land feeds the Ottawa River.

We oppose the application for a ten-year extension of the licence affecting the Chalk River Laboratories, the licence originally issued to Atomic Energy of Canada, and currently held by Canadian Nuclear Laboratories, now wholly owned by the Canadian National Energy Alliance, a consortium of for-profit, multi-national corporations.

Our opposition is based on several concerns, the first being the duration of the proposed licence. No government in Canada gets a mandate that lasts ten years. Surely a commercial enterprise with a divided responsibility – to its shareholders and to the Canadian public – should be obliged to make its activities open to public scrutiny and comment at least as often as our elected leaders are. The agreement between AECL and the consortium ends several years before the expiry of the proposed licence. We recommend that any licence issued to CNL expire no later than that Agreement.

Ten years is a very long time in the business world. To illustrate, consider the changes that have occurred since the consortium was formed and took ownership of CNL. One company originally named as part of the consortium, *Energy Solutions Canada Group*,

appears to have withdrawn. A second company, *Atkins*, was not one of the original five, but is now listed as “a key member of the alliance”. Last July, *Atkins* was acquired by *SNC-Lavalin*, a third company in the consortium and the sole Canadian-based company. *CH2M*, self-described as the company whose team would lead the consortium, and manage and operate CNL, was acquired by yet another company, *Jacobs Engineering Group*, just last December. All this has occurred in just two years. Ten years from now, who knows who might be running CNL.

Chalk River Laboratories is embarking on several new initiatives, including a proposed mini-nuke facility, and an expanded nuclear waste depository system. Such large changes in operations in such a complex technological environment require more frequent rather than less frequent accounting to the public.

The second root of our opposition concerns the conditions in the proposed licence. They are too vague. Many of the conditions in the current licence have been omitted from the proposed licence. The proposed licence lacks the specificity needed for any litigation of violations. At a time when more oversight and regulation are needed, the proposed licence is moving toward less oversight and weaker regulation.

We strongly believe in the public’s right to know and to participate in decisions that have such long-lasting and potentially dangerous consequences for the people and the land. The proposal to substitute CSA standards, which are hidden behind a financial firewall, for the standards currently in use, will certainly limit our ability to know and to participate.

The third root of our opposition relates to the terms of the agreement between AECL and the consortium. We understand that under the terms of the agreement, AECL retains ownership of the physical and intellectual property assets and its liabilities.

It is the physical assets affected by this licence that are of primary concern. We have experience in Haliburton County with for-profit corporations leaving liabilities in their wake. For-profit corporations are created to make a profit for shareholders. Shareholders are far removed from the physical spaces where the commercial activities

occur. They expect the employees to maximize the Return On Investment. They assess performance by looking at recent financial records. They may be unaware, or unconcerned, with negative effects on the land if those effects do not affect the bottom line. Alternative solutions that could minimize the potential harm to the land may not be pursued because they are not the most cost-effective in the short term.

The applicant is operating a business that has enormous potential for harm to the physical assets, harm which could continue for thousands of years, the cost of which will be borne by all Canadians. Surely this calls for the incorporation into the licence of the four components of the precautionary principle: taking preventive action in the face of uncertainty; shifting the burden of proof to the proponents of an activity; exploring a wide range of alternatives to possibly harmful actions; and increasing public participation in decision-making.

Environment Haliburton! is also concerned about the current ability of AECL to oversee the contractual obligations of the consortium. Hybrid corporate-government structures, such as CNL, have a checkered history. Many privatized public services have been returned to public management due to the high costs of services and/or lax environmental standards. Tasking the much-depleted AECL with overseeing the GO-CO contract while also funnelling tax-payer dollars to the consortium is yet another indication of the lessening of regulatory control over the most dangerous industry on the planet. Is it even possible for one small agency to carry out both tasks?

Environment Haliburton! is very concerned about the applicant's proposed 'solution' for the radioactive waste on the Chalk River site. We are confident that should this facility be developed, state-of-the-art technology will be adopted. State-of-the-art technology was adopted at the Chalk River facility in the 1950s. In spite of that, there is on-going contamination. The best of good intentions does not guarantee success. A new licence should require that the handling of radioactive and toxic materials should be such that when new technology develops and provides safer solutions, future generations can recover the stored materials and treat them accordingly.

Another initiative new to the site is the possible development of several “mini-nukes”. Environment Haliburton! opposes the development of any new nuclear facilities. For us the unknown consequences of these new initiatives are yet another reason for not issuing a ten-year licence, and for incorporating the precautionary principle.

We strongly urge the Commission to restrict the duration of the extension of the licence to the shortest possible period. The re-licensing process is the only opportunity for you, representing the public interest, to maintain some control over this private sector activity. Re-evaluation should occur as frequently as possible.

A significant feature of Western Civilization is the broken relationship with the natural world. So many of us move from place to place, for education and for work. We forget that our existence is wholly dependent on the land, and other living organisms. We stop seeing that our well-being depends on the well-being of the natural world. We stop seeing the land as sacred -- sacred in the sense of deserving veneration. When we do remember our connection to the land, and deeply think about it, we change. Everything changes.

We request, as you deliberate, that you follow Voltaire’s admonition that “Our dominant passion must be for the public good.” I close with a question asked by the American designer and thought-leader, William McDonough: How do you care for all of the children of all species, for all time? Your answer will be in the terms of the licence you issue.

Thank you.