

Nuclear Waste Agency Releases Discussion Paper, Holds Sessions in Northeast

Canada's newest nuclear agency, the Nuclear Waste Management Organization, is taking its message to communities in Northern Ontario, as well as across the country. Determining what exactly the message is requires something of a judgement call. If the NWMO's November 2003 Discussion Document bold face titles are to be taken at face value, the message is "tell us what you think". But the counter message that runs through the report and various other NWMO efforts reads more as one of "but don't think too much".

Created under the federal Nuclear Fuel Waste Act, the Nuclear Waste Management Organization is a creature of the nuclear industry, charged with a 3 year task of examining and then recommending one of three options for the long term management of nuclear fuel waste. The options are: the same tired concept touted by Atomic Energy of Canada Limited for the last 30 years of burying the waste in the Canadian Shield; a centralized storage facility, either above or below ground; and what many consider the default option of leaving the waste at the reactor sites where it is now kept and continues to be generated.

Launched in November 2002, almost five years after a federal environmental assessment of Atomic Energy of Canada Limited's "geological concept" concluded with recommendations that an agency be created independent of the nuclear industry, the NWMO has the waste producers as its board of directors, including Ontario Power Generation's Richard Dicerni as chair, and OPG (formerly Ontario Hydro) bat boy for geological disposal Ken Nash as vice chair, with New Brunswick Power and Hydro Quebec also filling seats at the table.

Sudbury's Contaminated Soils Subject of Multi-Year Study

The multi-year Sudbury Soils Study has entered the final year of its workplan, with critical decisions to be made over the several months about the "acceptability" of risks posed by soils contaminated by decades of metal smelting, and possible remedial actions.

The initiative was launched in 2001, following the release of a Ministry of the Environment Report summarizing 30 years of sampling results. The MOE had documented four contaminants (nickel, cobalt, copper and arsenic; lead was added to the study in July 2003) that exceeded their guidelines for levels of contamination. The Ministry then conducted a massive sampling program in the summer and fall of 2001, and required INCO and Falconbridge to conduct human health and ecological risk assessments to determine if there are any risks to people and / or the environment as a result of the soil contamination.

The Nuclear Waste Management Organization has only recently looked to northeastern Ontario as part of its "consensus building" exercise on the long term management of nuclear fuel waste. In December 2003, NWMO consultants slipped into North Bay for a quiet focus group with a "cross section of ... randomly selected Canadians as identified by independent public attitude research firm". Late February will see a similar effort in Sudbury with a "Citizens Dialogue" of the same "randomly selected Canadians as identified by independent public attitude research firm". And in March, a regional workshop will be held in North Bay - one of four across the country. The "regional dialogues will bring together representatives of organizations which have a record of participation in nuclear and other public policy discussions." A by-invitation-only event, according to the email invitation, "the Ontario dialogue will engage participants representing the environment, youth, science, education, energy, health, labour, business, as well as aboriginal, consumer, religious, and social/cultural interests. The task of the regional dialogues is to assist the NWMO in defining concerns, gathering knowledge and engaging in discussions on issues related to the NWMO's task, and described in the discussion document: *Asking the Right Questions*".

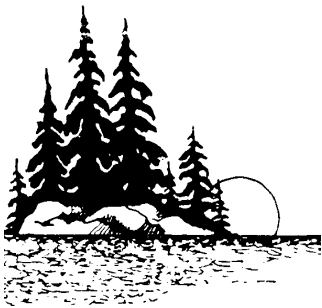
Current efforts of the NWMO are geared at getting feedback on their discussion document "*Asking the Right Questions?*", the first of 3 "milestone documents". A second discussion is expected in late summer. The November 2003 report provides a brief and very general summary of nuclear fuel waste, its source and current management, and is even briefer in recounting various reviews and policy spins that preceded the agency's existence.

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A Technical Committee drives the process. Consisting of INCO, Falconbridge, the City of Sudbury, the Ministry of the Environment, the Sudbury and District Health Unit, and Health Canada First Nations and Inuit Health Branch, the Technical Committee sets terms of reference and membership for themselves and the Public Advisory Committee, selects consultants, and provides technical guidance in completing the Human Risk Assessment and Ecological Risk Assessment and any associated studies.

A Public Advisory Committee meets bi-monthly and provides advice to the Technical Committee from a public perspective. *(Cont.)*

INSIDE: Updates on the Adams Mine, Montcalm Mine, Falco Import of Toxic Soils, MNR Wood Supply Strategy, Watershed Protection Policy, Insert on Forest Management Planning, Calendar ...



NUKE WASTE AGENCY REPORT / cont

While not expected to be a detailed account of all things nuclear, the report is often most disturbing in its simplification: the nuclear attacks on Hiroshima and Nagasaki ended World War II, all of the nuclear fuel waste in Canada will fit in less than five hockey rinks, and a year out of the reactor and the bundles of nuclear fuel waste emanate the heat roughly equivalent to a 60 watt light bulb. And, of course, nuclear power has played an important part of Canada's electricity supply. Missing is any note of the absence of any national energy policy or national debate on the continued use of nuclear power, and notably absent is any acknowledgement that the NWMO itself, as an agency fully in control of the nuclear waste producers, runs directly counter to the recommendations of the Federal Environmental Assessment Review Panel.

The 10 year Federal EA concluded that the AECL concept had not been demonstrated to be safe and acceptable, had numerous serious technical deficiencies, and that an independent agency that is arms length from the nuclear industry should be created to support future examinations of nuclear waste management options. The Nuclear Fuel Waste Act, in contrast, created an industry-only agency to manage the debate in Canada and recommend a "preferred" option after 3 years.

The NWMO report directs readers to 10 "key questions", which have a parallel survey on-line at www.nwmo.org. Also on-line are 5 workshop reports and 35 background papers commissioned by various experts and academics, as well as forums for posting comments on the discussion document. Hard copies can be requested by calling 1 866 249 6966.

Environmental Review Tribunal Refuses Hearing on Montcalm Effluent Permit

The Environmental Review Tribunal denied the applications for leave to appeal by Northwatch, the Partnership for Public Lands and Laurent Robichaud, quashing hopes of a hearing to reconsider the permit issued by the Ministry of the Environment that will allow Falconbridge to use the Groundhog River as a mixing zone to dilute toxic mine effluent from its new Montcalm Mine, 70 km northwest of Timmins.

Sudbury Soils Studies / cont

A consortium of consulting companies, now known as the SARA Group (Sudbury Area Risk Assessment) was established to provide consulting services in the Sudbury region, and in particular to undertake the Sudbury area Human Risk Assessment and Ecological Risk Assessment. The SARA Group was contracted in early 2003, more than 6 months behind schedule. Reasons cited for the delay included "lengthy discussions with the Technical Committee as to the details and content of the Request for Proposals" and the length of time required to establish the criteria for the selection and evaluation process of responses to the RFP. The SARA Group includes consulting firms C. Wren and Associates, Cantox Environmental Inc., Lakefield Research, Goss Gilroy Inc., Rowan William Davies and Irwin Inc, McLeod-Wood Associates, Hellingman Communications, and Dr. Lesbia Smith.

A number of controversies have plagued the Sudbury Soils Study over the last several months, including concerns raised about the selection of a scientist who had acted as INCO's expert in a hearing related to Port Colburne contaminated soils (another INCO contaminated community) as the independent scientific advisory for the Sudbury Soils Study. Other concerns have included the rejection by the Technical Committee of requests from the United Steelworkers of American and the C.A.W. Mine Mill to be represented on the public and technical committees, and the in-camera nature of the Technical Committee meetings. This latter concern has been addressed by allowing up to one hour before each TC meeting to hear from the public, prior to the closed meeting getting underway.

For more information call 1866 315 0228 or visit www.sudburysoilsstudy.com

The Tribunal did not find that the Director was "unreasonable" in making his decision to approve the construction and operation of a mine water treatment system, and subsequently did not consider the question of whether the project would cause environmental harm.

The Tribunal did recognize that the applicants had raised serious grounds and had genuine concern for the

NORTHWATCH WINTER MEETING

March 6 & 7

noon to nine saturday
nine to noon sunday

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Sudbury Women's Centre,
324 Elm Street, Sudbury

call 705 497 0373 or visit
www.northwatch.org for details

Liberal Fail to Act on Adams Mine Promise

Public Concern Temiskaming is preparing for a major spring campaign to target Premier Dalton McGuinty over his refusal to act over the Adams Mine issue. McGuinty campaigned on a promise to stop development of the dump until a full EA review had been initiated. PCT had been telling opponents of the Adams Mine to give the new government time to develop a strategy for implementing this campaign promise. But it's become increasingly clear to PCT that the new government doesn't have the will to stop the progress of Adams Mine.

Terry Graves of PCT says the government has all the ammunition it needs in order to call for an environmental review of the project. In early December, the MOE was given a damning report by Dr. Ken Howard, lead scientific voice in the Walkerton Inquiry. But the government has done nothing to act on this evidence. Graves is concerned that Dalton McGuinty is delaying any action because of the threatened \$301 million lawsuit being levied by his cousin, dump promoter Gordon McGuinty.

project's potential impact on the environment, but held that the MOE Director had considered these concerns.

The Tribunal did note Northwatch's concern about the potential for acid generation and concluded that this issue warranted further study and care in implementing procedures to ensure that the remedial measures can adequately respond to potential problems.

Coming Right Up Calendar of Events

March 4 - Nuclear Waste Management Organization "regional dialogue" in North Bay, 5-9 p.m., visit www.nwmo.ca or call Northwatch for details.

March 6 & 7 - Northwatch Winter Meeting, Sudbury Women's Centre, noon to nine Saturday and nine to noon on Sunday. Visit www.northwatch.org or call 705 497 0373 to register.

March 12 - Municipal Blue Box Programs, one of a series of public consultation workshops on Ontario's municipal Blue Box recycling programs, 1:00 pm - 4:00 pm, Sudbury City Hall, Committee Room C11, 200 Brady Street, Sudbury, visit www.wdo.ca or call Anne Mathewson (WDO) at 416-226-5113

March 12 - Watershed Based Planning Public Consultation in Sudbury, details t.b.a., call 416 314 4130 for information.

March 16 - Sudbury Soils Study Public Advisory Committee Meeting, for more details or to be added to the agenda call 1.866.315.0228 or email questions@sudburysoilsstudy.com, 6:30 p.m. meeting location tbc

March 20 - The World STILL Says No to War Toronto, Peace rally at 1 p.m., Nathan Phillips Square, Toronto; simultaneous rallies in locations across Canada and around the world.

March 27 - Nuclear Waste Management Organization "regional dialogue" in North Bay, 9 am - 4 p.m., visit www.nwmo.ca or call Northwatch.

March 29 & 30 - The 2004 Upwind Downwind Air Quality Conference, focusing on practical solutions to the air quality problems facing urban and rural regions. in Hamilton, Ontario. Visit www.cleanair.hamilton.ca for details.

April 2 & 3 - Extended Producer Responsibility Workshop in Toronto, Metro Hall, 55 Johns Street. Great Lakes United and the Association of Municipal Recycling Coordinators will be holding a two day workshop. For more information contact: Bailey at Great Lakes United at (716) 886-0142 or (905) 549-0900, <bailey@glu.org> or Cynthia Hyland at the Association of Municipal Recycling Coordinators at (519) 823-1990

April 3 - Ontario Environment Network Spring Eco-Gathering 2004, held in conjunction with the Extended Producer Responsibility Workshop (see above). OEN Youth Eco-Volunteer Strategy Workshop 1:45 - 2:15 followed by OEN Caucus Meetings 2:15 - 4:45 p.m. Contact the OEN for details at 705-840-2888 or oen@oen.ca.

April 15 & 16 - Ministry of Natural Resources Northeastern Ontario Regional Advisory Committee, Timmins.

April 23 - MiningWatch Canada Annual General Meeting, Ottawa.

April 25 to May 5 - Dalai Lama World Peace Ceremony. Kalachakra Initiation for World Peace in Toronto, Canada from April 25-May 5, 2004. National Trade Center, Exhibition Place, Toronto.

April 28 - Licensing hearing at the Canadian Nuclear Safety Commission for Rio Algom uranium mine tailings management in Elliot Lake; hearing is on request for change to licensing by Rio Algom. For more information visit www.cnsc.gc.ca or call Northwatch.

May 5, 6, 7 - The Federation of Northern Ontario Municipalities and The Ministry of Municipal Affairs 2004 FONOM Conference which will be held in the Mindemoya Community Center, Township of Central Manitoulin, sponsored by the Manitoulin Municipal Association.

May 13-15 - Our Waters, Our Responsibility: Indigenous Water Rights. The Indigenous Water Rights Steering Committee will be holding a national forum in Winnipeg, Manitoba. For info contact Chris Hiller or Millie Poplar (416-924-9199 701).

May 18 - Sudbury Soils Study Public Advisory Committee Meeting, for more details or to be added to the agenda call 1.866.315.0228 or email questions@sudburysoilsstudy.com, 6:30 p.m. meeting location tbc

May 21-23 - Northwatch Spring Meeting, John Island Camp, North Channel

May 26 & 27 - Mine Environment Neutral Drainage (MEND) Program in association with the Ontario Ministry of Northern Development and Mines and MIRARCO present the Ontario MEND Workshop on mine Sludge Management and Treatment of Weak Acid or Neutral pH Drainage, Sudbury.

June 4-6 - Great Lakes United Annual General Meeting and conference, Erie, Pennsylvania. Visit www.glu.org for details.

June 9 & 10 - Ministry of Natural Resources Northeastern Ontario Regional Advisory Committee, Wawa.

August 13-15 - Northwatch Summer Meeting



Provincial Government Releases White Paper on Watershed-based Planning

A recently released provincial government White Paper on watershed source protection will be the subject of a one day session in Sudbury on March 12, as the Ministry of the Environment tours the province seeking comments from “regional and local source-protection stakeholders and experts” on the white paper and related initiatives.

According to the McGuinty government, watershed source protection planning focuses on protecting the safety and sustainability of drinking water supplies, rather than the broader approach of focusing on all ground and surface water supplies.

The Walkerton Inquiry made 22 recommendations related to source protection, including a recommendation that source protection plans should be required for all watersheds in Ontario. The Walkerton Inquiry’s “ingredient list” for watershed-based source protection plans included: developing a water budget for the watershed or a plan to develop a water budget; identifying all significant water withdrawals, including municipal intakes; identifying and mapping land use for the watershed; identifying wellhead areas; mapping areas of groundwater vulnerability; identifying all major sources of

contamination in the watershed; modeling the fate of pollutants in the watershed; identifying areas where a significant direct threat exists to the safety of drinking water; and identifying significant knowledge gaps and/or research needs to help target monitoring effort

On December 18th the Minister of the Environment, Leona Dombrowski, announced a one-year moratorium on water taking permits and named members to two new advisory committees which will advise on the development and implementation of the government’s eventual watershed based planning. Unfortunately, the announcements were of limited comfort in northern Ontario. The moratorium exempted the pending water taking permit to drain the south pit at the Adams Mine, as well as all water taking for mining and aggregate extraction. Indeed, the coverage in northern Ontario is limited to those four areas where there is a Conservation Authority in place, ie a very small percentage of the region. The 21-member Implementation Committee has no representatives from northern Ontario; the 16-member Technical Experts Committee has one member from northeastern Ontario.

The White Paper on Watershed-based Source Protection Planning was, according to the Ministry of the Environment’s own summary, developed to “consult with Ontarians on the proposed approach for the development of a locally-driven watershed-based source protection process. The White Paper provides information on the planning aspects of proposed source protection legislation, improvements to the permit to take water program and the principles and factors related to implementing a system for charging for water takings.” Section One provides context for the discussion on source water protection; Section Two provides some background on source water protection; and Section Three discusses the proposed planning components of source water protection legislation such as the organization, preparation, roles and responsibilities, approvals and appeal process for source protection plans.

Comments are being accepted until April 12. Copies of the White Paper can be found on-line at www.ene.gov.on.ca/programs/3585e01.htm or by calling 416 314-4130.

Falco Imports Toxic Soils

Building on their decade-long tradition of taking contaminated materials for “treatment” on their mine tailings areas in Falconbridge, Noranda-owned mining giant Falconbridge Limited has upped the ante with a new class of toxic waste; this time it is soil contaminated with diesel fuel and oil.

Reportedly, Falconbridge has been accepting contaminated soil from Ottawa-based Environmental Management Solutions Inc. for almost a decade, although the first notice on the Environmental Bill of Rights electronic registry goes back only to 2000. That approval was for the “treatment” of “non hazardous impacted soil” at the Fault Lake Tailings area.

Environmental Management Solutions Inc recently won a \$6-million contract for a soil treatment plant it operates on property owned by Falconbridge Ltd.

MNR RELEASES WOOD SUPPLY STRATEGY - COMMENT BY MARCH 10

A Provincial Wood Supply Strategy draft proposal was released in February for a 30 day comment period, ending March 10th. The strategy, by the Ministry of Natural Resources description, was developed “to provide a consistent provincial approach to sustaining a long-term wood supply for economic benefits in Ontario”. It documents wood supply forecasts and industrial demand, identifies significant wood supply issues and proposes strategies to address the wood supply challenges.

The Strategy has been developed by the MNR in conjunction with the forest industry and the Partnership for Public Lands. The Provincial Wood Supply Strategy will replace the Regional Wood Supply Strategies which was posted on the EBR registry in November 2002 and published as an approved policy in April 2003.

The requirement for a Provincial Wood Supply Strategy was an eleventh hour addition to MNR’s revised Class Environmental Assessment Approval for Forest Management on Crown Lands in Ontario. The Strategy is also linked to the Ontario Forest Accord through the Room to Grow recommendations of the Ontario Forest Accord Advisory Board. That Board has recommended that the Strategy include the utilization benchmarks.

Key concerns are that the provincial wood supply strategy will be used to trump other values - including ecological objectives - in the forest management planning process.

Copies are available on-line at <http://ontariosforests.mnr.gov.on.ca/spectrasites/internet/ontarioforests/publications.cfm#ebrproposals> or by calling (705) 235-1183. Comment deadline is March 10.