

Marc Leblanc, Commission Secretary  
Canadian Nuclear Safety Commission  
280 Slater Street  
Ottawa, ON K1P 5S9

*Delivered via email [Marc.Leblanc@canada.ca](mailto:Marc.Leblanc@canada.ca)*

October 29, 2020

Dear Mr. Leblanc,

**Re: Confirmation of process timeline for CNL's Near Surface Disposal Facility  
Environmental Assessment (Ref No. 80122)**

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The Canadian Environmental Law Association (CELA) seeks the direction of the Canadian Nuclear Safety Commission (CNSC) in respect of the deliverable schedule for activities related to the environmental assessment (EA) for the Near Surface Disposal Facility Project at Chalk River Laboratories.

CELA is an intervenor in the manner and we consider the CNSC's decision on the NSDF to be of profound public interest and importance, in that it will have far-reaching environmental impacts and legal implications for the Canadian public and future decision-making on nuclear waste matters.

We request confirmation of the timeline for deliverables as set out in "Appendix A to the CNL-CNSC Administrative Protocol for the near Surface Disposal Facility Project at Chalk River Laboratories."<sup>1</sup> As stated at Item 34, the Preparation of the EA Report by CNSC will take 90 calendar days. Thus, as the step prior to this deliverable is the posting of the Final EIS and Comment Tables, it is our understanding that there will be a 90-day window between these activities (Item 34 and 33, respectively). **We request the CNSC confirm that the activities set out in Item 33 – Posting of Final EIS and Comment Tables and Item 34 – Preparation of EA Report occur a minimum of 90 days apart.**

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<sup>1</sup> Online: <https://iaac-aeic.gc.ca/050/documents/p80122/133583E.pdf>

As further explained in Table 2, we note that the preparation of the CNSC's CMD may occur during this 90-day window. However, it is our understanding that the release of the Final EIS and Comment Tables should occur 90 days prior to the first hearing day. Therefore, we also request **the CNSC confirm that the Posting of Final EIS and Comment Tables will occur a minimum of 90 days prior the first day of the hearing.**

Lastly, it is critical there be sufficient time for review and input so that the public can make a useful contribution to the analysis of issues before the CNSC for this EA, without injustice. We therefore request the CNSC not undertake the minimum public comment period of 30 days for review of the EA Report but rather, pursuant to section 4(1) of the *Nuclear Safety and Control Act* which requires that opportunities are provided for meaningful public participation, post the document for review for at least 90 days. We remind the CNSC that there has been no formal public participation in this EA since August 2017. **We respectfully request a response to this matter and directions from the CNSC as to how many days the public will be given to review and comment on the EA Report.**

Sincerely,



Kerrie Blaise  
Counsel, Canadian Environmental Law Association