

Brief of recommendations

Prepared for

Members of Parliament on the **Standing Committee on  
Environment and Sustainable Development,**  
undertaking a study to undertake a comprehensive review  
of the governance of nuclear waste  
in Canada and its impacts on the environment

Prepared by

Sarah Gabrielle Baron

Dear legislators,

Your mandate is to undertake a comprehensive review of the governance of nuclear waste.

To appropriately examine this question, "Who is governing nuclear waste?" one must look at past events, at legislation, at current events, and examine all through the lens of power players: Who has money? Who has access? Who has influence? Who is gaining? Who is losing?

Two key questions to ask yourselves and each other:

- What are the gains to Canadians if the current pro-nuclear actors succeed, over the next few decades, in covering our nation and then the planet in new nuclear plutonium-extraction mini-factories mislabeled "SMRs"?
- What are losses to Canadians if these pro-new-nuclear plans go ahead, over the next 700 000+ years?

If the process of questioning shows contradictions in legislation, dubious or confusing overlap in jurisdiction, undu power wielded by interests known to be of criminal background, undu power wielded by interests known to be of corporate rather than public safety interests, an overarching preference for government empowerment of profit-based laws and regulations over citizen health and national security laws and regulations, it stands to reason that a moratorium on all new nuclear is recommended. We must not enable a new nuclear arms race, nor turn a blind eye to the existing and future disasters experienced by Canadians all along the nuclear fuel chain.

The following five sections outline reasoning by which your committee should take up the **recommendation for a moratorium on all new nuclear developments.**

## 1. Contradictions in legislation

Let us begin with a 'Land Recognition', and overview First Nation statements calling for a moratorium on new nuclear (inappropriately named by yourselves as "SMRs"):

- a) Assembly of First Nations 2018 declaration<sup>1</sup>;
- b) declaration by three Nations whose territory covers all of mid to far northern Ontario<sup>2</sup>;
- c) Anishinabek First Nation and Iroquois Caucus declaration<sup>3</sup>;

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<sup>1</sup> ASSEMBLY OF FIRST NATIONS 2018 SPECIAL CHIEFS ASSEMBLY – OTTAWA, ON FINAL RESOLUTIONS Page 51, [https://www.afn.ca/wp-content/uploads/2019/01/Combined-Final-2018-December-SCA-Resolutions\\_EN.pdf](https://www.afn.ca/wp-content/uploads/2019/01/Combined-Final-2018-December-SCA-Resolutions_EN.pdf)

<sup>2</sup> We Are The Land, Anishinaabek, Mushkegowuk, Onkwehonwe Declaration, 2009. <https://www.google.com/url?sa=t&source=web&rct=j&url=https://nationtalk.ca/wp-content/uploads/2016/03/WE-ARE-THE-LAND-declaration.pdf&ved=2ahUKEWjnoNbDifP1AhVik2oFHWTfDCAQFnoECAUQAQ&usg=AOvVaw1kxSJflwB2h3SNrvhHIokF>

<sup>3</sup> Joint Declaration between the Anishinabek Nation and the Iroquois Caucus on the transport and abandonment of radioactive waste, 2017. <https://www.anishinabek.ca/2017/05/02/joint-, -between-the-anishinabek-nation-and-the-iroquois-caucus-on-the-transport-and-abandonment-of-radioactive-waste/>

- d) Wolastoq First Nation declaration<sup>4</sup>;
- e) Chiefs of Ontario most recent reiteration <sup>5</sup>;
- f) Saskatchewan First Nations <sup>6</sup>

Hopefully it is not necessary to remind you, as Legislators, of laws requiring the Crown's Duty to Consult to obtain Free, Prior and Informed consent, beginning with the Royal Proclamation of 1773, and most recently enshrined in our ratification of UNDRIP.

Please ask yourselves, why are these Indigenous declarations being ignored?

These Indigenous declarations are being ignored because your government continues to operate, illegally, under the colonialist 'divide and conquer' method whereby you abrogate Crown Duty to Consult, and turn it over to private actors (corporations), to enter negotiations - "negotiation" delivered mostly through bribes with small Indian Act Band Councils (not the nation-level signatories to Treaties) that are besieged by woes like genocide, cultural genocide, and intergenerational traumatic response (ITR). Noone tells them the million year radioactive legacy they are agreeing to: "After the uranium is extracted, 85% of the radioactivity in the ore is left behind in the uranium tailings." <sup>7</sup>

If one follows the trickle-down trail of overarching law to final regulations, such as the Uranium Mines and Mills Regulations - which empowers corporations to lead the way on "*(i) the program to inform persons living in the vicinity of the mine or mill of the general nature and characteristics of the anticipated effects of the activity to be licensed on the environment and the health and safety of persons,*"<sup>8</sup> whereby the above described 'divide and conquer' mechanism is enshrined - one can see how our "governance of nuclear waste" process operates, which ends in misery for First Nations peoples now and effectively forever.<sup>9</sup>

One of the most egregious contradictions in legislation is a continued misuse of the term "within allowable limits" by both NRCan and CNSC, contrary to public health interests embedded in Health Canada legislations. There is no safe limit of exposure to radionuclides. In the U.S.A., many forms of cancer are legally recognized as caused by exposure from the uranium industry<sup>10</sup>. In Canada, only radon gas exposure is recognized as cancer-causing. Who informs

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<sup>4</sup> Wolastoq Grand Council Resolution Nuclear energy developments and nuclear waste use and disposal on Wolastokuk, 2021. [http://ccnr.org/Wolastoq\\_Resolution\\_2021.pdf](http://ccnr.org/Wolastoq_Resolution_2021.pdf)

<sup>5</sup> Chiefs of Ontario Resolution on Alternatives to Nuclear Energy (Feb 2021), [http://ccnr.org/COO\\_Resolution\\_Nuclear\\_Feb\\_2021.pdf](http://ccnr.org/COO_Resolution_Nuclear_Feb_2021.pdf)

<sup>6</sup> Clearwater River Dene Nation. *Clearwater River Dene Nation Serves Notice on Uranium Industry Regarding Impacts of Uranium Mines and Exploration*. Nov 10 2021. <https://www.newswire.ca/news-releases/clearwater-river-dene-nation-serves-notice-on-uranium-industry-regarding-impacts-of-uranium-mines-and-exploration-898283328.html>

<sup>7</sup> Edwards, Gordon. Expert Panel on nuclear waste in mining. [http://www.ccnr.org/NB\\_Uranium\\_2021.pdf](http://www.ccnr.org/NB_Uranium_2021.pdf)

<sup>8</sup> <https://laws.justice.gc.ca/eng/regulations/sor-2000-206/page-1.html>

<sup>9</sup> <https://anchor.fm/sarah-gabrielle-baron/episodes/Saskatchewan-e1d4sj0>

<sup>10</sup> More, Faye. RADIOACTIVE, *Port Hope*. <https://anchor.fm/sarah-gabrielle-baron/episodes/Port-Hope-e165fkk>

Ottawa citizens that their drinking water is laced with radionuclides Strontium90, Tritium, and Carbon14?<sup>11</sup>

When these and countless other legislations contradict, it behooves you to put a moratorium on all new nuclear development.

## 2. dubious or confusing overlaps in jurisdiction

Overall, the governing documents overlap: Nuclear Safety and Control Act<sup>12</sup>; Nuclear Fuel Waste Act<sup>13</sup>, and the Impact Assessment Act<sup>14</sup> (from which most SMRs are exempt thanks to lobbying by the CNSC<sup>15</sup>). These overlapping and sometimes contradicting documents require consolidation. This consolidation must not be led by for-profit industry, nor by politicians whose judgement is clouded by political support from said for-profit industries. Citizens, and most importantly Indigenous Knowledge Keepers, must be the empowered committee members deciding how we overhaul the jurisdictional powers regarding nuclear waste in our lands.

Who is currently governing the rules on nuclear waste in Canada?

Natural Resources Canada is currently doing an overhaul of the rules on nuclear waste<sup>16</sup>. *Meanwhile*, at the same time, your committee has been tasked with a "comprehensive review" of the entire governance structure. *Meanwhile*, at the same time, the capitalist industry under "NWMO" is forging ahead irrespective of said NRCan 'new rules', and irrespective of your committee's findings. *Meanwhile*, federally and provincially, the Liberals, Conservatives and New Democratic political machines support new nuclear via the "SMR Action Plan" - which was never an election topic anywhere ever, and therefore proceeds with extremely limited citizen awareness and therefore no citizen-approved mandate.<sup>17</sup> *Meanwhile*, the Liberal federal government hides billions in non-nuclear portfolios where public monies that should be spent on renewables is spent on dangerous new nuclear experiments<sup>18</sup>. *Meanwhile*, the Canadian Nuclear Safety Commission approves multiple dangerous experimental designs, with zero insight on *where and how* these corporations obtained said designs, or to whom they plan to sell said designs, thanks to assumption embedded in legislation that puts the onus on the corporations for voluntary self-regulation<sup>19</sup>. *Meanwhile*, corporations hide facts and statistics on

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<sup>11</sup> Hendrikson, Ole. RADIOACTIVE, *Chalk River*, September 2021 . <https://anchor.fm/sarah-gabrielle-baron/episodes/Chalk-River-e1685p4>

<sup>12</sup> <https://laws-lois.justice.gc.ca/PDF/N-28.3.pdf>

<sup>13</sup> <https://laws-lois.justice.gc.ca/eng/acts/N-27.7/FullText.html>

<sup>14</sup> <https://laws.justice.gc.ca/PDF/I-2.75.pdf>

<sup>15</sup> <https://www.nuclearsafety.gc.ca/eng/pdfs/REGDOC-comments-received/Comments-REGDOC-1-1-5-PC-Greenpeace.pdf>

<sup>16</sup> [https://www.rncanengagenrcan.ca/sites/default/files/draft\\_policy\\_on\\_radioactive\\_waste\\_management\\_and\\_decommissioning\\_-\\_english\\_-\\_jan\\_26\\_final.pdf](https://www.rncanengagenrcan.ca/sites/default/files/draft_policy_on_radioactive_waste_management_and_decommissioning_-_english_-_jan_26_final.pdf)

<sup>17</sup> <https://smractionplan.ca/>

<sup>18</sup> Net Zero Accelerator Initiative <https://www.ic.gc.ca/eic/site/125.nsf/eng/00039.html>

<sup>19</sup> General Nuclear Safety and Control Regulations (SOR/2000-202), *Obligations (continued), Transfers*. <https://laws.justice.gc.ca/eng/regulations/SOR-2000-202/page-2.html#docCont>

movement of radioactive materials and release of radioactive 'waste' into our environment and bodies to protect "investor interests".

Which tail is wagging which dog?

On the Nuclear Waste Management Organization (NWMO) website, a comprehensive overview document is impossible to find, yet specific self-approved documents include plans for transportation<sup>20</sup>, definitions<sup>21</sup>, inclusion of any and all experimental future wastes under the moving-target known as "Adaptive Phase Management"<sup>22</sup> and volume<sup>23</sup>. None of these NWMO self-approved documents are peer-reviewed, and they do not provide footnotes to show compliance with law. Our regulators, CNSC and ultimately NRCan rubber stamp these documents. Are you willing to also rubber-stamp this?

If you feel the above paragraphs describe a dog's breakfast of regulators and legislators, you should be concerned, and call for a moratorium on new nuclear developments until this can be cleaned up to the satisfaction of an *informed* electorate.

### 3. undu power wielded by interests known to be of criminal background

Please remember that until 2015 our nation's nuclear agenda, secrets and materials - including 'waste' - were controlled by the Crown. Since 2015 these have been controlled by SNC-Lavalin, under the guise of the misnamed Canadian National Energy Alliance and a perilously misunderstood 'Go-Co' model.

It is with grave concern that I have learned your committee has heard from a multitude of pro-new-nuclear interests, but have yet to hear from the one most powerful actor in Canada controlling our nuclear agenda: SNC-Lavalin.

SNC-Lavalin first gained control of development and international sales of our experimental new nuclear designs in 2011<sup>24</sup> when SNC-Lavalin was allowed to use the name, "Candu Energy". In 2015, this 'arrangement' was more deeply formalized through the creation of the Canadian National Energy Alliance<sup>25</sup>. Please raise a red flag in your minds when control of nuclear

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<sup>20</sup> [https://www.nwmo.ca/en/A-Safe-Approach/Transportation/Transportation-Planning?a=12887b780#\\_XzqEPmWgnLU.Jink](https://www.nwmo.ca/en/A-Safe-Approach/Transportation/Transportation-Planning?a=12887b780#_XzqEPmWgnLU.Jink)

<sup>21</sup> <https://www.nwmo.ca/~media/Site/Files/PDFs/2021/03/15/20/45/Backgrounder-2021-What-is-used-nuclear-fuel.ashx?la=en>

<sup>22</sup> <https://www.nwmo.ca/en/Canadas-Plan/About-Adaptive-Phased-Management-APM>

<sup>23</sup> Nuclear Fuel Waste Projections in Canada – 2020 Update

<https://www.nwmo.ca/~media/Site/Reports/2020/12/03/22/14/NWMOTR202006.ashx?la=en>

<sup>24</sup> Julie Gordon, Nicole Mordant Canada privatizes nuclear unit; sells to SNC JUNE 29, 2011. Reuters.com

<https://www.reuters.com/article/canada-us-aecl-snlavalin-idCATRE75S6HW20110629>

<sup>25</sup> SNC, June 29, 2015. Canadian National Energy Alliance, which includes SNC-Lavalin, announced as preferred bidder to manage and operate Canadian Nuclear Laboratories <https://www.newswire.ca/news-releases/canadian-national-energy-alliance-which-includes-snc-lavalin-announced-as-preferred-bidder-to-manage-and-operate-canadian-nuclear-laboratories-517992441.html>

designs and materials is passed from the Crown to this company, under titles which are meant to confuse, creating the illusion that the nation state is still in control, when it is not.

*“Atomic Energy of Canada Limited (AECL) has contracted CNL to manage and operate its sites and facilities across the country. It is also contracted to carry out AECL’s mandate to enable nuclear science and technology and to protect the environment by fulfilling the government of Canada’s radioactive waste and decommissioning responsibilities. In turn, AECL sets the direction and oversees the contract.*

*“While AECL owns the sites and the nuclear liabilities, CNL is responsible for the day-to-day operations and maintenance of the facilities. CNL operates under a GoCo model, meaning government-owned, contractor-operated.*

*“The Government of Canada selected the Canadian National Energy Alliance, a private sector consortium that represents some of the world’s most experienced nuclear engineering and management firms, to **run** CNL in 2015 after an international competition.”<sup>26</sup> (CNL, 2021)*

SNC-Lavalin has a recorded history of criminal activity, in Canada<sup>27</sup> and globally<sup>28 29</sup>. Their consortium partners are nuclear weapons producers, Jacobs, and Fluor.<sup>30</sup>

Have you read these contracts? Do you know who is in control, under which apparatus? Apparently the U.S.A. corporation Fluor feels it is in control.<sup>31</sup>

Are you aware of the locations now controlled and managed by these companies (via contracts over CNL)?

Chalk River Laboratories – Ontario  
Douglas Point – Ontario  
NPD – Ontario  
Port Hope and Clarington – Ontario  
Whiteshell Laboratories – Manitoba  
Gentilly 1 – Quebec  
LaPrade – Quebec  
Centre for Nuclear Energy Research – New Brunswick

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<sup>26</sup> *Canada’s national nuclear laboratory, Structure.* <http://www.cnl.ca/about-cnl/>

<sup>27</sup> Thompson, Elizabeth. *Key Figure in illegal elections financing scheme quietly pleads guilty.* CBC. Jan 19, 2019. <https://www.cbc.ca/news/politics/election-financing-snc-lavalin-charbonneau-1.4984823>

<sup>28</sup> Sorensen, Alini. *SNC-Lavalin is under scrutiny for its ties to Gadhafi regime. SNC-Lavalin is under scrutiny for its ties to Gadhafi regime.* March 2012. <https://www.macleans.ca/economy/business/friends-in-low-places-2/>

<sup>29</sup> World Bank. 2013. <https://www.worldbank.org/en/news/press-release/2013/04/17/world-bank-debars-snc-lavalin-inc-and-its-affiliates-for-ten-years>

<sup>30</sup> PRODUCING MASS DESTRUCTION: PRIVATE COMPANIES AND THE NUCLEAR WEAPONS INDUSTRY. <https://www.dontbankonthebomb.com/nwproducers/>

<sup>31</sup> <https://www.fluor.com/projects/canadian-nuclear-laboratories-management-operations>

Do you know the nature of the designs and materials now lost to Crown control?

*“Of all commercial reactors, the CANDU design produces the most plutonium per unit of energy, and is the most difficult to safeguard.”<sup>32</sup> (Martin, 1996)*

Please, be very very aware, that a small handful of plutonium can level entire cities.

Please ask yourselves, what is the culture of subservience to SNC-Lavalin at CNL? Last year SNC received \$1.24 billion<sup>33</sup>. First, let us examine the audit of how this relationship was born:

*“During the period covered by the audit, the Corporation was operating with an interim Board and without a President and Chief Executive Officer.....September 2015 marked the completion of a restructuring process that implemented the Corporation’s new role and reduced its workforce from approximately 3,400 employees to 40”<sup>34</sup>*

Please ask yourselves: if SNC-Lavalin employers came across a fancy experimental design, or some very very very valuable radioactive materials, and just *took* those designs or materials, would these **remaining 40 employees** say anything? Would the non-existent Crown overseers of this ‘Go-Co’ arrangement have said anything? Does this magically explain the flood of experimental designs, some brought forward by start-ups, now being rushed through approval processes at CNSC? If this is the birth of the Go-Co arrangement, what culture exists now?

While the following questions might expand beyond your mandate regarding the governance of nuclear waste, it behooves you as representatives of Canadian collective interest and requiring of adherence to law to ask:

- Does this explain why the Liberal Party under Justin Trudeau was reticent to allow then Governor General her legal duty to ensure SNC-Lavalin was investigated for bribery and fraud in 2019?<sup>35</sup>
- Does this explain why the monetization of used CANDU fuel is being rushed through as a “safe” and “zero emitting” response to the climate crisis?<sup>36 37</sup>

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<sup>32</sup> David Martin, *Exporting Disaster, the cost of Selling CANDU reactors*. Nuclear Awareness Project for the Campaign for Nuclear Phaseout. November 1996. ccnr.org

<sup>33</sup> North Renfrew Times. *AECL to get more than \$1.25B*. Feb 28. 2020. <https://northrenfrewtimes.ca/news/aecl-to-get-more-than-1-25b/>

<sup>34</sup> Report of the Auditor General of Canada to the Board of Directors of Atomic Energy of Canada Limited—Special Examination—2017. [https://www.oag-bvg.gc.ca/internet/English/parl\\_oag\\_201711\\_07\\_e\\_42672.html](https://www.oag-bvg.gc.ca/internet/English/parl_oag_201711_07_e_42672.html)

<sup>35</sup> Gollum, Mark. CBC News. *What you need to know about the SNC-Lavalin affair*. September 26, 2019. <https://www.cbc.ca/news/politics/trudeau-wilson-raybould-attorney-general-snc-lavalin-1.5014271>

<sup>36</sup> Government of Canada. *Small Modular Reactors (SMRs) for mining*. May 21, 2021 <https://www.nrcan.gc.ca/our-natural-resources/energy-sources-distribution/nuclear-energy-uranium/canadas-small-nuclear-reactor-action-plan/small-modular-reactors-smrs-for-mining/22698>

<sup>37</sup> Hall, Chris. CBC *There's no path to net-zero without nuclear power, says O'Regan*

- Does this explain why Terrestrial in Oakville, allied with Stephen Harper (who made this arrangement with SNC-Lavalin in 2015) received \$20 million in taxpayer dollars in 2020, for a plutonium-extraction experimental design?
- Does this explain why ongoing government studies are full of inaccuracies, gaps, lack of dissenting citizen input, and continually tout pro-SMR misinformation?<sup>38</sup>
- Does this desire to monetize used CANDU fuel explain why politicians and industrialists lie to Canadians, calling the reprocessing for plutonium extraction “safe”, “recycling”, and “volume reducing” when in fact the opposite is true?<sup>39</sup>

With a bit of due diligence, you will see that when it comes to governance of nuclear waste, undue power is being wielded by an interest known to be of criminal background, requiring you to call a moratorium on all new nuclear developments.

#### **4. undue power wielded by interests known to be of corporate rather than public safety interests**

Rumina Velshi, president of the Canadian Nuclear Safety Commission, worked for OPG for eight years for promotion of new nuclear, or “SMRs”.

Indira Maharaj, commissioner for the Canadian Nuclear Safety Commission, is a lawyer who works for LNG, (argues against Wet'suwet'en rights to traditional lands). Commissioner Maharaj and other CNSC staff argued against Mississauga First Nation at a November 24 intervention, that Duty To Consult was not triggered, that they did not have the right to ask for a community health study, that the relationship was healthy, that they did not deserve their own independent health monitoring staff-person, that Cameco's climate-crisis forecasting was adequate, that the Cameco long-term waste storage triggered Duty to Consult (Cameco is going ahead with zero consultation), and that ten years was not too long between review cycles.<sup>40</sup>

On November 24, CNSC staff had Cameco staff delete a sentence in their application stating that the public's primary exposure was due to historical contamination. CNSC replaced it with “gamma ray” exposure. No legal nor health data explains this “enforcement”.<sup>41</sup>

On November 24, CNSC commissioners, like physician Dr. Demeter, belittled an Indigenous elder, Zhawaanankwod Ikwe, Joan Morningstar, when she talked about the high rate of cancers

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<https://www.cbc.ca/radio/thehouse/chris-hall-there-s-no-path-to-net-zero-without-nuclear-power-says-oregan-1.5730197>

<sup>38</sup> Leduc, Deschênes-Phillon, Economics, Resources and International Affairs Division, February 4 2020, *Nuclear Energy and Radioactive Waste Management in Canada Background Paper*.

[https://lop.parl.ca/sites/PublicWebsite/default/en\\_CA/ResearchPublications/201941E#txt42](https://lop.parl.ca/sites/PublicWebsite/default/en_CA/ResearchPublications/201941E#txt42)

<sup>39</sup> Lyman, Edwin. *The Problems with Pyroprocessing*. minute 10. <https://youtu.be/wpFlwIYM8L0>

<sup>40</sup> page 115 - 167 Canadian Nuclear Safety Commission transcript public hearing November 24, 2021. page 48-49 <https://nuclearsafety.gc.ca/eng/the-commission/pdf/Transcript-2021-11-24-Hearing-e.pdf>

<sup>41</sup> Murthy, Kavita. Canadian Nuclear Safety Commission transcript public hearing November 24, 2021. page 48-49 <https://nuclearsafety.gc.ca/eng/the-commission/pdf/Transcript-2021-11-24-Hearing-e.pdf>



in her community. Instead of addressing the call to empower Health Canada for an independent study of bioaccumulation of toxins, Dr. Demeter obfuscated, directing the conversation back to soil testing.<sup>42</sup> The CNSC staff, and all Crown legislators subsequently notified, have ignored

Joan's invocation of Article 12 of UNDRIP to assist her in getting back the ancestor remains and sacred artifacts that she knows were secretly and illegally exhumed in 1982.<sup>43</sup>

Mark Carney, a known Liberal Party insider, and advisor to political elite worldwide, is an agent of Westinghouse<sup>44</sup>, infamous for a failed new nuclear project and subsequent bankruptcy in the United States<sup>45</sup>. Carney is now at the helm of GFANZ, and a \$27 trillion dollar conglomeration of investors known as Net Zero Asset Managers Cooperative<sup>46</sup>, which overlaps and perhaps replaces the Net Zero Investment Consultants Initiative<sup>47</sup>, all tasked with saving us from the climate crisis via "new technology".

Bill Gates, whose personal wealth eclipses that of Canada, is responsible for a mad rush to new nuclear globally, and his organization received a Canadian taxpayer gift of \$30 million in 2019.<sup>48</sup>

Moltex is a United Kingdom start-up of dubious origin, whose plutonium-extraction design raises red flags for internationally respected weapons control auditors, because this design will not only simplify plutonium extraction from used CANDU fuel, but is aimed for export to nations all around the world.<sup>49</sup> 'Moltex' received \$50.5 million of taxpayer monies in 2021.

All of the new nuclear designs in front of the CNSC are under 300 MW. That is because the CNSC lobbied on behalf of the industry in 2018 to have these dangerous experiments exempt from environmental impact assessment.<sup>50</sup> This lobbying effort should be exposed as criminal, CNSC needs to be audited, this EIA exemption should be overturned, and all new nuclear activities, both "SMR" and "micro reactors" should be subject to the most stringent, Indigenous-informed, climate-crisis-relevant impact assessments.

BWXT is the U.S.A.'s largest nuclear weapons producer. Their TRISO fuel pellet technology, used in submarines, is pre-approved without any public mandate, for use in "micro reactors"

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<sup>42</sup> page 182-222 Canadian Nuclear Safety Commission transcript public hearing November 24, 2021. <https://nuclearsafety.gc.ca/eng/the-commission/pdf/Transcript-2021-11-24-Hearing-e.pdf>

<sup>43</sup> Morningstar, Joan. November 21, 2021. <https://youtu.be/5Q8y7HlqBKI>

<sup>44</sup> Nelson, Joyce. *Mini Nukes Big Bucks, the Interests behind SMRs*. Watershed Sentinel, January 14, 2021. <https://watershedsentinel.ca/articles/mini-nukes-big-bucks-the-money-behind-small-modular-reactors/>

<sup>45</sup> Folks, Will. *NukeGate Probe: The Turn Of Westinghouse*. June 11, 2021. <https://www.fitsnews.com/2021/06/11/nukegate-probe-the-turn-of-westinghouse/>

<sup>46</sup> <https://www.netzeroassetmanagers.org/>

<sup>47</sup> <http://www.bfinance.com/who-we-are/latest-news/investment-consultants-with-usd-10-trillion-of-assets-under-advice-come-together-to-launch-global-net-zero-initiative/>

<sup>48</sup> Government of Canada. *Net Zero Accelerator Initiative*. <https://www.ic.gc.ca/eic/site/125.nsf/eng/00039.html>

<sup>49</sup> Bunn, Matthew et.al. *Open letter to Prime Minister Justin Trudeau*. May 25, 2021. [http://ccnr.org/Open\\_Letter\\_to\\_Trudeau\\_2021.pdf](http://ccnr.org/Open_Letter_to_Trudeau_2021.pdf)

<sup>50</sup> Stensil, 2018, Greenpeace. *Re. Greenpeace comments on REGDOC-1.1.5: Licence Application Guide: Small Modular Reactor Facilities* [https://www.nuclearsafety.gc.ca/eng/pdfs/REGDOC\\_comments\\_received/Comments-REGDOC-1-1-5-PC-Greenpeace.pdf](https://www.nuclearsafety.gc.ca/eng/pdfs/REGDOC_comments_received/Comments-REGDOC-1-1-5-PC-Greenpeace.pdf)

destined to pepper our precious hinterland, by current corporate-captured legislators. BWXT received a CNSC 10 year licence for operations at a legacy waste site in the middle of a small Canadian city, *without providing a business plan*, which contravenes the laws you folks are supposed to be examining.<sup>51</sup>

Cameco corporation and Orano receive mine and mill licenses for experimental technology with no long-term waste management plan information provided to the communities that will be affected by these waste for all time.<sup>52</sup> Cameco and predecessor El Dorado have a history of dumping waste illegally<sup>53</sup>, and is probably continuing to do so, with silent approval from CNSC.<sup>54</sup> CNSC is aware of Cameco sales and distribution of uranium-laced fertilizer to farmers, and this include polonium-laced fertilizer<sup>55</sup>.

When it is clear that undue power is being wielded by interests known to be of corporate rather than public safety interests regarding the governance of nuclear waste, it behooves you institute a moratorium on all new nuclear development.

## **5. overarching preference for government empowerment of profit-based laws and regulations over citizen health and national security laws and regulations**

The mandate of Natural Resources Canada is to make profit from resource extraction. This body and minister and mandate must not be the overarching political lawmaker regarding nuclear waste.

Health Canada has no jurisdiction over CNSC or NRCan when it comes to community requests for testing of bioaccumulation of radionuclides. The CNSC continually supports only testing for air, soil, and water contaminants, and these duties are most often abrogated to corporate self-regulation and reporting.

The Canadian Nuclear Safety Commission is corporate-captured.

“I think it would be useful if the Canadian Nuclear Safety Commission, the CNSC reported directly to parliament on a regular basis. And parliament could summon people who have dealt with the commission and have been unhappy with their findings, so that some light can be shone on this matter. The experience of most intervenors is that the commission has what appears to an open process, when in fact they never refuse to grant a licence. In fact in their entire history they have never once refused a licence that was requested of them.

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<sup>51</sup> CELA Casework: Defending community & childrens' health in a nuclear host community <https://cela.ca/casework-uranium-processing-plant-relicensing-hearing-in-peterborough/>

<sup>52</sup> Paul, Candyce. RADIOACTIVE, *Saskatchewan*. January 2022. <https://anchor.fm/sarah-gabrielle-baron/episodes/Saskatchewan-e1d4sj0> and Paul, Candyce,

<sup>53</sup> More, Faye. RADIOACTIVE, *Port Hope*. August 2021, <https://anchor.fm/sarah-gabrielle-baron/episodes/Port-Hope-e165fkk>

<sup>54</sup> Paul, Candyce, Baron. *Northern Saskatchewan's nuclear nightmares*. Medium. <https://link.medium.com/D1T7885BHnb>

<sup>55</sup> Edwards, Gordon. Expert panel on radioactive waste from mining. [http://www.ccnr.org/shape\\_shifter\\_2021.pdf](http://www.ccnr.org/shape_shifter_2021.pdf)

“It’s rather ironic that the people who speak most highly of the CNSC are the people that are supposed to be regulated. You would think that the people that are being regulated would complain about them as being harsh taskmasters, but no, they’re actually not harsh task masters. Instead of being like a referee in a hockey game, they’re like the coach! They don’t send them to the penalty box, they just give them a talking-to.”<sup>56</sup>

Your own committee is woefully corporate-captured. Concerned citizens, myself included, are horrified at the love-in for new nuclear you are engaging in, ad nauseum, while limiting time for truly informed and concerned citizens. We applaud when a national hero like Dr. Gordon Edwards chastises you, as on February 15th,

“I didn’t realize that this was going to be a panel on the glories of nuclear power, rather than radioactive waste governance. I thought we were going to be focusing on radioactive waste governance. Regardless of what benefits or not nuclear power has, the wastes are going to be here forever, and they have to be dealt with, and that’s really what the question should be.

“The International Atomic Energy Agency says that it’s wrong to bury radioactive reactors right where they are on site. They should be dismantled and the waste should be taken off site - they should be packaged and so on. That’s a feature of good radioactive waste governance. Here in Canada we have the consortium that is planning to do the opposite. They are even going to rip up a contract that was already approved by the CNSC, to dismantle these reactors, and instead they’re going to bury them right beside major rivers, the Ottawa River and the Winnipeg river.

“We need to look at all kinds of radioactive waste, and we need to have an agency that is really not an arm of the industry. The problem here is that, just as you’ve seen today, the people in the industry are far more excited and interested in talking about what their technology can offer to Canadians while it’s operating, rather than the legacy that it’s leaving behind.” (Edwards, February 15 2022).<sup>57</sup>

**RECOMMENDATION:** a moratorium on new nuclear is required until the independence of the CNSC is audited, until the Canadian National Energy Alliance is investigated, until a revamping of decision-making on all matters nuclear is transferred to an arms-length committee of citizen and Indigenous leadership, and until a proper public debate on nuclear waste, which “we’ve never had” is instituted.<sup>58</sup>

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<sup>56</sup> [https://parlvu.parl.gc.ca/Harmony/en/PowerBrowser/PowerBrowserV2/20220215/-1/36485#info\\_](https://parlvu.parl.gc.ca/Harmony/en/PowerBrowser/PowerBrowserV2/20220215/-1/36485#info_)

<sup>57</sup> Edwards, Gordon [https://parlvu.parl.gc.ca/Harmony/en/PowerBrowser/PowerBrowserV2/20220215/-1/36485#info\\_](https://parlvu.parl.gc.ca/Harmony/en/PowerBrowser/PowerBrowserV2/20220215/-1/36485#info_)

<sup>58</sup> Edwards, Gordon. [https://parlvu.parl.gc.ca/Harmony/en/PowerBrowser/PowerBrowserV2/20220215/-1/36485#info\\_](https://parlvu.parl.gc.ca/Harmony/en/PowerBrowser/PowerBrowserV2/20220215/-1/36485#info_)

More than 70 non-profit organizations across our country agree that a moratorium on all new nuclear development is required.<sup>59</sup>

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*Sarah Gabrielle Baron is a poet, playwright, and occasional political campaigner in various locations around Ontario. Sarah is the host of a podcast, RADIOACTIVE, that is available on Spotify, Google Podcasts, and Anchor.fm. Sarah has no affiliation with any group in writing this brief.*

## **Summary**

Dear Legislators,

It is with great horror that I have watched the videos of your proceedings. You seem to have left reason at the door, and are willingly engaging in a love-fest for new nuclear. This is not only outside your mandate, but is a dereliction of your duty to protect Canadians' best interest.

Please remember that until 2015 our nation's nuclear agenda, secrets and materials - including 'waste' - were controlled by the Crown. Since 2015 these have been controlled by SNC-Lavalin, under the guise of the misnamed Canadian National Energy Alliance and a perilously misunderstood 'Go-Co' model.

Please refuse to allow the word "recycling" into your vocabulary when talking about the liquefaction of used CANDU fuel for plutonium extraction. Canada was responsible for initiating a middle-powers nuclear arms race when India attained the bomb in the '70's. Do not let Canada be responsible for shipping mini plutonium extraction factories to every nation in the world via these dangerous 'SMR' experiments by Moltex on the Bay of Fundy, by SNC-Lavalin at Chalk on the headwaters of the Ottawa River, Terrestrial in Oakville, OPG in Darlington, BWXT in our north. All will be facilitated by a 'sorting' station by OPG at Bruce on the shores of Lake Huron. Why is any of this okay when we still have no safe plan for existing waste?

Please inform yourself of statements on the care of nuclear waste already made by the Union of Ontario Indians / Anishinabek Nation and Iroquois Caucus. This five-point plan is solid, smart, and do-able. Please consider this as your starting point, and take on the Anishinabek Nation and Iroquois Caucus as your equal partners in creating a path to intelligent, wise, 700 000 generation planning for the nuclear waste these past seven decades have produced.

Please enact a moratorium on new nuclear development.

Please hold an inquiry into the activities of the Canadian Nuclear Safety Commission. That body is "corporate captured" and is ignoring multiple safety and security hazards within the nuclear industry. Nuclear waste begins at the tailings lakes, includes incinerators and abandoned dumps, includes all refining, processing and handling facilities. Your mandate.

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<sup>59</sup> CELA. *Media Release: Groups say federal funding of new nuclear reactors is a "dirty, dangerous distraction" from tackling climate change.* October 20, 2020. <https://cela.ca/dirty-dangerous-new-reactors/>

Please put a pause on all NWMO activities. An independent civilian-led body must be in charge of planning for the care of our nuclear waste. Money-making must not be the goal in this arena.

To get in touch with Canadians suffering the real effects of the nuclear industry in our nation, listen to my podcast, RADIOACTIVE. I think you will find the episodes on Peterborough, Port Hope, Pinawa, Chalk River, Wolastoqi, and Saskatchewan particularly touching. Your job is to ensure the nuclear waste problem is being attended to properly. Don't do this in a pro-nuke industry silo. Nuclear energy is not "clean", it is not "green", and it is certainly not "non-emitting".

~ Sarah Gabrielle Baron