



Canadian Environmental
Assessment Agency

Agence canadienne
d'évaluation environnementale

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SEP - 7 2016

Ms. Laurie Swami
Senior Vice President
Decommissioning and Nuclear Waste Management
Ontario Power Generation
1340 Pickering Parkway
Pickering, Ontario
L1V 0C4

Dear Ms. Swami:

Further to the letter from Ron Hallman dated May 2, 2016, I am writing to provide additional clarification regarding the request from the Minister of Environment and Climate Change to Ontario Power Generation to provide further information and/or additional studies with respect to the Deep Geologic Repository for Low- and Intermediate-Level Radioactive Waste Project.

On April 15, 2016, you provided the Canadian Environmental Assessment Agency (the Agency) with Ontario Power Generation's proposed plan to respond to the three elements of the Minister's request – alternate locations, cumulative effects analysis and mitigation commitments. In your correspondence, you request confirmation that Ontario Power Generation's understanding of the Minister's request for additional information is accurate, as well as clarity regarding the process that will be followed to review the additional information.

Process to Review the Additional Information

Following the submission of the additional information by Ontario Power Generation, the Agency will undertake the review of the information, assisted by federal authorities, including the Canadian Nuclear Safety Commission. The review process will be open and transparent, and include opportunities for participation by the public and Indigenous communities. Specific details regarding the review process are being finalized and will be communicated in the coming months.

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Clarification regarding the Proposed Response Plan

After reviewing the proposed response plan, the Agency is providing the following clarification and direction for consideration by Ontario Power Generation in responding to the Minister's request.

The Agency would like to emphasize that in responding to all three elements of the Minister's request, Ontario Power Generation must ensure that the information submitted in its response does not replicate what is already on the record of the review. If there is a need to reference information that is already on the record in your response, you are requested to provide clear cross-references to the documents on the Canadian Environmental Assessment Registry Internet site.

Alternate Locations

With respect the alternate locations, the Agency would like to provide the following clarification regarding the Minister's request in order to assist Ontario Power Generation in the development of its response. Ontario Power Generation has indicated that it intends to provide an assessment of the environmental effects of two technically and economically feasible geologic regions in Ontario, specifically in a sedimentary rock formation in southern Ontario and in a granite rock formation located in central to northern Ontario, without providing specific reference to actual locations.

The Agency is aware that during the initial review, Ontario Power Generation provided to the Review Panel an assessment of the potential environmental effects of a deep geologic repository located in both sedimentary rock (the geologic formation located at the preferred Bruce Power site) and in a granite rock formation in central or northern Ontario.

The Agency is also aware that in assessing the environmental effects of alternate locations for the Review Panel, Ontario Power Generation assumed that the alternate sites would have similar geographical and hydrological characteristics as the preferred site, including being proximal to a small wetland and a great lake. While the comparative value of assuming that any alternate sites would have the same characteristics as the preferred site can be appreciated, it is possible that suitable sites could be located within the geologic formations that are not near a wetland or a great lake. Therefore, in responding to this request, the Agency requests that the analysis of the environmental effects of the alternate locations to be provided by Ontario Power Generation provide a narrative assessment that does not assume that alternate sites in the geologic formation would have the same geographical and hydrological characteristics of the preferred site.

Cumulative Effects Analysis

With respect to the assessment of cumulative effects, the Agency notes that you indicated that you intend to consider the potential cumulative effects of the Project in combination with a hypothetical used fuel repository in two communities. However, the Minister's request noted that the Nuclear Waste Management Organization identified three potential host communities in the traditional territory of the Saugeen Ojibway Nation. Therefore, the Agency requests that Ontario Power Generation include the Municipality of Central Huron in its cumulative effects assessment.

The Agency recognizes that the Municipality of Central Huron is outside of the regional study area for the Project. However, in keeping with the Agency's updated *Technical Guidance for Assessing Cumulative Environmental effects under the Canadian Environmental Assessment Act, 2012*, Ontario Power Generation is directed to take a valued component approach to its updated cumulative effects analysis. Specifically, if there are potential residual effects resulting from a fuel repository in Central Huron, those residual effects should be considered, on a valued component basis, if they fall within the spatial boundary identified by Ontario Power Generation. More direction on this approach can be found in Agency's *Technical Guidance for Assessing Cumulative Environmental Effects*, available at <http://www.ceaa-acee.gc.ca/default.asp?lang=en&n=F1F30EEF-1>.

Ontario Power Generation is also reminded that the updated *Operational Policy Statement on Cumulative Effects Assessment* indicates that the environmental effects of accidents and malfunctions must be considered in the assessment of cumulative environmental effects, if they are likely to result from the Project in combination with other physical activities that have been or will be carried out.

Mitigation Commitments

The Agency can confirm that Ontario Power Generation's understanding of the Minister's requests for further information and/or additional studies in the area of mitigation measures is substantially accurate.

I trust that this clarification will assist Ontario Power Generation in responding to the Minister's request for additional information, and the Agency looks forward to receiving the additional information in December 2016. Over the coming months, the Agency will provide additional details regarding the process that will be used to assess these studies and the additional information.

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Should you have any questions or concerns over the coming months, please contact me at 613-948-2665 or via email at *heather.smith@ceaa-acee.gc.ca*.

Yours sincerely,

<Original signed by>

Heather Smith
Vice-President, Operations

c.c.: Dr. Michael Binder, President, Canadian Nuclear Safety Commission