

1           **HEARING DAY ONE**

2           **Cameco Corporation: Interim Licensing Report on**  
3           **Cameco Corporation's Class 1B Nuclear Facility in**  
4           **Port Hope, Ontario**

5                           MR. LEBLANC: Good afternoon and  
6           welcome to the continuation of the public  
7           hearings.

8                           The next item on the agenda today  
9           is a one-day hearing on the Interim Licensing  
10          Report on Cameco Corporation's Class 1B Nuclear  
11          Facility in Port Hope, Ontario.

12                          The Notice of Public Hearing  
13          2005-H-3 was published on December 3rd, 2004.

14                          The public was invited to  
15          participate either by oral presentation or written  
16          submission. January 24, 2005 was the deadline set  
17          for filing by intervenors. The Commission  
18          received 32 requests for interventions.

19                          I have already explained in some  
20          detail earlier today that a panel of the  
21          Commission did not accept requests from a number  
22          of intervenors to defer this hearing to a later  
23          date and to hold the hearing in Port Hope. The  
24          Record of Decision is available on the CNSC  
25          website.

1                   It was also indicated that  
2                   information presented earlier today in the context  
3                   of the Zircatec mid-term hearing that is also  
4                   applicable to the Cameco Port Hope mid-term  
5                   hearing will be considered as part of the public  
6                   record for both hearings.

7                   Consequently, to ensure everyone  
8                   has an opportunity to present their submission and  
9                   to avoid repetition, we will ask intervenors whose  
10                  submissions were similar for both hearings to  
11                  state whether they wish to add anything specific  
12                  to this hearing, after which the President will  
13                  ask the Members if they have questions.

14                  THE CHAIRPERSON: Well, I would  
15                  like to welcome you this afternoon. First of all,  
16                  I would like to apologize for those people if they  
17                  were coming here for the Cameco hearing that we  
18                  are somewhat delayed. We do our best to estimate  
19                  timing but it doesn't always work out. So thank  
20                  you very much for your patience here in Ottawa and  
21                  also in Port Hope.

22                  I would just like to emphasize the  
23                  point that has been made by the Secretary with  
24                  regards to the applicability of information.

25                  We heard a fair bit of information

1 earlier today on some generic issues to do with  
2 Port Hope, for example, fire protection, the  
3 various issues that have to be resolved with  
4 regards to evacuation plans and availability of  
5 fire protection. So we don't plan to necessarily  
6 go into the same degree of detail because we know  
7 that that is information that we can take into  
8 account this afternoon.

9 That doesn't mean that we don't  
10 think that those issues are equally important in  
11 the Cameco issues area. There are some special  
12 applicability areas that we are going to go into  
13 but that is just an example of areas that we don't  
14 intend to explore to the same degree.

15 I would like to reiterate that my  
16 view as the President is that we will be sticking  
17 to the subject here, which is the mid-term hearing  
18 report of the Cameco facility. I will intervene  
19 with any of the parties that are here or in Port  
20 Hope if I feel that the matter is not applicable  
21 to the hearing.

22 You should understand that I am  
23 being fair in that, that everyone is subject to  
24 the same wrath of the President if you get off  
25 topic and I think it is important that we stick to

1 that. So I urge you to stick to the matter before  
2 us, and if not, I will ensure that we stick to the  
3 subject before us.

4 On that basis, I would like to  
5 begin the hearing this afternoon by calling on the  
6 CNSC staff for its oral presentation.

7 This is on Cameco Corporation  
8 Interim Licensing Report on Cameco Corporation's  
9 Class 1B Nuclear Facility in Port Hope, Ontario.  
10 The staff presentation is outlined in CMD document  
11 05-H5 and 05-H5.A and I will turn it over to Mr.  
12 Barclay Howden.

13 Mr. Howden, you may proceed.

14

15 **05-H5 / 05-H5.A**

16 **Oral presentation by CNSC staff**

17 MR. HOWDEN: Thank you.

18 Good afternoon, Madam Chair,  
19 Members of the Commission.

20 For the record, my name is Barclay  
21 Howden. I am Director General of the Directorate  
22 of Nuclear Cycle and Facilities Regulation.

23 With me today are Dr. Patsy  
24 Thompson, Director of the Environmental Protection  
25 and Audit Division; Mr. Marty O'Brien, who is the

1 Project Officer in the Processing Facilities and  
2 Technical Support Division for this facility; and  
3 the rest of the CNSC licensing team.

4 We are here to present CMDs 05-H5  
5 and 05-H5.A, which are staff's Interim Licensing  
6 Report on Cameco's Port Hope Facility. This  
7 report presents staff's assessment of the  
8 licensee's performance and provide an update to  
9 the Commission on issues that were outstanding  
10 from the January 2002 Licence Renewal Hearing.

11 Although this report is being  
12 presented at a public hearing, as required by the  
13 Commission, it does not request any licensing  
14 actions from the Commission.

15 I will now turn it over to Mr.  
16 O'Brien who will make the presentation.

17 MR. O'BRIEN: Thank you, Mr.  
18 Howden.

19 Madam Chair, Members of the  
20 Commission, good afternoon. For the record, my  
21 name is Marty O'Brien.

22 This presentation consists of six  
23 parts: first, introduction; second, follow-up on  
24 actions from the January 2002 Licence Renewal  
25 Hearing; third, overview of compliance activities

1 conducted during the reporting period; fourth,  
2 assessment of individual regulatory programs;  
3 fifth, other relevant information; and finally,  
4 staff's overall conclusions.

5 I will now briefly describe the  
6 licensee's operation.

7 Cameco owns and operates the Class  
8 1B Nuclear Facility in Port Hope, Ontario, under  
9 Licence FFOL-3631.1/2007, which was issued on  
10 March 1st, 2002 for a five-year term and expires  
11 on February 28th, 2007.

12 Cameco produces two main products  
13 at the Port Hope Facility: uranium dioxide powder  
14 for use in CANDU fuel and uranium hexafluoride for  
15 light-water reactor fuel production.

16 Each product is produced at a  
17 separate plant of the facility. The feedstock for  
18 each plant is uranium trioxide produced at  
19 Cameco's Blind River Refinery.

20 The Interim Licensing Report  
21 submitted as CMD 05-H5 primarily covers the review  
22 period from March 1st, 2002 to June 30th, 2004.  
23 Supplementary CMD 05-H5.A has been submitted to  
24 cover pertinent developments that have taken place  
25 since June 30th, 2004.

1                   At the January 2002 Licence  
2                   Renewal Hearing, the implementation of two new  
3                   regulatory requirements, Internal Dose Assignment  
4                   and Financial Guarantee for Decommissioning, were  
5                   delayed in accordance with the provisions of  
6                   CNSC's Regulatory Transition Plan, as per CMD  
7                   00-M19.

8                   For assigning internal dose to  
9                   workers, CNSC's Regulatory Transition Plan allowed  
10                  uranium processing facilities to develop and  
11                  implement a program to determine internal dose to  
12                  workers by March 31st, 2003.

13                  The licensee developed a new  
14                  program and it began implementation April 1st,  
15                  2003.

16                  Regarding Financial Guarantee for  
17                  Decommissioning, an action the licensee committed  
18                  to complete by March 1st, 2002, was the placement  
19                  of a financial guarantee for future  
20                  decommissioning of its facility in accordance with  
21                  its Preliminary Decommissioning Plan dated  
22                  December 2001.

23                  Cameco completed this commitment  
24                  on February 22nd, 2002 by submitting to the CNSC  
25                  an irrevocable standby letter of credit from a

1 Canadian bank for the full amount of \$33.8  
2 million, as estimated in the Preliminary  
3 Decommissioning Plan.

4 Regarding environmental  
5 monitoring, Cameco has completed an ecological  
6 risk assessment for the site. The results were  
7 used to develop recommendations for additional  
8 routine environmental monitoring and non-routine  
9 studies to address data gaps.

10 Cameco is in the process of  
11 implementing these recommendations.

12 Now, I will describe CNSC staff  
13 activities conducted in assessing compliance at  
14 this facility.

15 CNSC staff monitors licensees'  
16 compliance using various methods, including Type I  
17 and II inspections, reviews of licensees' reports,  
18 including quarterly and annual compliance reports  
19 and incident reports, and reviews of third-party  
20 reports, third-party reports being those produced  
21 by organizations external to the licensee.  
22 Examples include annual Fire Code reviews and  
23 annual stack testing performed to verify facility  
24 emissions.

25 During the review period, CNSC



1 staff conducted Type I inspections or program  
2 audits, in radiation protection and quality  
3 assurance.

4 Type II inspections were performed  
5 approximately six to eight times through the year,  
6 including general inspections and specialized  
7 inspections. Specialized inspections were  
8 performed in the areas of safeguards, security and  
9 fire safety.

10 Based on these compliance reviews,  
11 the licensee was assessed for compliance with CNSC  
12 regulatory requirements and performance  
13 expectations.

14 Some deficiencies were found.  
15 However, the nature of the deficiencies do not  
16 pose an unreasonable risk to health and safety of  
17 persons, the environment or national security.

18 Staff's assessment of individual  
19 regulatory programs will be summarized in the next  
20 slides.

21 I will start with the licensee's  
22 worker safety programs, beginning with the  
23 Radiation Protection Program.

24 In March 2003, CNSC staff  
25 completed a program audit to evaluate Cameco's

1 implementation of its Radiation Protection  
2 Program. Some deficiencies were identified and  
3 Cameco has made satisfactory progress in  
4 addressing actions raised.

5 Radiation dose to individual  
6 workers continue to be well below CNSC regulatory  
7 limits. The highest annual whole-body dose to a  
8 worker due to external sources was 7.2 mSv during  
9 2004.

10 As indicated earlier, Cameco  
11 commenced their Internal Dosimetry Program in  
12 April 2003. For the first year of the program,  
13 internal doses reported ranged from .52 to  
14 3.94 mSv. The CNSC annual effective dose limit is  
15 50 mSv per year.

16 CNSC staff is satisfied with  
17 Cameco's implementation of its Radiation  
18 Protection Program.

19 Next, I will discuss conventional  
20 safety.

21 During the review period, the  
22 licensee reported seven injuries which resulted in  
23 lost time. Five were reported in 2003 and two in  
24 the first six months of 2004. However, the  
25 injuries reported were not severe and the licensee

1 has taken actions to reduce the frequency of  
2 incidents.

3 CNSC staff is satisfied with  
4 Cameco's implementation of its Conventional Safety  
5 Program.

6 Regarding environmental  
7 protection, the prime hazard to the environment  
8 from the CNSC licence activities carried out at  
9 this facility is natural uranium. Release of  
10 fluorides is also a hazard. Uranium and fluoride  
11 discharge rates to air and water continue to be  
12 well below licence limits and action levels.  
13 Gamma emissions from the facility also remained  
14 well below licence limits.

15 The calculated maximum radiation  
16 dose to the most exposed resident near the Port  
17 Hope Facility boundary due to emissions was  
18 .069 mSv per year in 2002. CNSC regulatory public  
19 dose limit is 1 mSv per year.

20 Environmental monitoring is also  
21 being conducted around the Port Hope Facility.  
22 This includes continuous ambient air monitoring  
23 for uranium.

24 The monitoring results show that  
25 uranium concentrations around the facility

1 continue to be acceptably low. Typical monthly  
2 average uranium concentrations recorded from  
3 monitoring stations were in the range of .002 to  
4 .01 microgram uranium per m<sup>3</sup> of air in suspended  
5 particulate. Derived air concentration for  
6 uranium based on a public dose limit of 1 mSv per  
7 year is .5 microgram uranium per m<sup>3</sup> of air.

8 CNSC staff concludes that the  
9 licensee's implementation of its Environmental  
10 Protection Program met requirements.

11 Regarding licensee's Emergency  
12 Preparedness Program, Cameco has modified the  
13 program during the reporting period to align with  
14 the provisions of CNSC Regulatory Guide G-225,  
15 Emergency Planning in Class 1 Nuclear Facilities  
16 and Uranium Mines and Mills.

17 The program is currently under  
18 review by CNSC staff.

19 Regarding off-site emergency  
20 response, staff reported in supplementary CMD  
21 05-H5.A that Cameco is a member of the Community  
22 Awareness and Emergency Response or CAER group and  
23 through this group is working with the  
24 Municipality of Port Hope Fire Department to  
25 enhance the existing provisions in place in

1 response to fires involving hazardous materials.

2 Based on CNSC staff's assessment  
3 of the licensee's emergency response provisions  
4 currently in place and the low potential for a  
5 large fire in areas where hazardous materials are  
6 stored or processed at the Cameco Facility, CNSC  
7 staff concludes that the current emergency  
8 response provisions do not pose an unreasonable  
9 risk to the health and safety of persons or the  
10 environment.

11 Continuing on with the licensee's  
12 Fire and Safety Program, Cameco is progressing  
13 with substantial upgrades to buildings and fire  
14 protection systems at the facility, as identified  
15 by previous third-party reviews. Cameco has  
16 committed substantial resources in capital to the  
17 upgrade program.

18 CNSC staff is satisfied that  
19 significant progress has been made in addressing  
20 the facility's hazards.

21 CNSC staff performed an inspection  
22 in January 2004 to assess compliance with the  
23 National Fire Code of Canada. Some deficiencies  
24 were found during these inspections. These  
25 deficiencies are being addressed and an update on

1 outstanding actions was provided in supplementary  
2 CMD 05-H5.A.

3 CNSC staff is satisfied with the  
4 progress that has been made.

5 The licensee has a Fire Protection  
6 Program in place with several provisions to  
7 prevent, detect and mitigate fires in a timely  
8 manner. The licensee has also made several  
9 improvements to these provisions.

10 The deficiencies identified do not  
11 pose an unreasonable risk to the health and safety  
12 of persons and the environment and these are being  
13 corrected in a timely manner.

14 CNSC staff concludes that the  
15 licensee's implementation of the Fire Protection  
16 Program met requirements.

17 In relation to security at this  
18 facility, the licensee was required to implement  
19 additional security measures stipulated in CNSC's  
20 Designated Officer Order number 01-D1 dated  
21 November 16th, 2001. The licensee completed these  
22 additional requirements in a timely manner.

23 CNSC staff is satisfied that the  
24 licensee current security program meets CNSC  
25 regulatory requirements, including those

1 stipulated in the designated officer order.

2 Moving on to safeguards. During  
3 the review period Cameco provided the CNSC and the  
4 IAEA with all reports and information necessary  
5 for safeguards as required by it's license  
6 conditions.

7 Based on a review of Cameco  
8 submission and annual inspections CNSC staff  
9 concludes that the implementation of safeguards at  
10 the facility is acceptable.

11 Now I report to the Commission on  
12 other relevant information, including license  
13 amendments and events.

14 During the review period the  
15 licensee applied for an amendment to its operating  
16 license, and pursuant to paragraph 37 subsection  
17 (2)(d) of the Nuclear Safety Control Act, the CNSC  
18 designated officer amended the license as follows:  
19 The Port Hope facility license is amended to  
20 increase the UF<sub>6</sub> production limit from 40 to 45  
21 tonnes per day.

22 This amendment was approved by  
23 CNSC staff after Cameco performed a safety  
24 assessment of this change.

25 In regards to events, the facility

1 license has several requirements for reporting  
2 events as per CMD 05-H5 and supplementary CMD  
3 05-H5.A.

4 These two CMDs provide updates on  
5 significant events that have been reported  
6 previously to the Commission via significant  
7 development reports.

8 The licensee's response to these  
9 and other reported events have been assessed and  
10 followed up with licensee staff during  
11 inspections, including the adequacy of corrective  
12 actions implemented. CNSC staff considered the  
13 licensee's response to events to be acceptable.

14 Finally, based on the results of  
15 compliance activities conducted CNSC staff  
16 concludes that the licensee has operated in  
17 overall compliance with CNSC regulatory  
18 requirements and performance expectations and that  
19 the continued operation of these facilities do not  
20 pose an unreasonable risk to the health and safety  
21 of persons, the environment or national security.

22 The licensee performance ratings  
23 are not currently being provided in interim  
24 licensing reports. However, based on staff's  
25 assessment, the licensee's overall performance



1 would be considered to have a rating of B, meets  
2 requirements.

3 This concludes staff presentation.  
4 I will turn this over to Mr. Howden.

5 MR. HOWDEN: Thank you, Madam  
6 Chair.

7 That concludes our presentation  
8 and we have no further comments, but we are ready  
9 for questions.

10 THE CHAIRPERSON: Thank you very  
11 much.

12

13 **05-H5.1 / 05-H5.1A**

14 **Oral presentation by Cameco Corporation**

15 We'll now turn to Cameco  
16 Corporation for an oral presentation outlined in  
17 05-H5.1 and 05-H5.1A. I believe that --  
18 Mr. Rogers, will you start out the presentation  
19 today as the Senior Vice President and Chief  
20 Operating Officer?

21 Sir, the floor is yours.

22 MR. ROGERS: Thank you.

23 Good afternoon, Madam Chair,  
24 Commission members and staff.

25 For the record, my name is Terry

1 Rogers. I am the Senior Vice President and Chief  
2 Operating Officer of Cameco Corporation.

3 We are pleased to be here today  
4 for the mid-term license performance review of  
5 Cameco's conversion facility at Port Hope.

6 At Cameco we are committed to  
7 quality management at all of our operations. It's  
8 the way we do business and the way we will  
9 continue to operate in the future.

10 As the Commission has heard on  
11 previous occasions, at Cameco our four key values  
12 are people, excellence, integrity and the  
13 environment; and as such the safety of our  
14 workers, of the public and of the environment are  
15 all of utmost importance to us at all of our  
16 operating locations.

17 Our number one priority is always  
18 safety, and in all of its aspects. As such our  
19 safety culture continues to evolve and we are  
20 committed to continual improvement in this area.

21 In addition we have made every  
22 effort and continue to endeavour to make sure the  
23 Commission and the public is informed, not only  
24 about what Cameco is doing, but how we are  
25 protecting both people and the environment as we

1           conduct our business.

2                                 We are here today to give our  
3           perspective on the issues which have been dealt  
4           with since the license was granted in March 2002  
5           for a five-year term, to discuss our performance  
6           relative to license requirements, to provide  
7           background information on various topics raised  
8           during the hearing as directed by the Commission  
9           and to address any questions the Commission wishes  
10          to direct to the licensee.

11                                We welcome the opportunity to  
12          participate and feel this is an important part of  
13          the licensing process which has transitioned over  
14          time into longer license renewal periods.

15                                Having said that, we also  
16          recognize that potentially significant  
17          modifications to the operating license such as the  
18          proposal to produce slightly enriched uranium  
19          dioxide fuel currently under consideration under  
20          Environmental Assessment will require  
21          subject-specific CNSC hearings to consider the EA  
22          and consequent licensing actions which may arise  
23          from the EA.

24                                But today our presentation will  
25          cover and will be limited to the facility's

1 performance for the time period covered by this  
2 mid-term review. We will discuss our overall  
3 operation, safety and environmental performance,  
4 security, various ongoing initiatives and our  
5 community outreach effort.

6 Much work has been done by Cameco  
7 to address both legacy and current issues and  
8 challenges.

9 We believe good progress has been  
10 made in most issues and remain confident that this  
11 will continue in the future both for the duration  
12 of this license period and beyond.

13 We welcome today's hearing as  
14 another opportunity to tell our story to both the  
15 Commission and the public.

16 Allow me please to introduce the  
17 people who are presenting here today and ready to  
18 answer your questions.

19 At my immediate right, Bob Steane,  
20 Vice President of Cameco's Fuel Services Division.  
21 Bob will be handling the majority of our formal  
22 presentation to the Commission today.

23 One more station right is John  
24 Jarrell, who is the Vice President of Safety,  
25 Health and Environment in the Saskatoon office.

1 Behind us, on my right is Hess Carisse, Manager of  
2 Technical Services at the Port Hope facility.  
3 Kirk Vetor, Superintendent of Compliance and  
4 Licensing at the Port Hope conversion facility,  
5 and Doug Prendergast, directly behind me, is a  
6 Communication Specialist. He is there, okay.

7 So I will turn the presentation  
8 now over to Mr. Steane. Thank you.

9 MR. STEANE: Thank you, Terry.

10 Madam Chair, members of the  
11 Commission, I am pleased to have this opportunity  
12 to provide the Commission with an update on the  
13 performance of the Port Hope conversion facility.

14 For the record, I am Bob Steane  
15 and hold the position of Vice President, Fuel  
16 Services Division.

17 The presentation today will start  
18 with an overview of the Port Hope operation and  
19 then discuss health and safety, radiation  
20 protection and environmental performance.

21 I will: provide an update on fire  
22 safety and emergency response, security and  
23 safeguards; describe the circumstances surrounding  
24 the one significant event that occurred during  
25 this period; talk briefly about some other

1 important initiatives; and wrap up with an  
2 overview of our community outreach activities.

3 The Port Hope conversion facility  
4 is located in the municipality of Port Hope,  
5 approximately 100 kilometres east of Toronto, on  
6 the shore of Lake Ontario and near the mouth of  
7 the Ganaraska River.

8 The facility currently produces  
9 two primary products: uranium dioxide ( $UO_2$ ) for  
10 use in CANDU reactors and uranium hexafluoride  
11 ( $UF_6$ ) which is exported for further processing and  
12 eventually used in light-water reactors.

13 Cameco employs approximately 330  
14 employees at the Port Hope facility.

15 --- Pause

16 Something has gone amiss here.  
17 Excuse me. There. I skipped a slide. Sorry.

18 Cameco is licensed to produce  
19 12,500 tonnes of uranium as uranium hexafluoride  
20 and 2,800 tonnes of uranium as uranium dioxide  
21 annually.

22 The facility traditionally  
23 operates for approximately 10 months of the year  
24 with one month scheduled summer shut down for  
25 maintenance activities and one month of vacation.

1                   Going forward, the month-long  
2                   vacation period will be discontinued as the demand  
3                   for product requires the plant to essentially  
4                   operate for all of the available time. The annual  
5                   maintenance shutdown will continue.

6                   In 2004, the summer shutdown was  
7                   extended for an additional seven weeks as a  
8                   consequence of strike action taken by our two  
9                   union locals during the negotiation of new  
10                  collective agreements. The strike was settled on  
11                  September 14, and normal work schedules resumed on  
12                  September 16.

13                  As Terry Rogers mentioned in his  
14                  opening remarks, Cameco takes health and safety  
15                  matters very seriously. This is reflected in our  
16                  safety motto "No job is so important that we  
17                  cannot take the time to do it safely".

18                  Cameco has a strong track record  
19                  of good performance on health and safety matters.

20                  Focusing specifically on loss time  
21                  injuries during this period, Commission members  
22                  will note that there has been an increase in this  
23                  category over the past two years.

24                  These recent accidents are not  
25                  related to radiological hazards, but are instead

1 conventional injuries, with strains and sprains  
2 being the largest single group.

3 Specifically the injuries in 2003  
4 were an HF inhalation, two shoulder strains, a  
5 wrist strain, a back strain and a twisted knee.  
6 The injuries in 2004 were two related to back  
7 strains, one fractured ankle from tripping and one  
8 knee joint locking up.

9 This is a challenging issue for  
10 the company as we face and have an aging  
11 workforce.

12 Recognizing that improvements in  
13 safety performance and safety culture is a key  
14 function, a number of new initiatives have been  
15 undertaken.

16 In addition to the conventional  
17 lagging safety performance indicators, we have  
18 introduced some key leading performance indicators  
19 to further focus our attention on preventative  
20 actions.

21 We are in the process of  
22 conducting a self-generated survey of all  
23 employees to solicit feedback on safety culture.  
24 This has been an initiative developed and  
25 administered by the joint health and safety



1 committee.

2 We increased the size of the joint  
3 health and safety committee to have  
4 representatives from all of the workplaces  
5 actively involved in the committee.

6 We have initiated, again through  
7 the joint committee -- an ergonomic assessment  
8 program of various jobs to try to address the high  
9 incidence of strain-type injuries.

10 We have also increased the focus  
11 on one-to-one supervisor-employee safety contacts  
12 and have an active sponsored live better  
13 committee.

14 One of the key components of  
15 Cameco's health and safety program is ensuring  
16 that employees and the public are protected from  
17 radiation.

18 Dose to employees, the public and  
19 the environment continue to be a fraction of the  
20 applicable limits. The average employee whole  
21 body dose remains less than the public dose limit  
22 of one millisievert per year.

23 The good performance of our  
24 radiation protection program is also reflected in  
25 the results of the urinalysis program, with the

1 number of investigations going down and there  
2 being no removals and only one incident in 2002 of  
3 a restricted status for an individual.

4 Through this licensing period  
5 Cameco has implemented a new internal dosimetry  
6 program to meet the needs of the new regulations.  
7 We submitted the program design documents in March  
8 2003 and implemented it in April 2003.

9 The new lung counter was  
10 commissioned, and lung counting completed for all  
11 employees at Blind River and Port Hope to allow  
12 submission of the first summary report in June  
13 2004.

14 The CNSC, upon reviewing the  
15 report, have advised Cameco that they need to  
16 obtain a dosimetry license for the dosimetry  
17 program, which is in progress.

18 The CNSC conducted an audit of the  
19 radiation protection program in 2003, and the  
20 majority of the findings have been addressed.

21 One of the more significant  
22 findings was the requirement to have a formal  
23 documented ALARA program. While the operation  
24 practised ALARA in its operation, the site was not  
25 setting specific targets to be achieved.

1                   This was addressed with a baseline  
2 report submitted in 2004, together with some  
3 specific ALARA objectives.

4                   One area in the plant where  
5 significant continual improvement under ALARA  
6 program has been achieved is the reduction of  
7 employee dose in the flame reactor area.

8                   This was achieved by modifying the  
9 bottom of the flame reactor to create a secondary  
10 reaction zone, and thus improve the reaction  
11 kinetics and reduce the amount of ash produced.

12                   The ash is collected in a  
13 receptacle -- called an ash can -- attached to the  
14 bottom of the flame reactor. These cans have to  
15 be changed manually when they are full of ash, and  
16 this ash is one of the highest sources of  
17 radiation in the facility.

18                   Through this modification the  
19 frequency of ash can changes was reduced from  
20 every four to five hours to once every four to  
21 five days.

22                   This technological innovation was  
23 recognized throughout Cameco by being awarded the  
24 Cameco innovation award for 2004.

25                   Cameco is proud of the progress it

1 has made in improving its environmental  
2 performance. Emissions from the facility continue  
3 to show a downward trend, with a particularly  
4 impressive reduction in emission of hydrogen  
5 fluoride achieved in 2003.

6 There is also been a continuing  
7 reduction in the radiation exposure to the public  
8 as reflected in both the external gamma at the  
9 critical receptor and the public dose as  
10 determined by the operating release level.

11 The reduced stack emissions are  
12 also reflected in the ambient monitoring results.

13 In 2004 Cameco recognized that the  
14 fence line gamma readings of station 2 were at and  
15 slightly above our internal administrative level.  
16 After investigation it was decided to install a  
17 concrete shield wall for the product warehouse,  
18 and construction of the wall is under way.

19 Initial results are very  
20 encouraging with an approximately 90 per cent  
21 reduction in gamma from the warehouse. It should  
22 be noted that it will not likely be a full 90 per  
23 cent reduction at station 2 due the elevated  
24 background radiation at that site. The reduction  
25 will still be very significant.

1                   A further project that will  
2           improve Cameco's environmental performance is the  
3           installation of continuous emission monitors for  
4           the UO<sub>2</sub> plant, which occurred in 2004.

5                   The concrete wall being installed  
6           in the warehouse will result in lower dose to  
7           members of the public.

8                   Cameco commissioned and completed  
9           an ecological risk assessment to determine the  
10          potential for significant ecological effects from  
11          the current emissions and assessed whether the  
12          current monitoring program is adequate for the  
13          potential risk. This report was submitted to the  
14          CNSC in October 2004.

15                  The overall conclusion of the  
16          study was that there is no need to expand the  
17          routine monitoring requirements. The only change  
18          recommended was to relocate one of the ambient air  
19          monitoring stations to a new location near the  
20          plant.

21                  There were also four recommended  
22          special studies: two associated with the sediment  
23          in the harbour, and two with soil and soil-related  
24          pathways. Plans to address these recommended  
25          studies are being prepared.

1                   An item of interest during the  
2                   license period was the Ontario Ministry of  
3                   Environment discontinued their soil plot test  
4                   program in 2003.

5                   This resulted after they reviewed  
6                   the results and concluded that there was too much  
7                   variability in the test results to allow  
8                   statistically defensible conclusions to be drawn.

9                   The MOE issued two comprehensive  
10                  reports on these tests and other soil sampling  
11                  work they had undertaken in the municipality, both  
12                  of which presented evidence that the concentration  
13                  of uranium in the soil in Port Hope has not been  
14                  increasing. This was found in the samples taken  
15                  of the soil surrounding the soil test plots and a  
16                  re-sampling of the sites previously sampled in  
17                  1986(sic).

18                  While Cameco is encouraged by the  
19                  results reported in these two reports, Cameco is  
20                  committed to establishing its own long-term soil  
21                  monitoring program.

22                  Cameco has had some discussions  
23                  with both the CNSC and the Ministry of Environment  
24                  on the development of a joint monitoring program,  
25                  and the Ministry of Environment has indicated it

1 will join in the development work in 2005.

2 There has been and continues to be  
3 significant focus on fire safety and specifically  
4 the national building and national fire code, 1995  
5 edition.

6 Third-party audits of buildings  
7 and systems were conducted by fire safety  
8 consultants. A program was developed to address  
9 the deficiencies that were essentially in three  
10 major areas: physical fire protection systems,  
11 the emergency lighting system and the outdated  
12 fire alarm system.

13 Over the next three years a  
14 significant capital program of about \$4.2 million  
15 was undertaken and all of the initially identified  
16 deficiencies were corrected.

17 Fire walls and sprinkler systems  
18 were upgraded and/or added. Further training on  
19 the national fire code was given to each of the  
20 individuals that are assigned the responsibility  
21 for each building on site. A new unified fire  
22 alarm system was installed throughout all the  
23 buildings on site. A new system was also designed  
24 to divide the site into different fire zones, thus  
25 providing more definitive location information

1 than the old system and thereby reducing the  
2 response time to an alarm.

3 As we worked through the initial  
4 project we added things to the scope to  
5 incorporate good engineering practice in addition  
6 to specifically mandatory items. A further \$2.3  
7 million has been allocated to this project to  
8 address these items as well.

9 Last but not least, we have  
10 carried out training for all of employees on fire  
11 and building code awareness, created two full-time  
12 in-house fire safety inspectors within our  
13 security group, developed fire hazard and fire  
14 safety plans and developed procedures such that  
15 all new projects are reviewed during the design  
16 phase.

17 Cameco has continued to maintain  
18 an active emergency response organization and a  
19 high-level involvement in the community awareness  
20 and emergency response group in the municipality.

21 CAER conducted an emergency  
22 response drill on November 3 this year -- sorry,  
23 last year now -- which involved municipal  
24 officials, local fire, police and industry.  
25 Cameco emergency response team members



1 participated in what can be considered a valuable  
2 learning experience for all concerned.

3 Security is clearly an area of  
4 considerable interest to Cameco, the CNSC and  
5 members of the public.

6 While specific details of security  
7 provisions cannot be provided, Cameco can confirm  
8 that an independent third-party risk assessment of  
9 the Port Hope facility was completed in 2002.

10 Among the general measures that  
11 have been implemented to enhance security or the  
12 creation of a new position, manager transportation  
13 and security, hiring of additional security staff  
14 and increasing and enhance the background  
15 screening of employees and contractors.

16 Cameco has worked with the CNSC  
17 and IAEA staff to ensure compliance with the  
18 current safeguards regime and are progressing on a  
19 new initiative to implement a comprehensive  
20 safeguards agreement that will include all of the  
21 conversion process, both Port Hope and Blind  
22 River. We will be the first large conversion  
23 plant to come under these new requirements, thus  
24 we are finding new challenges as we progress  
25 through design of the program. It is scheduled to

1 be implemented in June of this year.

2 In June of 2004 a 30B UF<sub>6</sub> cylinder  
3 started leaking at the plug while being filled  
4 with liquid UF<sub>6</sub>. The leaked material was  
5 completely contained in a cylinder filling area  
6 and treated through the emergency ventilation  
7 scrubbing system. The installed engineered  
8 measures worked exactly as designed for such an  
9 event. Carbon dioxide was applied to the cylinder  
10 to cool and freeze the material and stop the leak.  
11 This is the first time this event has happened and  
12 while this is considered a significant event,  
13 Cameco believes it demonstrated the effectiveness  
14 of the plant's safety systems in ensuring that  
15 employees and members of the public are safe.

16 A significant development report  
17 was presented to the Commission last summer and a  
18 further update will be presented at some later  
19 date. There are three other initiatives that  
20 Cameco would like to briefly mention, the SEU  
21 blending project, the storage of contaminated  
22 soils from the municipal waterworks project and  
23 Vision 2010. Cameco submitted a project  
24 description in 2003 seeking approval to begin  
25 commercial production of slightly enriched uranium

1           dioxide powder or SEU. This project is currently  
2           the subject of a separate environmental assessment  
3           and approval process and no further discussion of  
4           this project is planned for this mid-term review  
5           hearing. It was raised only in the context of a  
6           significant activity that has been ongoing through  
7           the license period.

8                            Cameco working cooperatively with  
9           the Municipality of Port Hope and the Low-Level  
10          Radioactive Waste Management Office is providing  
11          temporary storage of approximately 17,500 cubic  
12          metres of contaminated soils that were excavated  
13          as part of the municipality construction of a new  
14          state of the art water treatment plant. This  
15          material will be stored on a centre pier property  
16          until it can be transferred to the long-term  
17          storage facility planned as part of the Port Hope  
18          Area Initiative. The Port Hope Area Initiative  
19          also provides an opportunity for Cameco to  
20          significantly remediate its facility by removing  
21          obsolete buildings and contaminated soils. Cameco  
22          will also transfer material that it inherited from  
23          Eldorado Nuclear that have been in storage.

24                           Cameco is excited about this  
25          opportunity to significantly improve the

1 appearance and efficiency of its Port Hope  
2 operation and believes that local residents will  
3 be very supportive of this initiative. A project  
4 description will be submitted to the CNSC later in  
5 2005. By removing obsolete buildings and  
6 contaminated soils Cameco can create a more  
7 visually appealing facility that is consistent  
8 with the community's plans to revitalize the Port  
9 Hope waterfront.

10 Cameco is committed to keeping  
11 local residents and other interested parties  
12 informed about its activities. The company has an  
13 ongoing community outreach program to ensure that  
14 members of the public can receive answers to their  
15 questions and concerns. Cameco provides a  
16 quarterly environmental status report to the  
17 Municipality of Port Hope through the  
18 municipality's protection to persons and property  
19 committee. These presentations provide an  
20 opportunity for local councillors to raise  
21 questions or concerns about the facility's  
22 environmental performance. Copies of the  
23 quarterly environmental status report are kept on  
24 file at Town Hall and at the Port Hope Public  
25 Library.

1                   In 2004 Cameco provided Port Hope  
2                   council with a tour of the building in which it  
3                   proposed to produce SEU and BDU. Cameco also  
4                   hosted the Mayor and two councillors and some  
5                   senior town staff from the neighbouring community  
6                   of Coburg for a tour of the Port Hope facility.  
7                   Other community outreach activities have included  
8                   a facility open house in May, 2004, participation  
9                   in the Port Hope Area Initiative Low-Level  
10                  Radioactive Waste Management Expos in 2002 and  
11                  2003, and at a Pickering Nuclear Discovery Day in  
12                  2002.

13                  In 2003 Cameco made a concerted  
14                  effort to increase awareness of its Port Hope  
15                  operations with local teachers. Port Hope High  
16                  School hosted a presentation on Cameco and the  
17                  basics of uranium that included representatives  
18                  from the science faculties at local area high  
19                  schools. Later in 2003, Cameco hosted 25 teachers  
20                  from the District School Board for a one-day  
21                  workshop on uranium as part of a professional  
22                  development day. The workshop will again be  
23                  offered in 2005.

24                  In addition to activities aimed at  
25                  increasing public awareness and comfort levels

1           about its activities, Cameco and its employees  
2           strive to play an active role in the community.  
3           This involves direct employee involvement in  
4           organizations such as the Port Hope and District  
5           Chamber of Commerce, the Rotary Club of Port Hope,  
6           the Port Hope Kinsmen Club and local sports  
7           organizations and youth clubs. Cameco also  
8           provides direct financial and other forms of  
9           support to approximately 50 local organizations  
10          and community events that help improve the quality  
11          of community life. Base funding was provided for  
12          major capital projects such as upgrades to the  
13          Port Hope Public Library, the Capital Theatre and  
14          the Northumberland Hills Hospital.

15                                Cameco and its employees are  
16          particularly proud of its close relationship with  
17          the Northumberland United Way, including the Day  
18          of Caring. Cameco continues to operate the Port  
19          Hope conversion facility safely and in accordance  
20          with the license granted by this Commission and  
21          the provisions of the *Nuclear Safety and Control*  
22          *Act*. Cameco is committed to and has demonstrated  
23          continual improvement in its health and safety and  
24          environmental performance. Thank you.

25                                MR. ROGERS: Madam Chair, thank

1           you, that completes our presentation. We are now  
2           prepared to address questions.

3                           THE CHAIRPERSON: Thank you very  
4           much. I would just like to note that we have  
5           colleagues from the Ministry of the Environment of  
6           Ontario with us and also from Emergency Management  
7           Ontario, and so I am hoping that you will agree to  
8           answer questions as we go through the presentation  
9           from the Commission Members as we go into this.

10                          So, I just would like to then open  
11           the floor for questions from Commission Members  
12           with regards to either of these presentations and,  
13           as I said, to address them to our Ontario  
14           Provincial colleagues. Who would like to start?  
15           Mr. Graham, would you like to start?

16                          MEMBER GRAHAM: Thank you, Madam  
17           Chair. A couple of questions, and I don't want to  
18           get repetitious from this morning's questions with  
19           regard to the submissions we had, but I would like  
20           to know, one, with regard to the fire response of  
21           the volunteer fire department of Port Hope, how  
22           you address fire, how are fires addressed on your  
23           site compared to what we heard this morning from  
24           Zircatec?

25                          MR. STEANE: For the record, Bob

1 Steane. We have an emergency response  
2 organization at Cameco, its numbers are between 50  
3 and 60 people in that organization. There are  
4 roughly 20 what we call emergency response teams,  
5 those are direct hazard and fire fighting trained  
6 people. There is 20 roughly emergency medical  
7 team members who can provide well beyond first aid  
8 with very sophisticated medical support. We have  
9 overlaying that organizational structure of 10 to  
10 15, an additional emergency response management  
11 organization.

12 In the municipality -- we have a  
13 substantive emergency response capability within  
14 our site. We also work in conjunction with and  
15 have practiced some joint drills with the  
16 municipal fire department and have annual training  
17 sessions where members of the fire department will  
18 come to the facility and we discuss emergency  
19 response. Through our involvement with CAER we  
20 have been working with other industries with the  
21 municipality in emergency response organization at  
22 looking at, and those items were discussed this  
23 morning, the capabilities of the Port Hope Fire  
24 Department and how that can be dealt with as well  
25 with supplemental resources that they may need.



1                   MEMBER GRAHAM: Do you possess the  
2 same letter that Zircatec had this morning of what  
3 responses the local fire department will address  
4 and what they won't? Do you have that type of  
5 letter?

6                   MR. STEANE: Yes, we do have that  
7 letter from the Director of Emergency in Port  
8 Hope. The letter which does respond today says  
9 that they will respond to any call that we place  
10 to them, they will arrive at the site, will assess  
11 the situation and then work to the limits of their  
12 capabilities in conjunction with our emergency  
13 response organization.

14                  MEMBER GRAHAM: So, just take me  
15 through it -- if I may, Madam Chair -- just take  
16 me through it. If they get to the gate and they  
17 assess that it is hazardous to them and they won't  
18 enter, do they make their equipment available to  
19 you, their trucks, their fire suppression  
20 equipment or do you have to wait 30 minutes or an  
21 hour for it to come from some other area?

22                  MR. STEANE: Depending upon the  
23 nature of the emergency. We have our own trucks  
24 and so on, so we would not and we have not made an  
25 arrangement to use the municipality's trucks. But

1           they would work at -- how do they call it --  
2           standoff distances and so on and provide backup  
3           support to our emergency response organization who  
4           are trained to deal with hazmat events. Their  
5           fire fighting capability though is -- depending  
6           upon the nature -- whether it taxes our teams'  
7           response capabilities as well, at which time the  
8           two teams would then call for further assistance  
9           if it was beyond the capability of both teams.

10                         MEMBER GRAHAM: With regard to  
11           emergency preparedness and response in the record  
12           of proceedings that came out from CNSC, talked  
13           about that there had been one held in the year  
14           2000. You have here that one held November 3rd,  
15           2005, which I presume is 2004 in your overview.  
16           But how often do you do those? Do you do them  
17           annually? Do you do them semi-annually? Do you  
18           do them quarterly? How often do you do your  
19           emergency response planning events?

20                         MR. STEANE: I presume this is to  
21           clarify the question of the joint response effort.  
22           We typically do one a year with the municipality,  
23           but we also do some independent of that, some  
24           training initiatives as well. So, I described the  
25           one in November, 2004, which was where they

1 mobilized the whole of the municipality and  
2 areas -- emergency response organization. We  
3 earlier in the year had provided training on an HF  
4 tank car and that was not so much of an emergency  
5 response, but training on how to deal with it. So  
6 typically, every year we have an exercise of some  
7 description.

8 We also have our own internal  
9 training activities that take place and drills  
10 that we do on a much more frequent basis.

11 MEMBER GRAHAM: Question to CNSC  
12 staff. On the annual -- we are told that there is  
13 an annual review every year. Does CNSC staff  
14 participate in that and do an audit as to how that  
15 is carried out and what the responses are?

16 MR. O'BRIEN: Marty O'Brien, for  
17 the record. We haven't been witnessing those  
18 recently, but in the past CNSC staff have  
19 witnessed those exercises.

20 MEMBER GRAHAM: Yes, I realize  
21 that because you said in 2000 you were, but this  
22 is five years later. Do you do audits or will you  
23 be doing audits in the future with regard to what  
24 we heard this morning and what we heard this  
25 afternoon with regard to emergency response and so

1 on? I guess my question should be, is it a part  
2 of the role of CNSC to do those types of audits  
3 with regard to how those are of emergency response  
4 are being carried out to the satisfaction of CNSC?

5 MR. O'BRIEN: Marty O'Brien, for  
6 the record. The licensee is required to have an  
7 emergency preparedness program which is required  
8 as per their license and under that program they  
9 are required to have a drill program. And CNSC  
10 inspectors when they go on site will verify indeed  
11 that those drills have been done or, as I have  
12 said, will occasionally witness.

13 MEMBER GRAHAM: Okay, maybe I am  
14 not asking my question correctly. Have you  
15 verified that the programs and the responses that  
16 are in place, do they meet CNSC's expectations or  
17 requirements, your verification?

18 MR. O'BRIEN: Yes, we have been  
19 satisfied to date.

20 MEMBER GRAHAM: Thank you. I am  
21 going to try another question if I may, Madam  
22 Chair, and I don't want to preoccupy too many  
23 questions. You talked about the storage of 17,500  
24 cubic metres of contaminated soils on the dock,  
25 looked at some photos and so on of flooding and

1 storm surges that have occurred over the past  
2 century. Is any of that contaminated soil stored  
3 in an area where a historic storm surge would have  
4 washed some of it away or put it into the harbour?

5 MR. STEANE: Not to our knowledge.  
6 We don't have knowledge of a storm that would have  
7 been there.

8 MEMBER GRAHAM: My question I  
9 guess is there must be some historic records as to  
10 ice jams, as to storm surges, as to flooding and  
11 so on in the Port Hope area. In one of the  
12 submissions we were presented with a lot of  
13 photographs with regard to that. Has there been  
14 an assessment done that the storage of that 17,500  
15 metres on the dock -- I think it is on the dock or  
16 very near the waterfront -- is it near where water  
17 through a flood historically would have touched it  
18 or could have moved it through wave reaction and  
19 so on?

20 MR. STEANE: There is quite a  
21 history of floods in the Port Hope area. The one  
22 that we have the most definitive information that  
23 is available was the infamous flood in 1981, which  
24 Port Hope celebrates today with a Float Your Fanny  
25 Down the Ganny event every March and have the maps

1 and so on. That area where that soil is stored  
2 was not flooded during that major flood at Port  
3 Hope.

4 MEMBER GRAHAM: CNSC, are you  
5 satisfied that the storage of that contaminated  
6 soil is not in an area that could be affected by  
7 flooding? If I could clarify, on page 16 of the  
8 slide presentation that we had from Cameco, it  
9 showed 17,500 cubic metres stored on the centre  
10 pier property, which I presume is quite near the  
11 waterfront if it is a pier. And the storage is  
12 from the Port Hope Waterworks Construction.. it is  
13 moved soil. My question is can it be or could it  
14 be affected by flooding?

15 THE CHAIRPERSON: Perhaps what  
16 might be helpful here is this soil -- when I  
17 visited Port Hope I saw where the soil came  
18 from -- and so it has not been there that long and  
19 my understanding is it is not going to remain  
20 there for a long time too. So, that might have  
21 something to do with, you know, the answer to  
22 this.. is the history of that particular pier and  
23 that soil, because that soil was.. was it not  
24 along the lake.. I understood from seeing it. So,  
25 I think it is the history of that pier location,

1 Mr. Graham, I think and therefore by putting that  
2 contaminated soil there even in a temporary sense  
3 what is the risks I think of something happening  
4 to that. I think that is what may be helpful  
5 here.

6 MR. STEANE: That project, Cameco  
7 was not the manager of that project, didn't do the  
8 excavation and didn't actively participate in it.  
9 That was specifically undertaken by the Low-Level  
10 Radioactive Waste Management Office under the  
11 auspices of the Port Hope Area Initiative for the  
12 clean-up. That site was designated for clean-up  
13 when the municipality was looking to build their  
14 new water treatment facility there and so they  
15 advanced the clean-up of that area. We offered  
16 and said this was a location if they needed a  
17 location to store the material that could be made  
18 available.

19 I don't know whether, frankly,  
20 they did an assessment prior to putting the  
21 material there of flooding or not. So I don't  
22 know that there was an assessment done prior to  
23 the soil being stored there.

24 MEMBER GRAHAM: Okay. I will try  
25 it another way. Whose responsibility is it? You

1           used it in your presentation that it was stored  
2           there. Is it part of your licence? Is it CNSC's?  
3           Whose responsibility -- who should we be asking  
4           questions to with regard to the storage of that  
5           and for -- not for the longevity of it but because  
6           it has been newly placed or recently placed, I  
7           should say.

8                           MR. HOWDEN: Yes, Barclay Howden  
9           speaking.

10                           From a regulatory perspective it  
11           was reviewed and approved by us and in terms of  
12           this the risk was deemed to be satisfactory. We  
13           just don't have at our fingertips detailed  
14           information to supply to you specifically on the  
15           flooding question. Like in terms of all the  
16           factors that were considered we don't have that  
17           right at this moment.

18                           THE CHAIRPERSON: But your records  
19           show that is the responsibility of Cameco and that  
20           you did assess the risks of placing that material  
21           there. Is that correct?

22                           MR. HOWDEN: Barclay Howden  
23           speaking. Yes, exactly what you said.

24                           MEMBER GRAHAM: The only thing,  
25           maybe EMO Ontario might be able to shed some light



1 on this, or can they with regard to flood plains  
2 and so on?

3 MR. McLAUGHLIN: Yes, it's Dave  
4 McLaughlin from the Ontario Ministry of the  
5 Environment.

6 No, I'm sorry. I can't help you  
7 with that. I am not personally familiar with that  
8 file. If that information is important to the  
9 Commission I can contact our colleagues in the  
10 district office and follow up with that if you  
11 wish.

12 THE CHAIRPERSON: I think we will  
13 leave it to the CNSC staff to follow up and look  
14 at this issue. I think, as I said, I think what  
15 Mr. Graham was seeking was some assurance that  
16 this had been looked at in terms of the placement  
17 of this because it is a relatively new mound.

18 Perhaps we can move to Dr. Dosman.

19 MEMBER DOSMAN: Thank you.

20 I have several questions for staff  
21 on page 4 of the CMD 05-H5. CNSC staff referred  
22 to some deficiencies in the areas of respiratory  
23 protection, radiation protection, maintenance of  
24 radiation protection, documentation and  
25 maintenance of targets and so on.

1                   I wonder whether you might be  
2 more -- staff might be more specific on what some  
3 of these deficiencies were and what steps were  
4 taken by Cameco to ameliorate these deficiencies.

5                   MR. HOWDEN:   Barclay Howden  
6 speaking.  Jim Sandles, our radiation protection  
7 specialist who headed up that audit, will reply to  
8 your question.

9                   MR. SANDLES:  For the record, my  
10 name is Jim Sandles.  I am a radiation safety  
11 specialist with the Radiation Protection Division.

12                   The focus of the audit was  
13 primarily on both management and implementation of  
14 the radiation protection program at the facility.  
15 Actually, Mr. Steane in his article described some  
16 of the outcomes and concerns we had.  We felt the  
17 ALARA program needed some work.  Primarily, they  
18 are very good at the engineering aspects and  
19 development of new processes but we felt there  
20 were some other in-plant issues and worker  
21 awareness of ALARA that needed work.  Cameco did  
22 implement a process and a program to improve that  
23 and we are happy with that implementation.

24                   Furthermore, one issue from a  
25 previous audit, they were asked to implement

1 targets and that had not been done. A directive  
2 was issued to ensure that that did occur.

3 Other areas of some concern,  
4 although they didn't directly impact program  
5 performance was the review process on their  
6 programs and procedures was not, we felt, done in  
7 a timely enough and a regular enough manner. We  
8 asked them to correct that and this is a somewhat  
9 involved task when you consider all the procedures  
10 that they do have and they are in the process of  
11 finishing that up now.

12 Those, I think, were the major  
13 points from that audit that was done.

14 MEMBER DOSMAN: May I persist?

15 Do I take it then, CNSC staff,  
16 that the issues were primarily training issues?

17 MR. SANDLES: There were some  
18 training issues. Cameco themselves identified  
19 training issues from an incident that occurred in  
20 2002. They were in the process of going through a  
21 retraining process. One issue that came out of it  
22 was we requested that not only that definitely  
23 there was a plan to train and that was being  
24 conducted and carried through, but we also asked  
25 Cameco to look at the effectiveness of their

1 training and how well the workers understood the  
2 information that they were receiving because our  
3 review suggested there were some gaps in knowledge  
4 even of people who had been recently trained. I  
5 do not have the specifics of the outcome of that.

6 MEMBER DOSMAN: Madam Chair, if I  
7 might?

8 So in your view do you think that  
9 Cameco has made significant progress in the  
10 deficient areas?

11 MR. SANDLES: Yes, I do. Again, a  
12 number of the issues that Mr. Steane spoke to  
13 there are a lot of areas that they have reduced  
14 dose and improved their performance and I think  
15 that does show in their records. So at this point  
16 we would say, yes, they have improved.

17 MEMBER DOSMAN: Madam Chair, if I  
18 am asking too many questions in view of the hour  
19 please tell me.

20 I just would like to ask for  
21 Cameco to take on this issue of deficiencies and  
22 your approaches to optimal training on prevention.

23 MR. VETOR: For the record, Kirk  
24 Vektor.

25 I would like to say that

1 everything that Bob Steane and Jim Sandles has  
2 said so far is accurate. To add to that an ALARA  
3 document was prepared and dose -- ALARA targets  
4 were set. We have been working with the areas  
5 employees who received the highest doses  
6 specifically where the targets were set.

7 Mr. Steane mentioned the work we  
8 have done in the flame reactor area. Those were  
9 the workers who were receiving the highest dose.  
10 So we are making progress there. There are other  
11 projects on the books that haven't been completed  
12 yet.

13 We have completed a substantial  
14 amount of training. One outstanding item is  
15 updating and reviewing our documentation on  
16 radiation protection. We committed to have that  
17 done by the end of 2004. Unfortunately, we had  
18 the untimely death of our radiation safety  
19 officer. That set us back a little bit but we are  
20 still making good progress there. We have  
21 completed a review of all the procedures. It's  
22 just the radiation manual itself that's  
23 outstanding now and that should be done within a  
24 month or two.

25 As far as the effectiveness of the

1 training is concerned, subsequent to the training  
2 of the employees we issued everyone or had  
3 everyone complete a test. It was a  
4 computerized-type test so we can -- sent the  
5 results off to college to have them analyzed and  
6 we have just gotten those results back. We  
7 haven't really had a chance to look at them and  
8 see what they mean.

9 MEMBER DOSMAN: May I, Madam  
10 Chair?

11 And how is the response of the  
12 working force been to the training initiatives?  
13 Are you getting good uptake and cooperation?

14 MR. VETOR: I'm sorry. Could you  
15 repeat the question?

16 MEMBER DOSMAN: I asked what the  
17 response has been amongst the workforce to these  
18 training initiatives? Are they enthusiastically  
19 embraced or are you having resistance?

20 MR. VETOR: Actually, the response  
21 has been very good from the employees. It's  
22 something that they actually themselves have been  
23 requesting. We have also been working through the  
24 Joint Workplace Health Safety Committees and the  
25 feedback we are getting from them as well reflects

1           our impression that the training has been very  
2           well received by the employees.

3                         MEMBER DOSMAN: I noticed from Mr.  
4           Steane's presentation that it referred to the  
5           average age of the workforce as being somewhat  
6           more mature. I'm just wondering just as a matter  
7           of interest what is the average age of the  
8           workforce at the plant? I have actually a reason  
9           to ask the question.

10                        MR. STEANE: The average age of  
11           the workforce I think would be between 50 and 55,  
12           but we have two components to it. We have a  
13           double distribution. We have employees retiring  
14           and we have a large group of people in the 20 to  
15           35 range and then a large group of people in the  
16           40 to 60 range.

17                        MEMBER DOSMAN: I noted -- Madam  
18           Chair, if I might. I will try to be brief.

19                        I noted that you alluded to some  
20           of the lost time injuries which actually did seem  
21           somewhat high for a workforce of that size, and  
22           you alluded to some of the conditions associated  
23           with aging. I wonder if some of your training  
24           programs take into account some of the inevitable  
25           consequences of aging such as slower reaction time

1 and --

2 THE CHAIRPERSON: I think this is  
3 perhaps getting into a degree of detail that may  
4 be inappropriate. But if there could be a short  
5 answer to that and then we will have to move on.

6 MR. VETOR: Kirk Vetor for the  
7 record.

8 Yes, we have recognized that that  
9 the attention span if you will is somewhat less  
10 than it is for a younger working group.

11 --- Laughter

12 THE CHAIRPERSON: That's why I  
13 really cut off the expression.

14 MR. VETOR: I apologize if I  
15 offend anyone but this is the feedback that we  
16 have gotten directly from the employees.

17 We actually have a train the  
18 trainer program right now where we are trying to  
19 make the training more interesting to keep the  
20 attention focus throughout the training so we are  
21 not losing people.

22 THE CHAIRPERSON: But this isn't  
23 the condition with the Commission so I think we  
24 will have to move on.

25 Mr. Taylor.



1                   MEMBER TAYLOR: Thank you, Madam  
2 Chair. I have two questions on the environmental  
3 program presentation.

4                   Ecological Risk Assessment and  
5 Environment Effects Monitoring Study issued in  
6 October 2004, can the staff give me some sense of  
7 what these gaps in data which need to be resolved  
8 are? Are they significant? Are there many of  
9 them, just a general sense of is this a serious  
10 issue.

11                  DR. THOMPSON: Patsy Thompson, for  
12 the record.

13                  The assessment was conducted in  
14 two parts, if you will. The first part used sort  
15 of a conservative assessment approach and  
16 indicated some areas that needed to be assessed  
17 with more realistic values. This was done.

18                  Some of the data gaps referred to  
19 the levels of contaminants in the harbour. This  
20 was not seen -- it's not a major -- it's a gap in  
21 our knowledge, but it isn't a gap that is related  
22 to the ongoing environmental performance of the  
23 facility because their releases to the harbour are  
24 actually quite low. But because there are some  
25 releases and because of the historical

1           contamination of the harbour this was seen as a  
2           data gap. This gap has been closed by work done  
3           by the low-level office in preparation for the  
4           cleanup project and so that data gap has been  
5           closed.

6                           There are also some issues about  
7           soil modelling and soil parameters but these are  
8           being addressed as well by Cameco.

9                           MEMBER TAYLOR: So this plan to  
10          address the data gaps prepared by the end of  
11          February 2005 that's on time?

12                          DR. THOMPSON: As far as we know  
13          it is, yes.

14                          MR. O'BRIEN: Yes, it's on  
15          schedule.

16                          MEMBER TAYLOR: Is this document  
17          publicly available?

18                          DR. THOMPSON: Yes, it is publicly  
19          available and we have received comments on the  
20          document from the Municipality of Port Hope as  
21          well as from the Ontario Ministry of the  
22          Environment.

23                          MEMBER TAYLOR: If I may just go  
24          onto soil testing?

25                          For some reason in the past Cameco

1       abandoned its soil tests, I understand, because of  
2       the difficulty of separating the stuff at the top  
3       from things that might be percolating up from  
4       underneath, but now proposing to re-establish a  
5       soil monitoring program and the possibility that  
6       the MOE will join in this soil monitoring program.

7                   What I would like to know is what  
8       is different now. Why are you having faith in  
9       this new program and will it in fact start in  
10      2005?

11                   DR. THOMPSON: A two-part answer.  
12      The program that was initiated by Cameco in the  
13      past was similar to the program initiated by the  
14      Ontario Ministry of the Environment.

15                   Essentially, the implant of  
16      soil -- pots with clean soil in an area that had  
17      some background contamination allowed for  
18      cross-contamination and made the results very  
19      variable. The plants that the Ontario Ministry of  
20      the Environment have put forward -- and Mr.  
21      McLaughlin is still there. He could speak to  
22      it -- rely on there will be areas where the soil  
23      will be removed during the cleanup project and new  
24      soil put in. The area will be fairly large so  
25      that the entrainment of material from contaminated

1 areas will be reduced.

2 The expectation is that this  
3 program will yield results that are reliable. It  
4 will be similar essentially to the program that is  
5 in place at Blind River now where we have reliable  
6 results from the soil monitoring because of the  
7 absence of contamination around.

8 MEMBER TAYLOR: Thank you. And  
9 will this program start as stated sometime in  
10 2005?

11 DR. THOMPSON: I will ask Mr.  
12 McLaughlin to confirm the schedule.

13 MR. McLAUGHLIN: The short answer  
14 to that question is yes. We are just not exactly  
15 sure where.

16 The plans that we are putting  
17 together with the CNSC and with Cameco and,  
18 hopefully, with some input from community  
19 stakeholders as well will revolve largely around  
20 the areas being cleaned up as part of the Port  
21 Hope area initiative. As Dr. Thompson correctly  
22 identified, one of the concerns we had with the  
23 original soil monitoring program is that there is  
24 a lot of residual soil contamination on many of  
25 the sites that we were investigating and it was

1 very difficult for us to understand with clarity  
2 exactly what the changes were on any given site  
3 because it was such a heterogeneous contamination  
4 on those sites.

5                   The Port Hope area initiative will  
6 clean up large areas and that will get rid of our  
7 primary concern that re-entrainment from local  
8 contaminated soil may impact our ability to  
9 determine if changes are occurring. Therefore,  
10 the first site that we are looking for is the area  
11 around the Port Hope waterworks which we believe  
12 will be partly re-mediated in this summer. So we  
13 will be looking towards setting up the first of  
14 what could be a number of long-term monitoring  
15 sites in the vicinity of the cleanup that should  
16 be finished or at least partly finished around the  
17 waterworks this summer.

18                   Can I take a moment to address  
19 another issue as well? Mr. Steane mentioned in  
20 his comments that the reason that the ministry had  
21 abandoned the soil experiment program that we had  
22 underway in Port Hope was that the results were  
23 too variable and that's not exactly the way we  
24 worded the rationale for terminating our study in  
25 our reports.

1                   I would bring to the Commission's  
2           attention that the ministry has produced two very  
3           recent reports on our monitoring activities in  
4           Port Hope. Those are available both in paper and  
5           electronically from our Peterborough district  
6           office. One of those reports dealt specifically  
7           on the results to date of our long term monitoring  
8           program. One of those sites which was located at  
9           the Marina park in Port Hope did show an increase  
10          with time that averaged between 1 and 1.5 parts  
11          per million per year. That trend was  
12          independently confirmed by an outside contract  
13          statistician.

14                   However, when we reviewed all the  
15          results from the program we determined that the  
16          experimental design of the program wasn't robust  
17          enough to allow us to determine with confidence  
18          exactly what was the driving factor for that  
19          observed increase and we concluded that the reason  
20          that that observed increase was occurring was a  
21          combination of current atmospheric emissions from  
22          Cameco and the possibility of re-entrainment from  
23          local contaminated soil and also the possibility  
24          that contaminated soil which remained at depth was  
25          percolating upwards into the vicinity of our soil

1 plot.

2 In addition to that, Mr. Steane  
3 was quite accurate when he stated that additional  
4 sampling that the ministry had undertaken;  
5 additional soil sampling that the ministry had  
6 undertaken in the immediate vicinity of those  
7 experimental plots did not show a similar  
8 increase.

9 So we had an apparent  
10 contradiction between what we were observing in  
11 our experimental plot and what we were observing  
12 in the local environment. Those were the reasons  
13 that the experiment was terminated three years  
14 before we had originally intended to terminate  
15 that program.

16 To follow up with that, the MOE  
17 believes that it is responsibly precautionary to  
18 continue soil monitoring in Port Hope,  
19 particularly at sites in proximity to Cameco. And  
20 the Port Hope area initiative sites which will be  
21 cleaned up over the next number of years present  
22 an excellent opportunity to look anew at the  
23 possibility of soil uranium levels changing with  
24 time as a result of current emissions.

25 I would like to make one more

1 comment as well.

2 Earlier we heard from Mrs. Lawson  
3 who was concerned about the chemical quality of  
4 her soil and garden produce for her organic garden  
5 activities.

6 I met with Mrs. Lawson at a recent  
7 Port Hope area initiative meeting in Port Hope and  
8 I agreed at that time that the Ministry would  
9 follow up this summer with her to help her address  
10 the concerns about soil and garden produce quality  
11 on her property.

12 THE CHAIRPERSON: Thank you. I  
13 would just like to note that we do have the  
14 executive summaries of those two reports that you  
15 mentioned. There are some references to those  
16 reports as well in the staff report as well, but I  
17 think it is very helpful.

18 Anything else?

19 Dr. Barnes, yes?

20 MEMBER BARNES: I wonder if I  
21 could just follow up on that, because having been  
22 on the Commission for a while I recall these soil  
23 monitoring programs down in this area and the  
24 problem that Dr. Thompson experienced, the issues  
25 of bioturbation and really trying to interpret the



1 data at the end of the day.

2 I guess I'm still not convinced --  
3 at least the information that we have been  
4 provided, which is actually very little in the  
5 hard copy, but we have just heard some details  
6 about what is planned.

7 It seems to me that the migration  
8 of uranium through the system and coming in the  
9 soils is potentially a combination of some  
10 groundwater, maybe minor, but certainly the  
11 outfall emissions from the plants, certainly in  
12 close proximity to them, as well as what you said  
13 before, some migration laterally and upwardly  
14 through the soil levels.

15 So it seems to me that rather than  
16 go for another five years or seven years or  
17 long-term where you end up with a subset of data  
18 which you try to interpret, it might be more  
19 logical to really have an integrated groundwater,  
20 air monitoring and soil monitoring program.

21 I am intrigued partly by -- I  
22 don't know if I could steal some of Mr. Morand's  
23 presentation later on where he gives us some  
24 information on an internal report from the  
25 Atmospheric Environment Service now the

1           Meterological Service of Canada, MSC.

2                           It shows that the kind of  
3 prevailing winds in this area are essentially from  
4 the west or the southwest in a roughly steady  
5 manner and a rather different pattern than the  
6 normal records that are drawn into any kind of  
7 modelling that might come from Trenton or other  
8 areas like that.

9                           It seems to me that, again, in  
10 trying to do any kind of detailed modelling in the  
11 area of the town itself, people say: Well, we  
12 can't do that because the topography defeats us.  
13 We only have a little bit of information really  
14 from the plant itself and so we can't do the  
15 modelling for the atmospheric dispersion.

16                          If you look at the map of uranium  
17 dispersements, these are the ones that Mr. Jones  
18 had, you remember from this morning, with bananas  
19 being eaten and sleeping with your partner, and so  
20 on. That is curiously a very symmetrical pattern  
21 around the Cameco/Zircatec sites. I don't  
22 understand why it would be so symmetrical if the  
23 general wind direction is essentially from the  
24 west or southwest. I would imagine that there was  
25 some enhancement towards the east of the point

1 sources. Again, this is not explained.

2 So as you clean up some of these  
3 areas, which will be done over a number of time,  
4 you will end up installing some soil plots, but  
5 again it won't be -- you will have a different  
6 time series for different plots throughout the  
7 urban area of Port Hope.

8 So I am still confused whether at  
9 the end of the day we will really have some firm  
10 data that will come to, I will say, the truth  
11 here, as opposed to frustrating all the  
12 stakeholders in the room.

13 Maybe I could ask Dr. Thompson if  
14 she shares any of these views or she can really  
15 see in the proposed -- at least the initial  
16 proposal for this new program that we really will  
17 be able to get some answers that people will have  
18 confidence in.

19 DR. THOMPSON: Patsy Thompson, for  
20 the record.

21 To address the issues that have  
22 been raised for a number of years on the potential  
23 for cumulation in soils, CNSC staff initiated the  
24 research project I talked about earlier. The  
25 project essentially identified 10 locations in

1 Port Hope that were chosen through discussions  
2 with people who are familiar with the areas in  
3 Port Hope that had been contaminated historically  
4 and areas where we expected the lower levels of  
5 contaminants from historical releases.

6 These 10 locations, the consultant  
7 took soil profiles and did very detailed analysis  
8 of the vertical distribution of uranium, but also  
9 a large number of other contaminants.

10 The information was collected with  
11 the expectation that we would get information with  
12 which we could make recommendations for a more  
13 rigorous soil monitoring program.

14 The information essentially shows  
15 that it is very difficult to understand the  
16 mechanisms that could explain the variation in the  
17 soil profiles. We have areas where the middle  
18 layer is more contaminated, areas where the deeper  
19 layers are more contaminated. So it is very  
20 difficult to explain.

21 But the information does show that  
22 it is important to continue this work to get a  
23 better understanding of the mechanisms.

24 In the meantime, we do take a  
25 conservative approach to the assessment of the

1 potential accumulation of uranium in soils and we  
2 have used the data accumulated by the Ontario  
3 Ministry of the Environment during the period that  
4 they did do the monitoring, and we have used 1 to  
5 1.5 micrograms per gram accumulation of uranium  
6 per year as an assessment tool, recognizing that  
7 it is probably over estimating accumulation, but  
8 we feel it is better to potentially over estimate  
9 than to under estimate. So in the meantime we are  
10 using this information.

11 The information we have with those  
12 number of locations indicate that probably the  
13 best we can hope for is to do the monitoring in  
14 areas where large areas have been cleaned up and  
15 replaced with clean soil.

16 The monitoring program that Cameco  
17 has undertaken at the Blind River facility for  
18 example does show clear trends that can be  
19 interpreted, and hopefully with large enough areas  
20 being replaced with clean soil that we can have  
21 results that are as encouraging as the ones we see  
22 at Blind River.

23 Is it 100 per cent sure? Probably  
24 not, but I think it is the best we can do right  
25 now in this area.

1                   MEMBER BARNES: But at Blind River  
2                   there is very little ongoing accumulation,  
3                   atmospheric deposition.

4                   DR. THOMPSON: At Blind River  
5                   there is little atmospheric deposition, but the  
6                   soil profiles do show some accumulation over time  
7                   which indicates to us that -- the uranium doesn't  
8                   disappear. Once it is released and deposited on  
9                   the soil it goes somewhere.

10                  The problem is trying to get a  
11                  reliable value on accumulation in the surface soil  
12                  where people will, for example, grow vegetables,  
13                  and if children incidently consume soil would be  
14                  exposed to the levels and the deeper soil profiles  
15                  are less of a concern in terms of public health.  
16                  But trying to get a good estimate in sort of the  
17                  10 to 20 or 30 centimetres of the surface soil is  
18                  a challenge.

19                  MEMBER BARNES: I just repeat  
20                  again, I am not convinced that with the degree of  
21                  air monitoring that one has enough information of  
22                  the detailed precipitation levels coming from  
23                  these point sources to know, in a sense, the  
24                  uranium amount that is being contributed on top of  
25                  the soil which then may migrate.

1                   Do we have enough monitoring of, I  
2 will say, shallow groundwater to know potentially  
3 the migration at fairly low levels -- I don't mean  
4 deep levels, but low levels that may essentially  
5 move up, and then there is a migration of uranium  
6 laterally over time, which would give you this  
7 sort of internal variation of stratification of  
8 uranium levels.

9                   I mean it is a very complex issue,  
10 it is just that I am personally not convinced that  
11 cleaning an area and putting some soil plots is  
12 going to give you the answer unless you are doing  
13 monitoring of these three significant variables,  
14 the atmospheric component, the soil component and  
15 the much more detailed groundwater, so that there  
16 is monitoring of all these three components, but I  
17 don't see that they are integrated to allow this  
18 new soil monitoring to come to a realistic answer.

19                  DR. THOMPSON: Patsy Thompson, for  
20 the record. Perhaps Mr. McLaughlin will be able  
21 to add to what I will say.

22                  I guess from a regulatory point of  
23 view there is an interest in better understanding  
24 the mechanisms so that we can use this new  
25 information to make better decisions. However,

1 from a regulatory point of view we also consider  
2 risk in terms of what we require the licensees to  
3 do in terms of environmental monitoring.

4 I think the stack monitoring, the  
5 air monitoring that is being done, is showing that  
6 the releases from the facility are low. They are  
7 much, much lower than they were in the past. The  
8 high volume samplers and the samplers for  
9 particulates also showed that the deposition is  
10 low -- is higher around the facility, but as we  
11 move away from the facility the deposition is very  
12 low and air concentrations are low.

13 With these very low levels of  
14 deposition, even the best design program from a  
15 scientific point of view, measuring all the  
16 parameters you have been talking about, would  
17 still be a challenge just because what is being  
18 deposited on the ground is very, very low. So you  
19 are trying to measure contributions that are  
20 higher from the neighbouring areas, potential  
21 contributions from groundwater, with very little  
22 new deposition on the soil. So it is a challenge  
23 even for very well designed programs.

24 THE CHAIRPERSON: Perhaps,  
25 Mr. McLaughlin, would you like to comment on that



1 before Dr. Barnes continues?

2 MR. McLAUGHLIN: It is Dave  
3 McLaughlin from the Environment Ministry.

4 Dr. Thompson has quite adequately  
5 summarized the issue. I could only add that  
6 perhaps there may be some confusion with the  
7 mechanism through which we currently understand  
8 contaminated material buried at depth may become  
9 reintrained and recontaminated and recontaminate  
10 surface soil.

11 It is not through a groundwater  
12 mechanism, it is through the soil micro and macro  
13 arthropods that live in the top 20 or 30 or so  
14 centimetres of soil, ants and earthworms and those  
15 kinds of organisms that constantly digest organic  
16 matter and turn over the soil in the top foot or  
17 so.

18 Those are the mechanisms that we  
19 think are most directly likely responsible for  
20 bringing contaminated material at depth to the  
21 surface. It is not a groundwater issue.

22 I guess I could also add that we  
23 don't believe reintrainment occurs at the  
24 community scale or the landscape scale. We  
25 believe reintrainment of a local contaminated soil

1 occurs quite locally. So it may blow from my  
2 property to your property if we are neighbours,  
3 but it wouldn't blow from our neighbourhood to  
4 another neighbourhood.

5 Therefore, if an area the size of  
6 which some of these clean up areas are planned for  
7 under the low-level initiative is undertaken, we  
8 have spatially very large areas which are  
9 completely cleaned up to depth, in some cases  
10 right to bedrock, and we believe that this  
11 represents the best opportunity to further  
12 investigate this possibility of current emissions  
13 resulting in increase in soil uranium levels.

14 So is it perfect? No, but it is  
15 the best opportunity that we are going to be  
16 presented with in the near future and we want to  
17 capitalize on that and our intention is to start  
18 in 2005.

19 MEMBER BARNES: If I could just  
20 ask two more questions, and I will direct it to  
21 staff.

22 We had a lot of discussion this  
23 morning on the fire safety and our concerns, I  
24 think, at least my concerns are still there that  
25 we have two major industrial processes here and we

1           have a voluntary fire unit which essentially won't  
2           or is not able or willing to be able to tackle  
3           fires involving hazardous substances.

4                        What we heard from Cameco I think  
5           are two things: One is spending two levels of  
6           significant funding of fire upgrades, \$4.2 million  
7           and \$2.3 million, so \$6.5 million on the fire  
8           aspect improvements.

9                        Then the response I think before  
10          was that they had an internal capacity to fight  
11          fires. They had their own trucks, and so on. You  
12          stated the actual number of people that were  
13          trained to cope with hazardous.

14                      So in contrast, I think, to  
15          Zircatec, you are seeming to indicate to us that  
16          perhaps you don't need the volunteer fire  
17          department inside the plant if you have a  
18          significant fire that involves hazardous  
19          substances.

20                      So my question raised to staff,  
21          having heard that: Do you think there is enough  
22          internal capacity in the case of Cameco to tackle  
23          a significant fire involving hazardous substances  
24          where the volunteer fire brigade will not not be  
25          present, at least until such time as if it got

1 really serious you could bring in others that are  
2 at least obviously half an hour away?

3 THE CHAIRPERSON: My  
4 interpretation is a bit different than yours,  
5 Dr. Barnes, so I think we perhaps should start out  
6 with Cameco just clarifying.

7 Is that the case in terms of what  
8 Dr. Barnes has talked about in terms of a fire?  
9 My sense was that you still needed outsiders to  
10 help with this.

11 Is that correct?

12 MR. STEANE: Bob Steane with  
13 Cameco.

14 That is correct. While we do have  
15 significantly trained internal resources,  
16 depending upon the circumstances we would need  
17 external resources. Our firefighting in  
18 combination with hazardous materials does not  
19 go -- it goes to certain levels and then,  
20 depending on the size of the fire and nature of  
21 the fire, additional external resources would be  
22 required.

23 Also, another sort of dividing  
24 line would be typically with the external fire  
25 groups, they would handle from external and our

1 resources work inside the plane because of  
2 familiarity and familiarity with the materials.  
3 But we are not completely independent and  
4 standalone for all cases.

5 MEMBER BARNES: I was, in the  
6 interest of time, trying to jump ahead here.

7 Having said that, then I will be  
8 even more surprised at where we are today, given  
9 in a fire situation not only Zircatec doesn't have  
10 that internal capacity, then you don't have that  
11 internal capacity to fight a significant fire  
12 involving hazardous materials when it is going to  
13 take at least half an hour to get outside  
14 capabilities from some more distant locations  
15 given that the volunteer fire service is not able  
16 to come to your help there. In half an hour you  
17 can lose an awful lot of physical plant and  
18 provide a lot of concern to local population and  
19 to your own employees there.

20 So I remain amazed that not only  
21 Zircatec but Cameco, being much larger, has a  
22 situation where you are able to find resources of  
23 \$6.5 million to enhance a whole variety of other  
24 fire-related safeguards and so on, but we still in  
25 2005 are living with a situation where the local

1 volunteer fire service is incapable and neither  
2 Zircatec nor Cameco have a real capability of  
3 coping with a serious fire involving hazardous  
4 materials.

5 Am I expressing this correctly?

6 MR. STEANE: Bob Steane. One of  
7 the aspects of -- and you touched on the  
8 investment of capital. One of the key components  
9 is a lot of focus on fire prevention and having  
10 systems in place so that you don't have events  
11 that do get into the magnitude that you are  
12 discussing or envisaging.

13 There is a lot of focus on  
14 prevention, but with the nature of how life has  
15 unfolded, I think situations have changed in the  
16 last few years as to reassessments of response  
17 capabilities and what people should have. That  
18 has led to this circumstance where we, and not  
19 just us but the municipality -- there are other  
20 industries as well that are in the municipality --  
21 are recognizing this challenge that we need to  
22 close the gap on.

23 MEMBER BARNES: We heard before  
24 from the Mayor, I think from CNSC staff, that it  
25 would take many months and perhaps even in the

1 order of a year or so to get some kind of  
2 agreement to fill this sort of vacuum, if you  
3 like, or provide an internal capability from  
4 outside sources or some cost sharing. There were  
5 no specifics.

6 From Cameco's viewpoint how long  
7 do you think it would take to have an improved  
8 capability in Port Hope of fighting hazardous  
9 fires?

10 MR. STEANE: We heard from the  
11 Mayor on the time -- I am not sure how long it  
12 would take in terms of upgrading the Port Hope  
13 Fire Department and/or the volunteer fire  
14 department, how practical that would be.

15 It is a very short time for us to  
16 put in place agreement with some third party  
17 responders, and there are some quite nearby. That  
18 is something that is going on. So that would  
19 enhance the capability of the response to a large  
20 circumstance.

21 We do have significant internal  
22 resources that can deal with a lot of situations  
23 and keep them contained and not get to the larger  
24 situation that you are discussing. I think we  
25 can't forget that: that there are significant

1 internal resources that we have.

2 MEMBER BARNES: A last question,  
3 if I may.

4 I was intrigued by your Vision  
5 2010 Project. I am sure the community is also  
6 interested to see more details. That will be late  
7 2005 when we hear more details about that?

8 MR. STEANE: Yes, that is correct.

9 MEMBER BARNES: Has the project  
10 been approved in concept or detail by Cameco's  
11 board of directors or the highest level within the  
12 company?

13 MR. STEANE: In concept, yes, it  
14 has been approved by Cameco's management.

15 MEMBER BARNES: Presumably not  
16 resourced in a sense. Do you have a scale of the  
17 resources that you will be able to share with us  
18 later this year?

19 MR. STEANE: I am just trying to  
20 think as to how much of the resources and that we  
21 would share. We are at the concept stage now. We  
22 can share those concepts with the municipality.  
23 We are now in the process of coming up with  
24 options and seeing what the more detailed  
25 resources would be. We need to get that in place



1           and then share that with the Commission and the  
2           municipality and so on.

3                         THE CHAIRPERSON: I think we would  
4           be more interested in the concept and the safety  
5           benefits rather than the resources. I think that  
6           would be fair to say.

7                         I have a question with regard  
8           to -- and this is brought up later by some  
9           intervenors -- some lack of clarity about the  
10          decommissioning plan and the destination for  
11          decommissioning, et cetera.

12                        You have read all the  
13          interventions, and we will discuss it later, but I  
14          thought this was the time to discuss this seeming  
15          confusion about the destination for the  
16          decommissioning of the facilities.

17                        I think this is pretty important  
18          because this not only affects the preliminary  
19          decommissioning plan but also the resources  
20          necessary to do that, both of which in this case  
21          the Commission is responsible for.

22                        Could Cameco start and could staff  
23          then be ready to comment with regard to this.

24                        MR. STEANE: Bob Steane for  
25          Cameco.

1                   When the preliminary  
2           decommissioning plan was put together there was a  
3           concept, and the concept that was there was that  
4           there would be a couple of phases to the Port Hope  
5           Area Initiative. That plan outlines the initial  
6           decommissioning, which is decommissioning  
7           reclamation which would take place when the  
8           facility was being constructed; and then at some  
9           later stage the final deposition.

10                   As the Port Hope Area Initiative  
11           has unfolded, those plans have changed and that  
12           organization or that project, in consultation with  
13           the community, the concept is that that facility  
14           be constructed and closed.

15                   When we did the preliminary  
16           decommissioning plan, one of the main focuses of  
17           that was to provide costing and financial  
18           assurance. The basis of that financial assurance  
19           was to be on a decommission tomorrow; that is  
20           Cameco not being viable and post the money to have  
21           funds available that would allow the  
22           decommissioning tomorrow.

23                   In watching the Port Hope Area  
24           Initiative unfold, we said we will have to see if  
25           the financial resources that have been posted are

1 still adequate to do a decommissioning tomorrow  
2 scenario in the concept that was laid out. It  
3 just wouldn't happen in two phases; it would  
4 happen all in one phase.

5           When the Port Hope Area Initiative  
6 is carried out and completed, at that stage -- and  
7 that would also be the Vision 2010 -- remediation  
8 will have taken place and that will be the  
9 appropriate time to revisit, see what contaminated  
10 materials, if any, are left on the site. Most of  
11 the volume in terms of the decommissioning of the  
12 facility is in the soil, and with our Vision 2010  
13 plans we believe we can remove most of the  
14 contaminated soils. We also from our assessments  
15 have a view that we are not contributing further  
16 to contamination of soils on site.

17           The building materials, we have  
18 developed techniques, and so on, where we can be  
19 very effective at cleaning and decontaminating  
20 building materials. So buildings and building  
21 rubble typically are free released, not going into  
22 the facility.

23           That is how we see it unfolding.  
24 I think we have sufficient funds in the plan for  
25 the purposes of the preliminary decommissioning

1 plan, and providing funding is robust in terms of  
2 having the dollars there to do it today, and it  
3 needs to be revisited on the completion of Vision  
4 2010 and Port Hope Area Initiative and come up  
5 with a new plan at that time.

6 THE CHAIRPERSON: Staff?

7 MR. HOWDEN: Barclay Howden  
8 speaking.

9 I am going to make a few comments  
10 and I will ask Dr. Richard Ferch to fill in any  
11 gaps that I have missed.

12 This particular issue has been  
13 evolutionary in nature. From our perspective in  
14 terms of the preliminary decommissioning plan, it  
15 remains okay. But the issue is: Where are the  
16 wastes going and what are the costs associated  
17 with that?

18 So it is focused quite a bit on  
19 the financial guarantee.

20 From our understanding, there is  
21 going to be zero costs for some legacy wastes now,  
22 but there appears to be some ambiguity surrounding  
23 others. We would agree with the intervenor that  
24 raised there was ambiguity.

25 What we have been planning is

1 moving forward with action which comprises a  
2 process to obtain assurances from Cameco -- and  
3 this has not started yet -- as to whether the  
4 current status is okay and justification; or if  
5 no, what are the changes that are going to be  
6 required for the financial guarantee?

7 So we would have to follow a due  
8 process, which would be review, assess info, take  
9 a regulatory decision, which could involve coming  
10 to the Commission. If problems are encountered  
11 along the way, then follow through with some sort  
12 of regulatory action, because we do have a  
13 requirement in the licence to maintain an  
14 acceptable financial guarantee acceptable to the  
15 Commission or person on behalf of the Commission.

16 I will ask Dr. Ferch to add any  
17 more to that.

18 DR. FERCH: For the record, my  
19 name is Richard Ferch.

20 From the point of view of the  
21 financial guarantee, we are more concerned about  
22 the cost of disposal of the material than  
23 necessarily actually knowing where it goes.

24 The cost estimate in the current  
25 financial guarantee is, as I understand it,

1 basically that there is zero cost for disposal to  
2 Cameco for the material. There is a  
3 transportation cost, which is a relatively short  
4 distance cost because it is based on an assumption  
5 that there would be -- I believe there is an  
6 allowance of up to 150,000 cubic metres for  
7 material within the Port Hope Area Initiative at  
8 the current stage of discussion that that  
9 initiative has reached.

10 The ambiguity rests, as we  
11 understand it at least -- essentially, the reason  
12 it is zero cost is that there is an agreement with  
13 the federal government to pay for costs that are  
14 related to historic legacies that are the result  
15 of Eldorado, which was a Crown-owned agency.

16 Where the ambiguity rests is in  
17 exactly what fraction of the waste, if any, that  
18 might arise from post-Eldorado from Cameco's  
19 operations versus contamination that could be  
20 attributed to Eldorado.

21 It is fairly clear to us in our  
22 understanding that the part that is attributable  
23 to Eldorado the government has accepted  
24 responsibility for, and Cameco will not be  
25 expected to pay for the cost of disposal of that

1 material.

2 The area where we believe there is  
3 still some ambiguity is exactly what happens to  
4 any wastes that are not attributable to Eldorado.  
5 Are they included in the 150,000 cubic metres or  
6 not?

7 Unfortunately, the legal  
8 agreement, the municipal agreement with the town,  
9 gives two or three definitions of Cameco  
10 decommissioning waste and they don't entirely  
11 agree with one another or line up perfectly, which  
12 is why Mr. Howden and I have spoken to some degree  
13 of ambiguity.

14 That is why in fact we are  
15 considering an action to request more information  
16 from the licensee to try and resolve that issue so  
17 that we have a good handle on whether there is a  
18 component that is not covered by the government.

19 As far as where the waste goes, my  
20 understanding is that there is an agreement; that  
21 even if the material does not go into the Port  
22 Hope Area Initiative, the government remains  
23 responsible for the cost of its disposal, for the  
24 Eldorado material.

25 THE CHAIRPERSON: I guess what I

1 have heard is a lot of "could be's" and "we're not  
2 sure", things like that. We do, as you know, a  
3 lot of these preliminary decommissioning plans and  
4 lot of financial guarantees so we have become  
5 quite experienced in this as a Commission.

6 The answer to Dr. Barnes' question  
7 was that Vision 2010 would be worked on this year,  
8 and of course that seems to be an important part  
9 of this. We have a licence that will be up on  
10 February 28, 2007. I guess the question I would  
11 have is: Will it be run to ground by the  
12 completion of this licence? Will it be worked on  
13 during this licence component so that we would  
14 have that -- ideally earlier?

15 I think there is a reasonable  
16 thought that within two years this would be run to  
17 ground and we would have a better idea of this.  
18 So therefore we would be ensured that the people  
19 of Canada are protected with the financial  
20 guarantee.

21 You are right, they could go to a  
22 lot of places but is there enough money to get it  
23 from X to Y and deposit it?

24 I guess my question is: Am I  
25 correct in saying that this is -- you said that



1           this will be an active project, but will this be  
2           done within this licensing period?

3                         MR. HOWDEN:   Barclay Howden  
4           speaking.

5                         Our goal is to do it before the  
6           licensing period is done.  We don't want to set  
7           the licensing period as a goal because things tend  
8           to then follow the amount of time that is given.

9                         Our goal is to do it as soon as it  
10          can be done, but we are not sure of all the  
11          details to be able to make a bold prediction.  Our  
12          goal is to do it before.

13                        THE CHAIRPERSON:  Could I have  
14          Cameco's comment with regard to that.

15                        MR. STEANE:  Bob Steane.

16                        I think the confusion can be  
17          clarified relatively easily.  What does relatively  
18          easily mean?  I don't know.  It is not days, but I  
19          think it can be done before the end of the  
20          licensing period.

21                        This is the first I have heard  
22          that Commission staff were planning on asking us  
23          to revisit that, and I have seen the  
24          interventions.  I started with Cameco's view that  
25          when the plan was costed and worked out, the

1       150,000 cubic metres was the volume that we could  
2       do that and we could achieve that total  
3       decommissioning if it happened tomorrow in that  
4       volume, and we believe the costing was adequate to  
5       deal with that.

6                       We would be happy to review that  
7       and get that behind us.

8                       THE CHAIRPERSON: I think it is  
9       fair to say that this would be a source of anxiety  
10      to the community, and I think however it is to run  
11      it to ground, one would assume it would be an  
12      important thing.

13                      Dr. McDill, do you have any  
14      questions?

15                      What I think we are going to do is  
16      take a break. There is a need to reboot computers  
17      in Port Hope to make sure that we keep on going  
18      here as well.

19                      We will take approximately a  
20      15-minute break. If we are not back here, it is  
21      because the computers have not been rebooted yet.  
22      So around 15 minutes would be sufficient.

23                      Thank you.

24      --- Upon recessing at 6:17 p.m.

25      --- Upon resuming at 6:37 p.m.

1 THE CHAIRPERSON: Ladies and  
2 gentlemen, could you please take your seats. We  
3 are ready to go.

4 --- Pause

5 THE CHAIRPERSON: Could I ask the  
6 people to sit down or to leave the room. We are  
7 ready to go. I hope the people in Port Hope are  
8 there.

9 I just realized that for a lot of  
10 people, they don't realize that this is not  
11 atypical for a Commission meeting. We were  
12 discussing other times when we have been at  
13 Commission meetings for very long hours because  
14 that is the way it goes.

15 The Commission Members are  
16 independent and we all ask our own questions until  
17 we are satisfied with where things are. So for  
18 those of you who wonder if this is atypical  
19 hearing period, yes. With this many intervenors  
20 this is not atypical at all. So that is the life  
21 of the Commission.

22 We are going to now move to the  
23 interventions.

24 Sorry. Mr. Graham...?

25 MEMBER GRAHAM: I just had one

1 further question and it will be very short.

2 Without beating a dead horse or  
3 anything, I wanted to ask one question with regard  
4 to emergency response, fire response, and so on.

5 I understand last fall you had a  
6 strike. Were the same things available, same  
7 resources available, same internal resources  
8 available during that strike, or were at any time  
9 the health and safety of individuals, whether they  
10 worked in the plant or outside the plant, in  
11 jeopardy because you didn't have sufficient  
12 personnel?

13 That would be to Cameco.

14 MR. STEANE: Bob Steane. The  
15 short answer is no, they were not. We did not  
16 processes. Things were done. We did have some  
17 emergency response capability within the staff  
18 organization commensurate with the state of  
19 affairs of the site.

20 MEMBER GRAHAM: I realize you  
21 weren't operating, but regardless, if there had  
22 been a fire you had sufficient resource available.

23 A question to CNSC staff: Are you  
24 satisfied at that time that those same resources  
25 were available as they are in normal times?

1 THE CHAIRPERSON: Or perhaps as  
2 is appropriate with the processes that were still  
3 there?

4 --- Pause

5 MR. HOWDEN: Barclay Howden  
6 speaking, for the record.

7 At the time, that was a time when  
8 we still thought that the Port Hope Fire  
9 Department had the assessment capabilities and so  
10 we didn't do an assessment of Cameco during the  
11 strike period.

12 MEMBER GRAHAM: In other words,  
13 there will be lessons learned there?

14 MR. HOWDEN: Barclay Howden  
15 speaking. Yes.

16 THE CHAIRPERSON: I just would  
17 like to move on, then, to the interventions.

18 Before we start, for those people  
19 who have joined us for this hearing, I would like  
20 to remind intervenors appearing before the  
21 Commission today that we have allotted about  
22 10 minutes for each of the oral presentations and  
23 we would like your assistance to maintain that  
24 schedule and make sure that everyone has a chance  
25 to speak with us.

1                   I would like to assure you that  
2                   your more detailed written submission has been  
3                   already read by members and it will be also duly  
4                   considered in the proceedings coming out of the  
5                   Commission today.

6

7                   **05-H5.2**

8                   **Oral presentation by Lake Ontario Waterkeeper**

9                   THE CHAIRPERSON: I would like to  
10                  then move to the first oral presentation. This is  
11                  by Lake Ontario Waterkeeper. This is outline in  
12                  CMD Document 05-H5.2 and I believe that Mr. Mark  
13                  Mattson is with us.

14                  Is that correct? He is in  
15                  Port Hope? We are just looking for Port Hope.  
16                  --- Pause

17                  THE CHAIRPERSON: There he is.  
18                  Mr. Mattson?

19                  MR. MATTSON: Thank you, Madam  
20                  Chair and Members of the Commission.

21                  THE CHAIRPERSON: Hello. I'm  
22                  sorry, you probably missed my preamble. I have  
23                  said that we have allocated, not just to you but  
24                  to all the intervenors, about 10 minutes, but you  
25                  should feel more comfortable that your more

1 detailed written submission has also been read  
2 already by Members and will be duly considered on  
3 its own as well.

4 The floor is now yours, sir.  
5 Please proceed.

6 MR. MATTSON: Thank you, Madam  
7 Chair, Members of the Commission.

8 As you indicated, my name is Mark  
9 Mattson. I am an environmental lawyer and I am  
10 the President of Lake Ontario Waterkeeper. Lake  
11 Ontario Waterkeeper is a member of the Waterkeeper  
12 Organization. There are 129 of them in North  
13 America and eight in Canada.

14 We really appreciate the  
15 opportunity to come before you today. As a  
16 charitable organization we are unable to lobby  
17 like many others and we appreciate the opportunity  
18 to have a public process where we can comment on  
19 concerns such as the ones raised by the CNSC staff  
20 report here before you today.

21 Our submission with respect to the  
22 CNSC staff report is to request that the  
23 Commission does not receive the report at this  
24 time. Our original written submission to you was  
25 to ask for an adjournment until certain conditions

1 be met by the CNSC staff, but as the report now  
2 has been put forward and is on the table this  
3 afternoon, I think it is more appropriate now to  
4 request that you do not receive the staff report  
5 at this time.

6 The reasons for that, Madam Chair,  
7 are set out in our submissions. To summarize  
8 them, the report indicates that the water  
9 discharges from the cooling and processing pipes  
10 at the Cameco plant are -- and I use the language  
11 of CNSC staff -- they are low, they are reduced,  
12 they are minimized, and even at times they are  
13 indicated to be acceptable. But nowhere in the  
14 report do they indicate that they are legal  
15 discharges.

16 In fact, there is prima facie  
17 evidence to indicate that they are illegal  
18 discharges. That evidence is provided by the  
19 Ministry of Environment. It is on their Web site.  
20 There is no evidence with respect to 2003-2004  
21 when I prepared the report, but since that time we  
22 have indications in evidence from the proponent  
23 Cameco that yes, there have been acute toxicity  
24 failures in 2003 and 2004 as well.

25 I note when I say "illegal", I am



1 talking about Canada's most protective  
2 environmental legislation, the most protective  
3 legislation for aquatic habitat, that is the  
4 Fisheries Act. It is something that I know what I  
5 speak of, because for the last 10 years I have  
6 been helping as an investigator, witness and  
7 counsel in Fisheries Act prosecutions in Moncton,  
8 Hamilton, Ottawa, Kingston, Toronto, Montreal.

9 In those efforts of mine and my  
10 groups and organizations there have been three  
11 convictions, one acquittal, one case, the Montreal  
12 Technopark has gone before the Commission of  
13 Environmental Cooperation and NAFTA in Montreal  
14 where they have ordered a factual record into  
15 whether or not Environment Canada is enforcing the  
16 law, and Toronto where many cleanups have occurred  
17 but no charges were laid.

18 The point is with this legislation  
19 that it is prohibitive and it tries to protect  
20 against harm actually occurring in the  
21 environment. So where CNSC staff have looked at a  
22 number of parameters, they have chosen five, and  
23 they have indicated that when they look at these  
24 parameters they are acceptable, that in no way --  
25 in now way shows that they are in compliance with

1 the Fisheries Act.

2 The test is the acute lethality  
3 test, whether it with daphnia magna or rainbow  
4 trout. The test is, if it is rainbow trout,  
5 50 per cent of the fish live in the effluent for  
6 96 hours. If it is daphnia magna, it is 48 hours,  
7 50 per cent.

8 The daphnia magna are more  
9 susceptible to metals, the rainbow trout are more  
10 susceptible to things such as ammonia, which are  
11 in the effluent.

12 Both are breaches of the Fisheries  
13 Act and the fines are up to \$1 million a day and  
14 six months in jail. This is not regulatory law,  
15 this is quasi-criminal criminal legislation,  
16 federal criminal legislation.

17 It is, as I indicated, where you  
18 as the CNSC Commissioners should request your  
19 staff begin. They should begin with what is legal  
20 versus illegal. Then, if they want to go further  
21 than that and provide greater protection to the  
22 public, that is fantastic and that is to be  
23 encouraged by, I believe, the Commission.

24 At this point, though, there is no  
25 evidence from CNSC staff's report that the

1 Commission or the public can adequately conclude  
2 that Lake Ontario, the Port Hope Harbour, is being  
3 protected as required by federal law.

4 We have indicated in our  
5 paragraphs 3, 4 and 5 the areas where in your  
6 order from 2002 you indicated to staff that that  
7 is exactly what they were supposed to document and  
8 provide you with, so we suggest that where your  
9 order asks the CNSC staff to address the overall  
10 performance of the licensee in the facility with  
11 respect to the protection of the health and safety  
12 of persons and the environment and maintenance of  
13 national security, they have not done that.

14 Second, where CNSC staff indicated  
15 that they would specifically report on how the  
16 overall performance of the plant protects the  
17 health of the environment, again we would suggest  
18 they have not done that. Although they have  
19 indicated that the discharges are low, reasonable,  
20 acceptable, there is nothing in there that  
21 indicates they are legal. As I indicated, there  
22 is evidence that they are illegal.

23 Finally, the Cameco Corporation  
24 has a statutory duty to protect Lake Ontario under  
25 the Nuclear Safety and Control Act, the General

1 Nuclear Safety and Control Regulations, and the  
2 Fisheries Act. And Cameco itself maintains an  
3 environmental protection policy where they say  
4 that they will comply with all applicable federal  
5 regulatory requirements as described in  
6 section 4.2 of the CNSC staff report.

7 So we think there was notice to  
8 the company and to the staff that the Commission  
9 and the public would expect that there would be  
10 information upon which the public or the  
11 Commission could conclude whether or not this  
12 specific proponent is breaking federal fishery law  
13 or not.

14 In addition to our actual  
15 submissions we have provided you with the very  
16 recent Court of Appeal decision in Ontario, City  
17 of Kingston, where the Appeal Court of Ontario  
18 confirmed that understanding of the Fisheries Act.

19 If you look actually at the  
20 decision -- it is right behind our submission to  
21 you -- and if you look at page 16 of the Court of  
22 Appeal decision, paragraphs 78 and 79, you will  
23 see there where the Court of Appeal adopts the  
24 definition of the Fisheries Act where it is not  
25 obliged, under the Fisheries Act, to prove the

1 charge. They are not:

2 "...obliged to show that fish  
3 living in the vicinity of the  
4 seep were harmed. It was  
5 required only to prove the  
6 elements of the offence as  
7 set out above."d

8 That is in paragraph 78. They set  
9 out how the leachate is put in and the fish have  
10 to live there and why the Act is prohibitive.

11 It was appealed to the Supreme  
12 Court of Canada and the Supreme Court of Canada  
13 has denied leave to appeal. So this is and  
14 continues to be the most recent interpretation of  
15 the Fisheries Act and certainly, at least in our  
16 opinion, it continues to be Canada's most  
17 protective legislation, one of its most protective  
18 pieces of environmental legislation.

19 So we don't think that the CNSC  
20 staff should be accepted because it doesn't  
21 provide that information.

22 I am going quickly because there  
23 are two other things I have heard this afternoon  
24 that raise concerns in my mind. The first is the  
25 waste that is being stored on the pier. I note

1           that in Ontario under the Environmental Assessment  
2           Act, section 32, in order to alter, amend, change  
3           or move any hazardous waste material you need to  
4           apply for a permit with the Ministry of  
5           Environment, and that permit immediately triggers  
6           a public hearing.

7                         There are a number of conditions  
8           then that this site would be subject to before it  
9           would be approved to be put on that land.  
10          However, it has been the position of Ontario that  
11          as long as the hazardous waste is stored on  
12          federally controlled property, that section of the  
13          Act has not been enforced.

14                        So what we have here is a  
15          hazardous waste material being stored on a pier  
16          where -- I was there this morning when I arrived  
17          and I hadn't seen it there before -- and it goes  
18          right to the edge of either side of the pier.  
19          Really, I can't understand how in Ontario  
20          hazardous waste would be stored in such a manner.

21                        So I just want to bring that to  
22          your attention as well, that I think the  
23          Commission may want to ask CNSC staff if this is  
24          in accordance with Ontario's laws and, if not, why  
25          not. Because I think again you may want to take

1 advantage of those protections that Ontario has  
2 for its community and its public.

3 Finally, with respect to the fire,  
4 I think it is important that CNSC staff again  
5 recognize that they have in place a disincentive  
6 to the Nuclear Liability Act for Zircotec or  
7 Cameco to really take precautions against  
8 catastrophic accidents, as the actual liability  
9 and costs of such an accident really are borne by  
10 the Canadian taxpayer and by the industry itself,  
11 not by those plants.

12 So up to a few million dollars  
13 maybe these companies -- and they are private  
14 companies, they are no longer Crown corporations,  
15 which is something they recognize in the changing  
16 environment in Canada -- they may have a cost  
17 benefit analysis to take certain precautions with  
18 respect to liability up to the \$2 to \$5 million.  
19 Anything over that, though, really it is the  
20 responsibility of the CNSC Commission and its  
21 staff to ensure that the Canadian public take  
22 steps to ensure that liability and any  
23 consequences are reduced.

24 So it may in fact be an obligation  
25 of the CNSC staff and is something else you might

1           want to consider if you are not going to accept  
2           the report and ask the CNSC staff to do some more  
3           due diligence. Thank you.

4                         THE CHAIRPERSON: Thank you,  
5           Mr. Mattson. I would just like to clarify a  
6           couple of matters before I turn it over in terms  
7           of questions.

8                         Number one is that the Panel of  
9           the Commission made a ruling this morning to  
10          accept this report -- this was noted this  
11          morning -- and that we decided not to accede to  
12          requests for deferral of the hearings or  
13          non-acceptance of the report.

14                        It is important to understand that  
15          for us, the mid-term report does not consist  
16          merely of a written report from the staff. It  
17          consists of report from the staff, CMDs from the  
18          industry, from other people as well, from the  
19          intervenors. It includes the verbal parts of the  
20          CMD presentations that we hear, and the Q's and  
21          A's. All of that comprise report.

22                        The report itself is one part of  
23          that and we have the ability, the Commission, to  
24          ask for further matters. We will be putting  
25          forward, further to today's proceedings, a record



1 of proceedings that will also have ability to do  
2 this. And there is ability to do ongoing requests  
3 as well from the staff.

4 So the report itself should be  
5 looked at within a broader context of what we are  
6 trying to do, which is to receive in a public  
7 forum a report of information and to decide on our  
8 acceptance of the report and to move forward on  
9 that basis in that way.

10 The second comment I wanted to  
11 make is with regards to the Liability Act. The  
12 Canadian Nuclear Safety Commission does not create  
13 the policy instruments, the policy frameworks upon  
14 which we work. The Nuclear Safety and Control Act  
15 is a Parliamentary Act and the CNSC is required to  
16 enact the CNSC.

17 Similarly, with the Nuclear  
18 Liability Act it is the Government of Canada that  
19 put this Act into force and they will accept it or  
20 not accept it. They, for example, have talked  
21 about making some changes to it quite recently.  
22 However, it is not within the power of the  
23 Commission or the staff to make any changes to  
24 that, and in fact the government wouldn't ask us  
25 for recommendations with regards to that Act.

1                   We do have a role in there in  
2 terms of noting whether a facility is designated  
3 under the Liability Act, but that is the role that  
4 we have.

5                   We would also note that you have  
6 concerns under the Fisheries Act, however the  
7 Nuclear Safety and Control Act and our regulatory  
8 framework provides the authority for the staff of  
9 the Commission. So the staff of the Commission  
10 are not agents of the Fisheries Act as such and,  
11 as such, I mentioned quite a number of times today  
12 that the CNSC, the Commission, requires that the  
13 CNSC staff stay within its jurisdiction.

14                   Certainly in some cases we have  
15 worked with other agencies, including Environment  
16 Canada, Fisheries, et cetera, on specific  
17 programs. So that is an area that might be just  
18 worth clarification before we move forward.

19                   With that clarification, are there  
20 questions for this intervenor?

21                   Dr. McDill...?

22                   MEMBER McDILL: I think I am  
23 going to pick up exactly where you left off,  
24 Madam Chair.

25                   I wonder if I could ask staff and

1 Cameco to comment on this intervenor's concern --  
2 I think maybe we will pick No. 8 "discharges are  
3 clean every hour of every day" -- with respect to  
4 4.2.4 of 05-H5 and the facility water discharge  
5 monitoring results.

6 Thank you.

7 THE CHAIRPERSON: So would Cameco  
8 care to commence, please.

9 MR. STEANE: Bob Steane, for the  
10 record.

11 I will ask Kirk Vetor to answer  
12 that question.

13 MR. VETOR: For the record,  
14 Kirk Vetor.

15 Our cooling water and process  
16 effluent streams are monitored using continuous  
17 samplers. These samplers collect aliquot of the  
18 effluent that is being discharged on a regular  
19 basis. Depending on a location, that can be done  
20 on a full proportional basis or on a time  
21 proportional basis.

22 That sample is collected  
23 throughout the 24-hour period, at which time it is  
24 brought back to the lab for analysis.

25 Those sampling stations are set up

1 and meet the Ontario MISA Regulations, which is  
2 the clean water sampling regulations.

3 We have recently had the Ministry  
4 of Environment at our site to conduct an audit.  
5 We don't have the report yet, but they didn't  
6 raise any issues or concerns associated with the  
7 effluent sampling.

8 THE CHAIRPERSON: Does staff wish  
9 to comment?

10 DR. THOMPSON: Patsy Thompson, for  
11 the record.

12 The requirements for monitoring  
13 and testing of effluent is essentially conducted  
14 to put in place a process to ensure that releases  
15 to the environment, in this case to Lake Ontario,  
16 meet regulatory requirements and are not causing  
17 harm to fish or fish habitat.

18 The process essentially worked as  
19 it is designed. The toxicity tests are there to  
20 provide additional confidence that the parameter  
21 by parameter chemical analysis cannot always  
22 provide.

23 In discussions with Environment  
24 Canada, under the umbrella of a Memorandum of  
25 Understanding with Environment Canada, where we

1           have discussed enforcement of issues under the  
2           Fisheries Act generally consideration for taking  
3           enforcement action or not is based on whether or  
4           not the licensee or the industry has taken due  
5           diligence steps to correct the situation.

6                           In all cases Cameco took the  
7           required steps of retesting, identifying the  
8           contaminant of concern. They have identified in  
9           one case the toxicity failures were due to  
10          chlorine and in another case to ammonia, and they  
11          have put measures in place to correct the  
12          situation.

13                          They are also further considering  
14          putting in place mitigation to remove the ammonia  
15          and chlorine from the effluent stream so that  
16          toxicity isn't a recurring problem.

17                          Having said that, the CNSC through  
18          its licensing and compliance program will verify  
19          that the licensee has an environmental protection  
20          program in place where procedures are in place,  
21          performance targets and objectives, and Cameco as  
22          a licensee has taken all the precautions and  
23          implemented all the procedures that are expected  
24          in a case like this.

25                          So from CNSC staff's perspective,

1           they are dealing appropriately with the situation,  
2           and on an ongoing basis the effluent is not toxic  
3           and is not causing harm to Lake Ontario.

4                           THE CHAIRPERSON:   May I ask a  
5           supplementary.

6                           Dr. Thompson, from the issue of  
7           the Nuclear Safety and Control Act, my  
8           understanding is that what we are talking about  
9           here is hazardous substances.

10                           How would that differ, for  
11           example, from the intervenors' comments that were  
12           to do with what I believe is a comment about  
13           deleterious substances?

14                           DR. THOMPSON:   In terms of  
15           defining what substances are hazardous, we  
16           essentially used the same test that CEPA would use  
17           for toxic substances or that the Fisheries Act  
18           uses to define a deleterious substance.  It is a  
19           substance that is toxic under certain conditions  
20           to certain organisms.

21                           Our Act covers the requirement for  
22           us to regulate hazardous substances in a manner  
23           that it does not cause an unreasonable risk to the  
24           environment.  The requirement is for us to assess  
25           and ensure that the risks are not significant and

1           also to ensure that the control measures in place  
2           by licensees are adequate to ensure that that  
3           situation does not change over time.

4                       The relation with the Fisheries  
5           Act, the Fisheries Act applies to all industries  
6           and all municipalities, essentially anybody that  
7           releases something to the aquatic environment.

8                       The Fisheries Act also prohibits  
9           someone from authorizing a discharge. So we have  
10          been very careful in all the assessments we have  
11          done and any recommendation we make to the  
12          Commission to properly consider whether releases  
13          that are from the facilities that we regulate  
14          would pass the test of not being released under  
15          circumstances that would be toxic or hazardous or  
16          deleterious.

17                      THE CHAIRPERSON: Dr. McDill, any  
18          further questions?

19                      MEMBER McDILL: The licence limits  
20          that are there, how do they compare to the term  
21          "deleterious"?

22                      I realize the numbers are well  
23          below the licence limit. I am trying to get a  
24          feel for where the licence limit would fit with  
25          respect to the Fisheries Act and therefore the

1 umbrella under which we operate.

2 DR. THOMPSON: The limits have  
3 essentially been set with due consideration to the  
4 available toxicity information. For example, when  
5 we develop water quality guidelines, we use the  
6 toxicity information with safety factors to reduce  
7 the concentrations to levels that would not be  
8 toxic under any conditions.

9 In the case of effluent limit, we  
10 use the toxicity information to set limits such  
11 that when the release is occurring and is being  
12 discharged to the receiving environment, the  
13 concentrations in the receiving environment are  
14 safe.

15 MEMBER McDILL: Thank you.

16 MR. MATTSON: Madam Chair?

17 THE CHAIRPERSON: Yes,  
18 Mr. Mattson.

19 MR. MATTSON: Just to comment,  
20 Madam Chair. I was going to originally be of  
21 assistance to the Commission and comment on some  
22 of your comments, but the staff have helped in a  
23 number of areas.

24 First of all, I think, Madam  
25 Chair, they have indicated that yes, the Fisheries



1 Act does bind the CNSC and is part of their  
2 overall compliance mandate in reporting to you in  
3 this actual environmental audit that they are  
4 giving forward.

5 Second, Ms Thompson indicated for  
6 the first time you do not have this in your  
7 environmental audit report that yes, there were  
8 acute lethality tests done and in fact they went  
9 so far as to determine what it was that killed the  
10 fish: chorine in one instance and ammonia in  
11 another. Both of those are brand new news, not  
12 only to the public but I believe to the  
13 Commission.

14 One thing that Ms Thompson does  
15 make a mistake -- and you may want to discuss it  
16 with legal counsel and read the Fisheries Act  
17 cases -- to prove the charge, it does not involve  
18 environmental risk assessments or what harm is  
19 done to the environment.

20 The Act is prohibited to prevent  
21 deleterious substance from entering water where  
22 fish are. The reason for that, Madam Chair, is so  
23 that we don't have death of a thousand cuts in  
24 Canada or that we actually see damage.

25 The Act is to prevent damage, much

1       like .08 is used as a guideline in impaired  
2       driving charges. The police when they pull you  
3       over on RIDE don't say, "You're lucky you didn't  
4       get in an accident and there is no damage done;  
5       we'll drive you home." They lay the charge and  
6       you are found guilty. The reason is because if  
7       you continue to act in such a manner, there will  
8       be damages at some point.

9               The Supreme Court has been very  
10       clear to indicate that that is the way the law is  
11       to be interpreted, not the way your CNSC staff is  
12       putting it forward to you today. That is why we  
13       have brought it forward today to say: Tell the  
14       staff to go back. Don't accept the report because  
15       clearly, with over 50 people here today, there  
16       must have been something meaningful at this  
17       hearing -- and Canadian law requires you are  
18       having a public hearing. There must be some  
19       meaningful decision you are going to make today.

20               So I would think at the very least  
21       the decision would be whether or not to accept  
22       this report.

23               Now I may be wrong --

24               THE CHAIRPERSON: Mr. Mattson, you  
25       are going around the same approach about three or

1 four times.

2 MR. MATTSON: No. Madam Chair, I  
3 need to know if you are going to accept this or  
4 not today.

5 THE CHAIRPERSON: Excuse me.

6 MR. MATTSON: If you say you have  
7 already accepted it, then why am I here?

8 THE CHAIRPERSON: Because I made  
9 it clear --

10 --- Applause

11 THE CHAIRPERSON: Mr. Mattson,  
12 would you like to listen to me, please.

13 MR. MATTSON: I haven't said  
14 anything, Madam Chair. That is the audience.

15 THE CHAIRPERSON: Mr. Mattson, I  
16 just wanted to clarify a couple of things.

17 Perhaps I could repeat again since  
18 it perhaps wasn't clear enough.

19 When we set a hearing to talk  
20 about the mid-term report, the staff report that  
21 they filed, the CMD report -- and it is not  
22 specifically just for Cameco for Port Hope. It is  
23 for all the hearings that we do. This is the  
24 process that we have in Canada for this process.

25 MR. MATTSON: I understand, Madam

1 Chair. I understand.

2 THE CHAIRPERSON: This is one  
3 component of it.

4 We asked the staff to file a CMD  
5 report, which is one component, as your CMD is.  
6 So yes, we have accepted the report finale.

7 I just want to clarify the  
8 comments that you made --

9 MR. MATTSON: Well it --

10 THE CHAIRPERSON: Excuse me, may I  
11 finish.

12 MR. MATTSON: Just on that point,  
13 I am asking you to reconsider, Madam Chair, then.  
14 That is my request. I just want to have some  
15 request on the table so that the Commission gets a  
16 chance to make a decision.

17 THE CHAIRPERSON: We have already  
18 made a ruling.

19 MR. MATTSON: So let me ask you to  
20 reconsider.

21 THE CHAIRPERSON: We have made a  
22 ruling.

23 MR. MATTSON: Well, let me ask you  
24 to reconsider.

25 THE CHAIRPERSON: We have made a

1 ruling.

2 MR. MATTSON: Let me ask you to  
3 reconsider.

4 THE CHAIRPERSON: We have made a  
5 ruling.

6 MR. MATTSON: Let me ask you to  
7 reconsider the ruling.

8 THE CHAIRPERSON: I have  
9 reconsidered --

10 MR. MATTSON: Will you let me ask  
11 to reconsider that ruling or no.

12 UNIDENTIFIED SPEAKER: Don't be an  
13 ass.

14 --- Pause

15 MR. MATTSON: Madam, that is all I  
16 am asking. Can you reconsider the ruling or is  
17 that not something that is within your  
18 jurisdiction?

19 THE CHAIRPERSON: It is certainly  
20 within my jurisdiction, and I have already  
21 accepted the report.

22 MR. MATTSON: Yes, but I am asking  
23 you to reconsider that decision.

24 In light of the evidence that the  
25 CNSC staff have brought before you that they

1 didn't report on the toxicity testing, they didn't  
2 tell you about the chlorine or the ammonia, they  
3 haven't indicated about the dump site that has  
4 been placed on the pier, and that there are  
5 concerns with respect to the fire report, I am  
6 asking that based on those I am asking the  
7 Commission to reconsider accepting the CNSC  
8 staff's report.

9 That is what I am asking.

10 THE CHAIRPERSON: The point is  
11 that I have simply said no, I will not reconsider.

12 MR. MATTSON: That is your first  
13 ruling. Thank you, Madam Chair.

14 THE CHAIRPERSON: My comment is  
15 also -- and I think this is important. It perhaps  
16 is a fine point, but it is important to  
17 understand.

18 The staff -- and I believe Dr.  
19 Thompson said this and she will correct me if I am  
20 interpreting this incorrectly.

21 The staff considers the Fisheries  
22 Act and other federal legislation. She has talked  
23 about other federal legislation. But the role of  
24 the CNSC staff is not to enforce the Fisheries  
25 Act.

1 Is that correct, Dr. Thompson?

2 DR. THOMPSON: Patsy Thompson for  
3 the record.

4 That is correct.

5 THE CHAIRPERSON: I think that is  
6 an important component to that.

7 Now, Mr. Mattson, we would like to  
8 get back to the role of the Commission Members in  
9 terms of asking questions of you and other members  
10 as to the submission that you have made.

11 Dr. Barnes.

12 MEMBER BARNES: Thank you.

13 I just come back to pick up on one  
14 of the Mr. Mattson's points and Member McDill's  
15 comments. On point 6, the toxicity and effluent  
16 being toxic to rainbow trout and daphnia magna in  
17 2000 and 2001, Mr. Mattson indicates that  
18 compliance reports for 2002-2004 were not  
19 available to the Waterkeeper at this time.

20 Were they available to you at the  
21 time you were preparing the report?

22 There are two questions. Why  
23 didn't you mention this issue of the toxicity to  
24 those components in 2000 and 2001, and do you have  
25 any further updates for 2002, 2003 or 2004?

1 MR. MATTSON: The --

2 MEMBER BARNES: I am asking the  
3 staff on that, Mr. Mattson.

4 MR. MATTSON: I'm sorry.

5 MEMBER BARNES: Sorry, my question  
6 is for staff.

7 I am trying to clarify your point.

8 DR. THOMPSON: Patsy Thompson for  
9 the record.

10 The information on this issue is  
11 made available in quarterly compliance reports.  
12 So staff have been aware and have been tracking  
13 the issue.

14 We did not include it in the CMD  
15 to the Commission on the mid-term performance  
16 review essentially because we were trying to  
17 present an overview of performance, and also the  
18 CMD presented by Cameco on performance discussed  
19 the issue of toxicity and the measures they had  
20 taken to address the issue.

21 MEMBER BARNES: We get a number of  
22 these situations coming before us, and usually  
23 when there is a death to some component of the  
24 biota then it is regarded seriously.

25 In this case I don't recall it was



1 even mentioned in the staff report at all. Is  
2 that correct?

3 If I could just build on this,  
4 Mr. Mattson is providing data for 2000 and 2001,  
5 and here we are at a mid-term review. So I think  
6 it is pertinent to our review today to try and  
7 find out what has been happening in the most  
8 recent period of time, particularly 2002, 2003 and  
9 if possible 2004 the scale of discharges and the  
10 impact on the biota.

11 DR. THOMPSON: Patsy Thompson for  
12 the record.

13 We have on occasion presented a  
14 significant development report to the Commission  
15 on toxicity issues in mine effluent, for example.  
16 In this case the requirement for toxicity testing  
17 is on two discharge streams. There are  
18 essentially two streams that are tested under MISA  
19 requirements for contaminants as well as for  
20 toxicity. There is also a requirement, once the  
21 streams are mixed, that the final discharge point  
22 is not toxic.

23 In all cases except one the final  
24 discharge point where the two effluent streams are  
25 mixed were not toxic, even if the individual

1 streams were toxic.

2                   Essentially we felt that since the  
3 final discharge was not toxic, this was not  
4 causing potential harm to the receiving  
5 environment and it was more a matter of using that  
6 information to go back and look at the process and  
7 see how the toxic components could be removed so  
8 that this doesn't recur.

9                   So it is really sort of on the  
10 upstream effluent streams before they are mixed  
11 and discharged to the lake.

12                   Perhaps Cameco can provide more  
13 details, but that was the rationale.

14                   THE CHAIRPERSON: Cameco, would  
15 you care to comment?

16                   MR. VETOR: Yes. For the record,  
17 Kirk Vetor.

18                   We have been aware of these  
19 toxicity failures, and we have been taking action  
20 to address the issue. There were two projects  
21 that were undertaken.

22                   One was the complete elimination  
23 of that discharge stream, and we did complete that  
24 project but it created another consequence, which  
25 was an odorous discharge. So we went back to the

1 original configuration, which was to discharge  
2 that as a process effluent to the harbour.

3 We also identified a toxic  
4 substance in some of the surfactant and some of  
5 the cleaning agents we have been using, and we  
6 have since eliminated those from the site.

7 Since we have gone back to the  
8 original configuration of discharging that process  
9 effluent to the harbour, we have not failed.

10 So it becomes an issue of if we  
11 continue to not fail, if we continue to pass the  
12 test, then we have to believe that the other  
13 project to eliminate those surfactants has had  
14 some success.

15 If we do fail a future test -- and  
16 we haven't failed one since we have gone back.  
17 But if we do, we already have a contract set up  
18 with a consultant to take that effluent that has  
19 failed, if it fails, and do some further test  
20 work.

21 The problem is if you want to  
22 remove toxicity, you have to have a toxic sample  
23 to work with first. So you get into this  
24 situation where as long as we are passing, we have  
25 to believe that the projects we have undertaken

1           were successful.

2                                 However, we do have a contingency  
3           in place, in the event that we do fail, to do  
4           further work to try to eliminate what additional  
5           toxins may be present in that effluent stream.

6                                 MEMBER BARNES: I will try once  
7           more, and I am trying to correlate what  
8           Mr. Mattson is saying, that:

9   "Ministry of Environment  
10   compliance reports for 2000  
11   and 2001 indicate that  
12   wastewater effluent from the  
13   Cameco facility were toxic to  
14   rainbow trout and daphnia  
15   magna."

16   And the data were not available  
17           for 2002-2204.

18   In the staff CMD 05-H5, on page 6  
19           under "Water Emissions", you give two things. One  
20           is Table 6, which is "Facility Water Discharge  
21           Monitoring Results" for 2002, 2003 and part of  
22           2004.

23   But in the second sentence above  
24           that it says:

25   "No licence limits were

1                   exceeded during the reporting  
2                   period."

3                   Is that statement from staff  
4 compatible with what Mr. Mattson is saying?

5                   It is toxic to rainbow trout but  
6 it is not actually exceeding licence limits?

7 --- Pause

8                   MR. O'BRIEN: Yes, the statement  
9 is correct in the report that the licence limits  
10 have been exceeded. Currently the toxicity tests  
11 are done under the Ontario Ministry of the  
12 Environment MISA regulations and there are  
13 requirements under those regulations. They are  
14 not specified under CNSC requirements.

15                   MEMBER BARNES: So those  
16 regulations are such that trout affected by  
17 toxicity, it is okay.

18                   DR. THOMPSON: Patsy Thompson for  
19 the record.

20                   When an industry has a certificate  
21 of approval from the Ontario Ministry of the  
22 Environment, that specifies limits for discharges,  
23 as well as toxicity tests. It is a non-compliance  
24 to fail a toxicity test.

25                   The requirement in such cases is

1           that the licensee or the industry retest and if  
2           the toxicity is persistent that toxicity  
3           identification and evaluation protocol be put in  
4           place to identify the toxic component so that it  
5           can be removed from the effluent.

6                               That is essentially what Mr. Vektor  
7           was saying, is they did do some corrective  
8           measures, and as long as the toxicity isn't there,  
9           there isn't a lot more we can do about  
10          identification of potential toxicity substances.

11                              THE CHAIRPERSON:   Further  
12          questions?

13                              Mr. Graham.

14                              MEMBER GRAHAM:   Yes.  My question  
15          is with regard to the storage, the waste storage  
16          on the pier.  I understand from what we heard by  
17          this intervenor that it is on federally owned  
18          property but my question is, is this in accordance  
19          with the Ontario laws or not?

20                              I guess that would be my question  
21          of CNSC staff or maybe to Ontario Environment.

22                              MR. HOWDEN:   Barclay Howden  
23          speaking.  To the best of our knowledge, yes, but  
24          I don't have someone here who has the specific  
25          details to provide that to you at this moment.

1 THE CHAIRPERSON: Further  
2 comments? Further questions?

3 MR. McLAUGHLIN: Yes. It is Dave  
4 McLaughlin from the Ontario Ministry of the  
5 Environment. Just further to that, the OME does  
6 not regulate federal land in Ontario.

7 UNIDENTIFIED SPEAKER: It is not  
8 federal land.

9 THE CHAIRPERSON: Excuse me, could  
10 we please have order? Could we have order here  
11 and order in Port Hope? This is an administrative  
12 tribunal and I expect order.

13 Mr. Taylor.

14 MEMBER TAYLOR: Thank you. Just  
15 to follow up on this toxicity issue.

16 Whenever one of these tests fails,  
17 is it reported to the Ontario Ministry of the  
18 Environment and/or Fisheries and Oceans?

19 DR. THOMPSON: Patsy Thompson for  
20 the record. It is reported to the Ontario  
21 Ministry of the Environment, not to Fisheries and  
22 Oceans. Fisheries and Oceans does not administer  
23 that section of the Fisheries Act.

24 MEMBER TAYLOR: Thank you.

25 THE CHAIRPERSON: Any further

1 questions?

2 Well, thank you very much,  
3 Mr. Mattson for your intervention.

4 We will now move to the next  
5 intervention, which is again from Port Hope. This  
6 is an oral presentation by Mr. Andrew Johncox,  
7 outlined in CMD document 05-H5.3.

8 The floor is yours, sir.

9

10 **05-H5.3**

11 **Oral presentation by Andrew Johncox**

12 MR. JOHNCOX: Madam Chair, Members  
13 of the Commission, my name is Andrew Johncox, a  
14 resident of Port Hope.

15 I came to Port Hope in 1968 and  
16 worked for Eldorado Nuclear until 1984. I was  
17 involved with almost every plant process. As an  
18 applied research engineer in Port Hope, I  
19 conducted special research programs in Uranium  
20 City and was one of the shift engineers in the  
21 start-up of the Blind River Refinery.

22 I left Port Hope in 1984 but moved  
23 back again in 2001 and was quite surprised to find  
24 that the town was still mired in a debate of how  
25 to clean up historic waste and how to feel safe



1 living in the midst of a uranium plant as our  
2 close neighbour.

3 From personal experience, I know  
4 that Eldorado Nuclear was less than honest with  
5 the town about spills to the harbour, plant  
6 emissions and releases, security and potential  
7 hazards to the public.

8 Since returning to Port Hope, I  
9 have attended open houses, workshops and seminars  
10 that Cameco and the Low-Level Waste Initiative  
11 have sponsored and I find that Cameco is not being  
12 very transparent about their operations.

13 Today, I will elaborate on one of  
14 my concerns. The issue I would like to talk about  
15 is Cameco's decommissioning plan, as stated in the  
16 Port Hope Conversion Facility Preliminary  
17 Decommissioning Plan 2001 -- that is a mouthful.

18 First, I have no problem with  
19 their Phase I plan to remove all the  
20 Eldorado-built structures that Cameco will not  
21 retain after the year 2013, when the Low-Level  
22 Waste Site is designated to be closed.

23 For the remaining Eldorado-built  
24 structures, their plan, Phase II Long-Term,  
25 states:



1 sides since he was the Deputy Mayor of Port Hope  
2 when the legal agreement was debated and signed.

3 His response was quite clear.  
4 Beyond the closing of the low-level waste in 2013,  
5 no low-level waste would be going there from  
6 Cameco or anyone else. If there wasn't a  
7 low-level waste available for them at that time,  
8 then the waste would go to a waste site in the  
9 U.S.A. Discussions with a U.S. company were going  
10 on at that time.

11 When I pointed out to him that the  
12 \$33 million in trust for decommissioning covered  
13 only the cost of transport to the Low-Level Waste  
14 Site in Port Hope, he said that was between Cameco  
15 and the CNSC. Well, I was pleased with his candid  
16 response and asked him to put it in writing for  
17 the record so that I could pass this information  
18 on to other interested parties accurately.

19 His disappointing response was  
20 that he was not authorized to send Cameco's plans  
21 to anyone in writing and that all written  
22 communications had to be from Bob Steane,  
23 Vice-President of Operations, but that he would  
24 pass on my request to him. No response was ever  
25 made.

1                   I then brought the issue up with  
2                   Glen Case, the head of the Low-Level Waste Port  
3                   Hope Initiative. He assured me that putting  
4                   anything into the low-level waste once closed in  
5                   2013 was definitely not planned, that it would be  
6                   technically impossible to do so and that he would  
7                   bring this point up with Cameco.

8                   So Cameco has known about this for  
9                   the last two years and the staff has known about  
10                  it because they were the ones that brought it up  
11                  to me.

12                  Anyway, it appeared that I had  
13                  made my point and that Cameco would present  
14                  another decommissioning plan in the mid-term  
15                  review and an EA for the SEU plan.

16                  I went to Cameco's presentation of  
17                  the draft EA at their SEU open house and asked for  
18                  a copy of the Decommissioning Plan.

19                  There, again, was a statement  
20                  referring to deposition in our low-level waste.  
21                  "It is assumed that a Low-Level Waste Site will be  
22                  available for deposition." That is what it says.  
23                  However, a \$1.9 million cost estimate covers only  
24                  the cost of transportation to the Port Hope  
25                  Low-Level Waste area.

1                   I was shocked and asked the two  
2                   Cameco representatives to explain their position.  
3                   They simply said that Glen Case does not control  
4                   what goes into the low-level waste and that it  
5                   will be a political decision at the time of  
6                   decommissioning. Cameco's position will be to add  
7                   their waste to the Port Hope Low-Level Waste Site.  
8                   In fact, they are already lobbying the government.  
9                   Now, that is what was said to me.

10                   Madam Chair, Members of the  
11                   Commission, this plan flies in the face of  
12                   everything the people of Port Hope have been  
13                   trying to do for the past 20 years.

14                   I ask you to think about the sheer  
15                   outrage that will ensue if the mandate of the  
16                   low-level waste is changed from storing historic  
17                   waste to storing ongoing waste from Cameco,  
18                   Zircatec and maybe other nuclear facilities. Our  
19                   historic radioactive and toxic waste site will  
20                   become an ongoing dumping ground.

21                   Accepting Cameco's plan at this  
22                   two-and-a-half-year review will make it clear to  
23                   Port Hope that the CNSC supports an ongoing  
24                   low-level waste dump in our community.

25                   I believe that Cameco and

1       Zircatec, like any other private resource  
2       industry, should be obliged to produce a plan to  
3       establish their own low-level waste at their own  
4       expense or pay to be rid of it, as Aldo D'Agostino  
5       suggested, and this should be done before their  
6       operating licences are renewed.

7                       So let us not waste another two  
8       and a half years. Please tell these companies to  
9       get on with producing a credible plan for their  
10      decommissioning and non-recyclable waste. Bob  
11      Steane's comment today that this has only been  
12      brought up in the last little while is simply not  
13      true.

14                      Using the Port Hope Low-Level  
15      Waste Site for ongoing waste is surely not an  
16      option. If this Commission does not take this  
17      position, the people of Port Hope and their many  
18      national and international friends will take every  
19      means to short-circuit the low-level waste plan  
20      altogether. We would rather see the waste remain  
21      right where it is in the ground than sacrifice our  
22      community as a radioactive dumping ground.

23                      I would also ask you to please  
24      give serious consideration to increasing the  
25      amount of the deposit on Cameco's decommissioning

1 from \$33.8 million probably to the original \$60  
2 million recommended by your staff. That way, we  
3 can have some assurance that the company will pay  
4 their way and not the taxpayers.

5 Madam Chair, Members of the  
6 Commission, I thank you for your time.

7 THE CHAIRPERSON: Thank you very  
8 much for your intervention. I don't know if you  
9 were listening earlier because I am afraid I stole  
10 a little bit of your thunder by asking about this  
11 project. It wasn't specifically discussed in any  
12 great detail in the report and had not been an  
13 item for follow-up from the original licensing,  
14 and so it hadn't received very much attention in  
15 the mid-term report either.

16 I think this is a case where the  
17 intervenor has raised an issue that wouldn't have  
18 perhaps come up in any other way to the Members of  
19 the Commission, so we thank you for that.

20 We did have a chance earlier -- I  
21 hope that you saw the video and heard the audio on  
22 that -- to explore with a fair bit of detail the  
23 facts, which are -- as you say, it appears to be  
24 an unclear agreement in terms of the disposition  
25 of this and it is not clear, based on the evidence

1 put forward by Cameco and the staff, as to whether  
2 the amount that is in the financial guarantee is  
3 adequate or not for the variety of options that  
4 are possibly there.

5 So you have raised a very, very  
6 important point in terms of this. The Commission  
7 does require that the financial guarantee be based  
8 on an adequate preliminary decommissioning plan  
9 which we would expect for a facility of this  
10 maturity. You are absolutely right, that is  
11 correct, that we would require that.

12 So we have been talking about  
13 timing in this area, and specifically, you have  
14 commented that you feel that this should -- and  
15 perhaps you can correct me if I am wrong. My  
16 understanding from your recommendation is that the  
17 changes to the plan and therefore to the financial  
18 guarantee should proceed post haste, that there  
19 should be a minimum of delay in looking at this  
20 plan and moving forward.

21 Am I correct, Mr. Johncox, in  
22 that?

23 MR. JOHNCOX: Yes, Madam Chair,  
24 you are correct, and yes, you did steal some of my  
25 thunder earlier, and the -- boy, I am getting old,



1 I forgot what I was going to say. Give me a  
2 second here.

3 THE CHAIRPERSON: Perhaps it was a  
4 comment on the timing. I had asked you about the  
5 timing.

6 MR. JOHNCOX: Yes, the timing.  
7 Yes, it should be post haste because, after all,  
8 this problem has been known by your staff and it  
9 has been known by -- I brought it to the attention  
10 of Glen Case, you know, two years -- like over --  
11 not two years ago, almost a year and a half ago  
12 now.

13 The other point I would like to  
14 bring up, and I remember it now, is apparently,  
15 from what I understand, the legal agreement  
16 between the Town of Port Hope and the Government  
17 of Canada is currently being rewritten or being  
18 revised.

19 I have asked the Mayor of Port  
20 Hope to consider that in the future that the -- to  
21 ensure that the legal agreement can't be changed  
22 by just the town Council and the government, that  
23 they rewrite it so that there will be a referendum  
24 at the time so that the people of Port Hope will  
25 have their say and not just the town Council.

1                   I have asked that -- I have been  
2           talking to the Mayor a couple of times on that and  
3           I think that because of what Cameco has been  
4           proposing here, they know bloody well that it  
5           flies in the face of what we want in this town and  
6           it is also a contradiction to what Glen Case has  
7           been saying.

8                   Every meeting I go to and these  
9           workshops, they say that this is a one -- they  
10          tell the people of Port Hope this is a one-shot  
11          deal. They are going to clean up the historic  
12          waste, they are going to put it in that site, it  
13          is closed, they are going to put grass on top of  
14          it, we are going to have our kids play football on  
15          it and it is going to be a really nice mound --  
16          mountain.

17                   However, I think we need some  
18          protection and I would also ask for that.

19                   THE CHAIRPERSON: I just have a  
20          question and then I will ask the Commission  
21          Members for their ---

22                   My understanding -- and perhaps  
23          Mr. Howden could comment on this -- is that that  
24          licensing action for that facility will come  
25          before the Commission. Is that correct?

1 MR. HOWDEN: For the Port Hope  
2 Area Initiative?

3 THE CHAIRPERSON: Yes.

4 MR. HOWDEN: Yes.

5 THE CHAIRPERSON: So, Mr. Johncox,  
6 that has not come before the Commission yet. That  
7 facility will have to be licensed by the CNSC as  
8 well. It is a site ---

9 Yes, Dr. Barnes.

10 MEMBER BARNES: Would it trigger  
11 an EA?

12 THE CHAIRPERSON: It already has,  
13 yes. This is the EA where we were not the primary  
14 driver, and so therefore it is a separate process.  
15 I believe -- was it -- perhaps it could be  
16 clarified as to who is the EA process.

17 MS JARRETT: Madam Chair, Heather  
18 Jarrett for the record. The environmental  
19 assessment for the Port Hope Area Initiative,  
20 Natural Resources Canada is the lead responsible  
21 authority.

22 We are a co-responsible authority  
23 along with Fisheries and Oceans and it is both the  
24 Port Hope Facility and the Port Granby Facility.  
25 The EA is well under way. The Low-Level Office

1 anticipates submitting its study report to the  
2 responsible authorities in the month of April.

3 THE CHAIRPERSON: So, Mr. Johncox,  
4 it won't be the CNSC who sets the policy, as you  
5 quite rightly point out, it will be the government  
6 in the cooperative agreement with others that will  
7 set the policy framework for that. However, we  
8 will be aware of the policy framework and we will  
9 ensure that the CNSC licensing moves within the  
10 policy framework as well.

11 So we will have a look at that as  
12 well but we have asked that the licensee and the  
13 staff move as quickly as possible to look at the  
14 issues to do with the Preliminary Decommissioning  
15 Plan and out of that would flow a financial level  
16 that would be appropriate for that plan. So I  
17 think you have actually triggered an important  
18 process today.

19 I am just going to ask if there  
20 are any other questions to Mr. Johncox. No?

21 So thank you very much, sir, for  
22 your intervention today.

23 We would like then to move back to  
24 Ottawa and this is the presentation by the  
25 Families Against Radiation Exposure or FARE,

1 outlined in CMD documents 05-H5.4 and 05-H5.4A. I  
2 believe we have Mr. John Miller with us, who is  
3 the President of FARE.

4 Mr. Miller, the floor is yours,  
5 sir.

6

7 **05-H5.4 / 05-H5.4A**

8 **Oral presentation by Families Against Radiation**  
9 **Exposure (FARE)**

10 MR. MILLER: Thank you very much,  
11 Madam Chair, Commissioners, for your fortitude and  
12 continued close attention.

13 I don't really know why there are  
14 so many citizens' groups and activists in Port  
15 Hope but it is nice to live there, around that  
16 community. I suppose it is because we are very  
17 passionately proud of our community and we have  
18 learned through experience to be watchful about  
19 groups, including you who are in a position to  
20 tell us what is good for us. I think that  
21 watchfulness is justified by the conduct of this  
22 hearing.

23 First we have the broken promise  
24 to meet in Port Hope and forcing us, some people  
25 on fixed income, others with jobs, to come here at

1       our own expense, and also forcing people in Port  
2       Hope to endure a morning of darkness, preventing  
3       them from their full participation, as was  
4       promised by the Chair of this Panel.

5                       There was no apology, there was no  
6       postponement for that inconvenience and I think  
7       that, together with the decisions to exclude  
8       documents and make decisions, without giving any  
9       reasons, has left people frustrated.

10                      The people of Port Hope are smart  
11       people. I notice many of our members on the  
12       monitor and I hope they will be able to see my  
13       presentation. They are smart people, they are  
14       community-minded people, they are passionate  
15       people, they are creative people, and normally  
16       they are patient people, but their patience has  
17       been tried and I think you have let them down  
18       today.

19                      At the same time, I have listened  
20       and observed all day to the very well-taken  
21       questions from the Commissioners, noticing fine  
22       details, asking very good questions.

23                      So I think the reason for our  
24       frustration is that there is a missing link  
25       somewhere. There are too many things that don't

1 stand up to public scrutiny.

2 If you see the logo on my  
3 presentation, that is the symbol of our  
4 organization. It is a question mark. We are  
5 citizens, we are families, we ask questions.

6 Since you won't come to Port Hope,  
7 I will take you there. We are a scenic community  
8 with a nuclear industry that looms very close, as  
9 you can see, to houses. It has attracted the  
10 attention of the well-known environmental lawyer  
11 Robert Kennedy, who told me in an interview last  
12 year:

13 "Port Hope has been called  
14 upon to make itself the  
15 national sacrifice zone for  
16 Canada."

17 Our organization has now  
18 approaching 1,600 members. That is roughly 10 per  
19 cent of the population of Port Hope. We are  
20 putting together an advisory committee of  
21 scientists, lawyers, planners, doctors.

22 I am not going to go into what we  
23 were formed for and why our membership has grown  
24 so strongly since July. We are primarily  
25 concerned with the SEU project, but our issues

1 with the mid-term review are many. There is the  
2 broken promise that doesn't bode well for the  
3 forthcoming SEU process.

4 We have in our community  
5 3.5 million cubic metres of mistakes made by your  
6 predecessor as a regulator. We have no confidence  
7 that that will be reversed under your guidance.  
8 We perhaps are hopeful, but we wait for some  
9 signals.

10 We have been frustrated that  
11 documents are not available to us. We have asked  
12 for documents. In one case I asked for a  
13 document. Because I couldn't understand it I  
14 asked for a plain English translation of it, and I  
15 got sent another copy of the document.

16 There is a failure to act on two  
17 key license conditions, which I will talk about in  
18 a minute, and very poor policing of issues of  
19 non-compliance that are identified in the mid-term  
20 review.

21 The meeting in Port Hope -- and  
22 this is all I'm going to say about it -- it was  
23 explicitly made in front of our counsel and to the  
24 people of Port Hope by Mr. Howden on October 4th  
25 and it was broken in a private letter two months



1 later.

2 FARE is the largest organized  
3 group in town. We have had public meetings. Two  
4 newsletters and a membership brochure have been  
5 mailed to every home and business, up to 7,000  
6 homes. That is approximately three times the  
7 amount of direct communication the people of Port  
8 Hope have received from Cameco.

9 There is our newsletter. It looks  
10 more professional in actual fact than this poor  
11 reproduction.

12 A lot of talk and interest was  
13 expressed by the Commission on the centre pier.  
14 We call it our 10-acre radioactive waste dump.  
15 That is a picture of the centre pier where there  
16 are 13,000 barrels of historic low-level waste,  
17 there is scrap from decommissioned Cameco  
18 buildings in there. I have been in those  
19 buildings on a guided tour about five years ago.

20 Behind the buildings in the  
21 foreground are actually two mounds of radioactive  
22 contaminated soil, the latest one from the  
23 Waterworks project, the other one has been there  
24 for nine years.

25 As you can see, it is right on the

1 water's edge. Actually, the federal government  
2 only owns a thin strip around the edge of the  
3 centre pier and the actual owner of the site is  
4 the Town of Port Hope.

5 The Town has leased the site for  
6 Cameco for \$2,900 a year. The lease is up this  
7 June. I don't think that has been mentioned.  
8 What happens to the decommissioning if the town  
9 wants its land back, as Cameco promised to turn it  
10 back in 2005 as recently as four years ago,  
11 whether the low-level waste site was ready or not.

12 What happens to it all then?  
13 Cameco said it would clean it up and it would  
14 return it to the town in a pristine condition  
15 so the town could get on with its waterfront  
16 development which is all designed to go on  
17 that site.

18 We want the Commission to  
19 guarantee us this is safe.

20 These are barrels on the centre  
21 pier. You can see Cameco in the background. You  
22 can see the proximity of the plant to homes in our  
23 community.

24 I want to just mention the welcome  
25 dissent in the 2002 licence renewal of

1 Commissioner Barnes. He opposed the five-year  
2 licence renewal because he said that:

3 "Having the licensee come  
4 before the Commission in  
5 three years time as opposed  
6 to just a mid-term report  
7 will have a greater influence  
8 on ensuring the licensee  
9 maintains close attention to  
10 the design and implementation  
11 of the environmental effects  
12 monitoring program."

13 (As read)

14 My question is: What  
15 environmental effects monitoring program? It  
16 hasn't happened. The Commissioner was right.

17 There was also an undertaking to  
18 make this mid-term report include a detailed --  
19 not an overview, a detailed report on the  
20 cumulative and continuing health effects on the  
21 people of Port Hope. I do not see that in the  
22 mid-term review.

23 Lack of effective oversight. The  
24 mid-term report, God help us if there is ever an  
25 accident, because to me -- in my spare time I am

1 an academic and a journalist -- spare time not  
2 being President of FARE -- and a simple, plain,  
3 commonsense reading of this document identifies  
4 15 deficiencies cited or suggested in that  
5 document. If there is every an accident, that  
6 would be Exhibit 1, Exhibit A that any lawyer  
7 would put before a court.

8 You were warned and if you do  
9 nothing, that would reflect very badly legally on  
10 the Commission it seems to me.

11 Cameco has not completed an  
12 ecological risk assessment, according to the  
13 document. In my accompanying document I have gone  
14 through the 2002 licence renewal on 12 key areas  
15 and compared what was said in the licence renewal  
16 to what is said in the mid-term review, and in  
17 almost every case what was said would be done has  
18 not been done.

19 They are deficient in operation  
20 compliance; the radiation protection program, as  
21 we have already heard, is defective, or is at  
22 least not approved; there are no guidelines for  
23 uranium in air.

24 The uranium in soil monitoring  
25 which was hailed in 2002, it was pointed out that

1 CNSC staff noted the ongoing cooperation of Cameco  
2 and CNSC staff in the Ministry of the  
3 Environment's experiments. What happened in the  
4 meantime was, Cameco instituted their own parallel  
5 tests and raised questions that caused the  
6 Ministry of Environment to withdraw its tests. At  
7 least that is what it seems like happened.

8 There is still no testing of human  
9 beings for cumulative effects. There was a lot of  
10 talk about we are having trouble modelling the  
11 likely effects. You have people there in Port  
12 Hope who have lived there for many, many years who  
13 should be tested, that you promised to test, and  
14 they haven't been tested.

15 It seems to me if you are looking  
16 for the proper methodology, it is walking on two  
17 legs in Port Hope.

18 THE CHAIRPERSON: Mr. Miller, I  
19 will just remind you that you are at 12 minutes  
20 already. Thank you.

21 MR. MILLER: I will not go through  
22 all of the other areas of non-compliance, so --

23 THE CHAIRPERSON: Please complete  
24 your slides, but if you could quite quickly, that  
25 would be helpful.

1 MR. MILLER: Okay. I'm sorry, I  
2 meant to go back.

3 It is not compliant with the  
4 Building or Fire Codes. It hasn't been for  
5 10 years. If that happened to my house, it would  
6 be padlocked and I would be told to fix it and  
7 then I could move back in.

8 It is also not compliant with one  
9 of Canada's international obligations through the  
10 International Atomic Energy Agency, which seems to  
11 me, at least as a layman, to be problematic.

12 FARE requests the following: that  
13 conditions be written into this licence requiring  
14 compliance. I keep hearing they are working  
15 towards it, it is acceptable progress, and so on.  
16 I am a journalist and a teacher of young  
17 journalists and aside from teaching my students to  
18 respect the facts and to engage in the process of  
19 verification, I tell them to meet their deadlines  
20 or it doesn't get into the paper.

21 There are no deadlines. There is  
22 a sliding scale of deadlines. So we want firm  
23 time limits put in for all of the areas that they  
24 are non-compliant, and no further extensions. We  
25 leave it up to the Commission to determine what

1           that period should be.

2                           We also request that there be no  
3           hearings on the SEU licence until Cameco, the  
4           ageing plant that it controls, is fully compliant  
5           with the existing regulations. You don't put an  
6           addition on a house with a faulty basement.

7                           I will close by reading another  
8           quote from Robert Kennedy, who said;

9   "Every child in Port Hope has  
10    the right to go down to that  
11    waterfront to use the beaches  
12    and to pull a fish out of the  
13    waterway and bring it home to  
14    feed it to their families,  
15    with the security that  
16    they're not going to cause  
17    injury.

18           But that right has been stolen from the people of  
19    Port Hope."

20    Thank you very much.

21    THE CHAIRPERSON: Thank you very  
22           much, Mr. Miller. We will open the floor for  
23           questions from the Commission Members.

24    Dr. Dosman...?

25    MEMBER DOSMAN: Just one point,

1 Madam Keen.

2 I would like to ask CNSC staff on  
3 item 14 of Mr. Miller's written presentation, that  
4 Cameco:

5 "...is not compliant with  
6 International Atomic Energy  
7 Agency safeguards on handling  
8 of natural, depleted and  
9 enriched uranium."

10 Would you be willing to make a  
11 comment?

12 MR. HOWDEN: We have Mr. Gourgon  
13 from Safeguards.

14 MR. GOURGON: For the record,  
15 Madam Chair and Members of the Commission, Cameco  
16 has met the CNSC requirements related to Canada  
17 fulfilling its obligations in accordance with the  
18 Canada IA Safeguards Agreement.

19 The IA over this licensing period  
20 has implemented the required verification regime  
21 and has not reported to the CNSC any safeguards  
22 discrepancy related to this facility.

23 I think that is all I can say at  
24 this point.

25 MR. DOSMAN: Thank you very much.i



1 THE CHAIRPERSON: My understanding  
2 then is that the CNSC does not agree with this  
3 deficiency as outlined in this document.

4 Is that correct?

5 MR. GOURGON: That is correct,  
6 Madam Chair.

7 THE CHAIRPERSON: I would like  
8 to --

9 MR. MILLER: Excuse me. Could I  
10 just point you to the quote from the mid-term  
11 review? Maybe you could explain what it means?

12 THE CHAIRPERSON: I think he has  
13 just explained it. He is the author.

14 MR. MILLER: But if you look at my  
15 explanation under "Security" in my document, there  
16 is a quote from the mid-term review that there was  
17 a change and:

18 "...since that time CNSC has  
19 been working in cooperation  
20 with the licensee to  
21 facilitate the implementation  
22 of an integrated safeguards  
23 approach of the facility some  
24 time this year." (As read)

25 MR. GOURGON: With regards to that

1 quote, for the record, the Cameco facility has  
2 been working with the CNSC in implementing what  
3 will be known as an integrated safeguards  
4 approach. That basically will happen later in  
5 2005. And Cameco has been cooperating fully with  
6 the IEA and the CNSC regarding this issue.

7 What I was saying with regards to  
8 full compliance, is up to this point the facility  
9 is in full compliance and is cooperating in the  
10 implementation of what will be a future safeguards  
11 regime.

12 THE CHAIRPERSON: I think,  
13 Mr. Miller, what the staff are saying on this very  
14 intricate international requirements process is  
15 that this is not considered a deficiency. It is  
16 going to be a further improvement to the program,  
17 but it is not a requirement, that Cameco is not  
18 making -- that Cameco is meeting the requirements  
19 of the safeguards regime. This will be an  
20 enhanced approach that is being looked at.

21 Do you have a further comment on  
22 that? I am not going to get into a debate about  
23 deficiencies or whatever, but the staff has said,  
24 the safeguard experts has said this is not a  
25 deficiency.

1 MR. MILLER: I would qualify that  
2 as a good definition of bafflegab.

3 THE CHAIRPERSON: That seems to be  
4 the word for the day, so since I have done my  
5 Oxford Concise Dictionary definition of that, that  
6 is very convenient, but the experts that we have  
7 have called that -- they have said that this  
8 facility is in compliance.

9 I have a question with regards to  
10 the comment that the:

11 "Plant failed a security  
12 audit by the CNSC in  
13 December, 2001".

14 Would there be comments from the  
15 staff with regards to that comment?

16 MR. DUBÉ: Yes. Madam Chair,  
17 Members of the Commission, for the record my name  
18 is Pierre Dubé.

19 The order that was issued on  
20 November 16, 2001, following the September 11th  
21 tragedies, required this licensee to implement a  
22 number of additional enhanced security measures.  
23 Some of these measures could be implemented fairly  
24 quickly, others took time to implement.

25 When we were there in December,

1           which was approximately a month later, a number of  
2           those measures had been put in place, but there  
3           was still some work to be done to complete all of  
4           the measures.

5                        So it is not a matter of the order  
6           was issued and all measures could be put in place  
7           immediately. Some of them took time to implement.

8                        THE CHAIRPERSON: What is the  
9           status as of this moment, Mr. Dubé?

10                      MR. DUBÉ: Madam Chair, for the  
11           record, Pierre Dubé.

12                      All of the enhanced security  
13           measures are in place and have been audited over  
14           the last couple of years. There are no problems.

15                      THE CHAIRPERSON: So I guess,  
16           Mr. Miller, the statement that would be looked at  
17           is: Plant failed a security audit in December,  
18           2001, but met the current requirements as of the  
19           report of the staff.

20                      Would that be your interpretation  
21           of what Mr. Dubé said?

22                      MR. MILLER: Yes. I certainly  
23           don't quarrel with that, but I still don't  
24           understand why it took two years to fix.

25                      THE CHAIRPERSON: Unfortunately,

1 security is one of the areas which -- security and  
2 commercial confidentiality and personal areas are  
3 areas which are not possible to discuss in an open  
4 forum, so that is in terms of generalities.

5 Any further questions from any  
6 members?

7 Thank you very much for your  
8 presentation, Mr. Miller.

9

10 **05-H5.5**

11 **Oral presentation by Audrey Levtov**

12 THE CHAIRPERSON: We will then  
13 move back to Port Hope where we have an oral  
14 presentation by Ms Audrey Levtov, if I am  
15 pronouncing that correctly, ma'am. If I'm not,  
16 please correct me.

17 This is CMD 05-H5.5 and the floor  
18 is yours, ma'am.

19 MS LEVTOV: The name is Levtov.  
20 If I was a hockey player you would get it right  
21 away.

22 --- Laughter

23 MS LEVTOV: My name is Audrey  
24 Levtov and I am part of Cameco's buffer zone. I  
25 am a grandmother, and as a grandmother I talk to

1           you today.

2                               Why are you there instead of here,  
3           where you told us you would be? What made you  
4           change your mind? I expected to see you up close  
5           and personal, to talk to you and feel that what I  
6           have to say is of interest to you, that you want  
7           to hear me. You make me nervous being so far  
8           away. I had to write my feelings down so I  
9           couldn't talk to you from my heart.

10                           One of the many concerns I have  
11           with Cameco is the emissions from its stack.  
12           Reading the company's list of what comes out of  
13           the stack, uranium particles, fluorides, nitrous  
14           oxides, et cetera, is frightening enough without  
15           the prospect of the plant processing SEU and  
16           increasing the toxicity of these emissions however  
17           minutely.

18                           These heavy metal particles will  
19           accumulate in our bodies and have long-term  
20           effects. We don't want it for our children.

21                           Cameco uses hepa filters to reduce  
22           emissions. Unfortunately, it makes the particles  
23           so small they can pass through our bronchial tubes  
24           and lodge in our lungs. Who knows for sure how  
25           much of this our bodies can stand.

1 I wish this was Gin.

2 --- Laughter

3 MS LEVTOV: Okay, I'm going to  
4 counter.

5 Our children are our future. I  
6 ask you to put their health and safety first. You  
7 can protect them. Cameco prides itself on  
8 producing no greenhouses gases, yet they cover us  
9 with 119 tonnes of nitrous oxide, 9 tonnes of  
10 ammonia, and 540 kilograms of fluorides a year,  
11 while our government standards say no acceptable  
12 levels of emissions are safe for asthma sufferers.

13 Port Hope has over 50-years of  
14 this plant's waste it hasn't yet got rid of. Now  
15 with the ongoing clean-up of our beautiful town,  
16 does it make sense to make more? Enough is  
17 enough.

18 I was extremely distressed by the  
19 statements of Ms Jarrett and Mr. Howden when  
20 explaining to us that one of the reasons the SEU  
21 proposal does not necessitate a full panel review  
22 is because it will be in an existing facility and  
23 so will not be disturbing the natural environment.  
24 I recall the word "pristine".

25 How does this equate with the

1 safety of our children? How dare you be so  
2 insensitive to our feelings. Although I suppose  
3 it is easy for you to make these comments when you  
4 live in Ottawa and are not breathing heavy metal  
5 dust. Maybe that is why you didn't come as you  
6 promised.

7 --- Pause

8 MS LEVTOV: Our children's future  
9 rests in your hands. Think well on it.

10 I question the ethics of a  
11 company like Cameco -- with a head office over  
12 2,000 kilometres away from Port Hope by the  
13 way -- in even thinking of expanding its polluting  
14 plant in our town at this time instead of  
15 shrinking its operation and beginning to think of  
16 decommissioning.

17 Imagine, Mr. Steane tells us,  
18 don't worry, we will have two foot thick walls to  
19 protect the town. I fear that their long position  
20 in town, Madam Chairman -- seldom questioned, even  
21 with accidents, some of the town aren't notified  
22 for days -- has left them with little concern for  
23 our up to now docile town. Docile no longer.

24 Until now I have thought of myself  
25 as an optimist, but now I read in the papers about



1 proposed sales of weapons grade uranium and  
2 plutonium from Russia and the U.S., and I look  
3 down the road that we will have opened up if we  
4 all allow SEU, and if these materials were  
5 purchased by Cameco, where else would they be  
6 refined? I think we all know the answer to that,  
7 in our lovely town by the largest uranium refinery  
8 in the world, where else.

9 What a legacy to leave our  
10 grandchildren. I have lost the page.

11 Thank you. I'm sorry, I'm getting  
12 cranky and emotional.

13 What a legacy to leave our  
14 grandchildren, our great-grandchildren and their  
15 great-grandchildren. That thought is turning me  
16 into a pessimist.

17 Everything has a life span and  
18 this Cameco plant is coming to an end. It is time  
19 for us to build a new and healthier Port Hope. So  
20 I put it to you that by 2012, when our low-level  
21 site is capped, I think the plant should relocate  
22 and give us back our waterfront.

23 Thank you, Madam Chairman.

24 THE CHAIRPERSON: Thank you very  
25 much, ma'am.

1                   Are there any questions from the  
2 Commission Members? There are no questions.

3                   Mr. Taylor and then Dr. McDill.

4                   MEMBER TAYLOR: I would like to  
5 ask staff: Is there, in staff's view, anything in  
6 the point that is being made that the hepa filters  
7 produce finer uranium which is of greater risk to  
8 the lungs of the citizens of Port Hope?

9                   DR. THOMPSON: Patsy Thompson, for  
10 the record.

11                   The small particle sizes that are  
12 released from industry stacks have been the  
13 subject of considerable assessment over the last  
14 few years. It is called PM 10 and PM 2.5, but  
15 essentially they are a small particle size that  
16 have been assessed for potential toxicity for  
17 human health, for potential human health effects.

18                   As a result of those assessments,  
19 the Canadian Council of Ministers of the  
20 Environment have set guidelines for the amount of  
21 those particulars per cubic metre of air.

22                   Cameco has done studies from their  
23 stack emissions to characterize the distribution  
24 of particles in those two categories, PM 10 and  
25 PM 2.5, and the data shows that the concentration

1 of those particles in air are about 100 to  
2 200 times less than the standards, the guidelines  
3 that have been put in place by the Canadian  
4 Council of Ministers of the Environment to protect  
5 human health.

6 So the information indicates that  
7 the amount of those particles being released by  
8 stack are at levels that are well below levels  
9 that could cause harm.

10 In terms of the fact that those  
11 particles may be uranium, the assessments done to  
12 estimate doses from inhalation of particles have  
13 been done for the particles that do not dissolve  
14 easily and will stay in the lung a long time. So  
15 the assessments are very conservative, and even  
16 with those very conservative assessments, assuming  
17 that the particles will stay in the lung for a  
18 long time, the doses from inhalation are orders of  
19 magnitude below the public dose limits and well  
20 below doses that could cause radiation impacts.

21 MEMBER TAYLOR: This assessment  
22 takes account of accumulation for people who live  
23 in the area and therefore presumably breathe it  
24 for long periods of time?

25 DR. THOMPSON: In terms of the

1 distribution of particle size and in relation to  
2 the guidelines, it is a comparison of air  
3 concentrations to the air standard, if you wish,  
4 so it doesn't take into consideration the  
5 long-term exposure, simply because the guidelines  
6 are set with application factors so that they are  
7 very conservative and well below levels that could  
8 cause health effects.

9 MS LEVTOV: May I say something,  
10 Madam Chairman?

11 THE CHAIRPERSON: Yes, you may.

12 MS LEVTOV: Thank you.

13 I am not concerned as an adult, I  
14 am only concerned with the children. That is all  
15 I am concerned about. I don't think that you can  
16 rate an adult's lungs with a child's lungs. I  
17 don't think so. I don't think anybody in the  
18 world would tell you you could.

19 And they are closer to the ground  
20 and everything. It just doesn't make sense to me,  
21 Madam Chairman. Does it make sense to you?

22 THE CHAIRPERSON: Perhaps I will  
23 ask Dr. Thompson. Would you like to comment on  
24 that, children versus adults?

25 DR. THOMPSON: If I could, Madam

1 Chair, I would ask Kevin Bundy to talk about the  
2 ICRP lung model and how the radiation dose  
3 assessments do take into consideration children  
4 versus adults.

5 MR. BUNDY: Kevin Bundy, Radiation  
6 Protection Division.

7 Actually, when the doses are  
8 calculated for the critical groups, children,  
9 there are different dose conversion factors used  
10 for children. They take into account the smaller  
11 lungs, the faster breathing rates, the different  
12 retention times. So that is included in the  
13 estimate to the doses to the critical group.

14 THE CHAIRPERSON: Looking at the  
15 data that is coming from Cameco Port Hope, and  
16 looking at the dose rates for children, what is  
17 the evaluation of the staff in that regard?

18 MR. BUNDY: For the record,  
19 Kevin Bundy.

20 Again, it is included in the dose  
21 estimates that were presented earlier, the  
22 30 microsieverts per year. That is to a critical  
23 group, so it is included.

24 THE CHAIRPERSON: Dr. Barnes...?

25 MEMBER BARNES: Just a follow up

1 to Dr. Thompson, the emission rates that you gave,  
2 those values, are they from the stack itself?

3 --- Pause

4 MEMBER BARNES: When you said it  
5 was 100 times lower, et cetera, et cetera, where  
6 are you measuring it from?

7 DR. THOMPSON: Patsy Thompson, for  
8 the record.

9 The assessment was done based on  
10 stack measurements and then a modelling of those  
11 particles and an assessment of -- or a prediction  
12 of concentrations in air away from the stack. But  
13 it is based on stack measurements of particle size  
14 released.

15 MEMBER BARNES: In the olden days  
16 when the particles were larger -- and I think we  
17 have that data -- they settled out quite close to  
18 the plant because they were heavier. In this case  
19 what you are saying is that there are fewer  
20 particles but they are much finer so they stay in  
21 the atmosphere a lot longer.

22 So how does this work. Presumably  
23 if you have a vigorous air transport they will be  
24 moved off-site and away from the town, but at  
25 times of summer inversion where you are getting

1 the stack, is there a potential of, in a sense,  
2 accumulating a lot of fine particles within the  
3 regional atmosphere of Port Hope so that the  
4 values that people are bringing in aren't in fact  
5 the stack values, or is it still relatively  
6 insignificant?

7 DR. THOMPSON: Patsy Thompson, for  
8 the record. I will provide some information and  
9 perhaps Cameco can speak to the details of the  
10 methodology they used.

11 The distribution of particle size,  
12 even before the changes were brought in terms of  
13 reducing emissions, always had a contribution from  
14 the small particle sizes. Essentially, you had a  
15 wider range of particle size in the past and the  
16 modelling did take into consideration the range of  
17 particle sizes.

18 So the change that has occurred is  
19 there is a reduction in the large particle size  
20 fraction, if you wish, but I don't believe -- and  
21 Cameco can confirm, I don't believe that the  
22 amount of fine particles has actually increased.

23 MR. JARRELL: John Jarrell, for  
24 the record.

25 I think essentially the main

1       assessment tool we use is called a derive release  
2       limit and in that derive release limit you make  
3       certain conservative assumptions based on what you  
4       have seen in stack testing and the like, like  
5       that. One of the key parameters obviously is  
6       particle size. You take a conservative approach  
7       to that in assuming particle sizes. You also have  
8       to take a conservative approach in terms of what  
9       you assume is a soluble versus an insoluble  
10      uranium. You sort of put this into a fairly  
11      robust model in order to assess sort of the  
12      radiological effect of stack emissions.

13                    The two key factors, as I said,  
14      are particle size assumption and what you assume  
15      in terms of the material that is being discharged.

16                    There is a mix. Some of this  
17      material is insoluble, some of it is a very  
18      soluble uranium. So we have gone with the staff  
19      through a fairly lengthy process in order to  
20      verify that derived release limit, which is really  
21      the basis, I think, of our assessment.

22                    I will perhaps ask Hess Carisse  
23      behind me if you want a little bit more detail as  
24      to sort of the process we get to get that --  
25      essentially that is the core piece of our



1 regulation.

2 MEMBER BARNES: That is fine  
3 for me.

4 THE CHAIRPERSON: Thank you  
5 very much.

6

7 **05-H5.6 / 04-H5.6A**

8 **Oral presentation by John D. Morand**

9 THE CHAIRPERSON: We will now move  
10 to the next intervention. This is an oral  
11 presentation in Ottawa by Mr. Morand. It is  
12 outlined in CMD Document 05-H5.6 and 05-H5.6A.

13 Mr. Morand, the floor is  
14 yours, sir.

15 MR. MORAND: Thank you.

16 Madam Chair, Commission Members  
17 and fellow buffer zoners, I have already made a  
18 number of points earlier in the day. I will come  
19 back and touch on a couple of them.

20 I will congratulate Cameco on  
21 being a good contributor to our community, and I  
22 would like to say that in my dealings with  
23 Mr. Robert Steane, he is an honest man. He looks  
24 me in the eye, he gives me the information, he  
25 doesn't avoid answering things, and he actually

1 knows what is going on in his facility like how  
2 much insurance he carries.

3 However, that does not diminish in  
4 any way my comments about public safety and  
5 security. In the main, my problem is with you and  
6 your staff.

7 Today I have seen seven examples  
8 of very poor information being provided to the  
9 public and to the Commissioners. I am just going  
10 to touch on a couple.

11 Having headed organizations with  
12 up to 6,000 employees as a Chief Administrative  
13 Officer and the equivalent of 39 Director Generals  
14 reporting through to me, I have had some  
15 experience in terms of what to expect from my  
16 staff and how the staff should protect me from my  
17 City Council and my Board of Directors.

18 I had a report that I read that  
19 indicated that there are no problems with public  
20 safety, and yet a staff member has a letter in a  
21 file indicating quite the opposite.

22 Why? Why wasn't that part of the  
23 mid-term license review?

24 Why weren't you told that in fact  
25 the volunteer fire service wasn't trained or

1 equipped or indeed would go beyond the fence line  
2 in the type of issues we have already heard about?  
3 Why not?

4 In the report we didn't hear about  
5 a security issue that happened during a municipal  
6 council, all seven councillors touring a facility  
7 and the power went off.

8 Why? Why aren't we told about  
9 this?

10 We didn't know about chlorine.  
11 I'm sure that Commissioner Graham would be happy  
12 to know that 35,000 parr that were stocked  
13 disappeared.

14 I wonder what the Atlantic Salmon  
15 Fishing Federation will now say about that in  
16 terms of the water quality, the impact of this  
17 facility. I have been waiting six years to catch  
18 one of those Atlantic salmon coming back and I  
19 have to keep catching Pacific salmon, so it is  
20 just not quite the same.

21 So why don't we get this  
22 information? I have had five friends who have  
23 been fishing with me for years, under the age of  
24 60, die from pharyngeal cancer, which is about  
25 5.6 times higher than the provincial average in

1 Port Hope; from leukaemia; from unexpected heart  
2 attack. These are people I fished with for years  
3 out in, as I learn now, the plume.

4 When I look at the quarterly  
5 reports that your staff get, it reminds me of when  
6 I was with External Affairs as the Chief  
7 Investment Advisor for the Government of Canada in  
8 New York City a number of years ago and I had to  
9 file a quarterly report. At about page 30 in the  
10 report I always put in something stupid, because I  
11 knew no one would ever get to it.

12 A friend of mine, who was the  
13 Chief Economic Minister in Israel, used to put in  
14 at about page 70 of the report that anybody who  
15 read this far would get a free case of the best  
16 wine from Israel. He never in three years had to  
17 hand one out.

18 I would ask you to go to the  
19 actual quarterly reports at page 74 of the  
20 information I have filed with you. That is the  
21 third quarter report. In there we see a table  
22 where we are getting gamma radiation. Of course  
23 it has been adjusted for a background of 8. On  
24 that table we see that the action level is 14 and  
25 that we have 105 average with a maximum of 113.

1                   Then if we go to page 23 we see  
2                   the map of where those locations are. I am not a  
3                   particularly happy camper when I look at  
4                   location 2, which is 105 to 113, which is one of  
5                   the best brown trout spots in the harbour area,  
6                   because there is a warm water outflow there.

7                   I am not particularly happy at the  
8                   number of hours I and friends sat there and fished  
9                   and I now hear, as a result of raising issues in  
10                  the last year, that a wall is being built inside  
11                  the facility to stop me from being exposed to  
12                  gamma radiation that is 8 times the action level.

13                  I am not particularly happy when I  
14                  look at location 5, which is out on the end of the  
15                  pier, where people sit and eat their lunch, and  
16                  where a good friend of mine -- who is now 80, so,  
17                  you know, he's 80 -- fishes by the day.

18                  You set action levels. Where is  
19                  the action? What is happening? I don't see that  
20                  pier blocked off except when my friends are  
21                  venting water. Then all of a sudden the gates  
22                  swing out at about location 4 on the map on  
23                  page 23, and you can't get by, nor can you take  
24                  water samples.

25                  Your staff don't come to

1 town enough.

2 Then I go to page 9 of the third  
3 quarter report and I refer back to what  
4 Mr. Mattson said a little earlier. The Kingston  
5 case, where I was City Manager while a couple of  
6 my senior employees were charged -- I was lucky, I  
7 didn't get charged -- and convicted and fines  
8 paid.

9 We now have a case that defines  
10 what is acceptable and unacceptable. You notice  
11 the little asterisk at the bottom of that page:

12 "Neither discharge day in  
13 July (July 26 and July 27)  
14 was a designated sampling day  
15 for Metals".

16 Gosh, wouldn't want to put metals  
17 out that day. Might want to find that some go  
18 into the water and they are not particularly good  
19 for the fish.

20 The requirement, as I understand  
21 it is, 24 hour a day, seven day a week monitoring  
22 and keeping track of what is going on, not  
23 averaging. Not averaging, monitoring. If I am  
24 sitting there on a bad day fishing -- and I used  
25 to fish every day -- and it is a bad hair day in

1 terms of what is coming out of the stack, it is  
2 not particularly good for my health.

3 The new science out there that  
4 your staff is aware of indicates that small  
5 particles going into the lung -- forget the body  
6 dosage stuff. Small particles going into our  
7 lungs are up to 300 times more dangerous to us.

8 Discharge cuts a DNA chain, takes  
9 10 to 12 hours for it to repair itself. If during  
10 that 10 to 12 hours there is another discharge,  
11 you get a dead cell or mutated cell. Potential  
12 problem. We are not hearing this. We are not  
13 even comparing the statistics as we go forward in  
14 terms of what is actually happening to people  
15 being sick.

16 What we do have -- and you are  
17 going to hear in a few minutes -- are some  
18 alarming statistics in terms of the way in which  
19 wind roses are plotted and modelling is done. I  
20 didn't give you the detailed information for you  
21 staff in terms of electromagnetic radiation.

22 There is a detailed study from  
23 England that talks about 220 volt electricity into  
24 a stove. It is problematic in terms of causing  
25 cancer in a kitchen because radon gas is attracted

1 to it.

2 I gave you a simple one anybody  
3 can understand. We all have TV screens and we all  
4 know there is dust on it. Why is there dust on  
5 it? Charged particles. Why is you sit in front  
6 of a TV for a few hours you get scratchy throat,  
7 et cetera, and your eyes aren't very good, that is  
8 what the ergonomics committee will tell you from  
9 Cameco, that that is a bit of a problem, it is a  
10 charged screen, the dust comes and goes.

11 And we have a study in 1988 that  
12 no one seems to have read that says the delta is  
13 1,000 in terms of using data from Trenton for wind  
14 rose -- and you are going to see that in something  
15 coming forward.

16 They don't tell us what the delta  
17 is. That is 60 clicks away. They don't tell us  
18 what the delta is from Darlington that they were  
19 using. But we do see in the report they do not  
20 want to use the information from Cobourg, which is  
21 just 8 clicks away, because it is too calm.

22 Why after all these years have you  
23 not required proper measuring gear so we know  
24 actually what is happening? It is a question you  
25 should be asking yourselves.



1                   I was once the Chief Building  
2           Official for the City of Toronto -- I can't hold a  
3           job some would say -- and in that particular job I  
4           wouldn't let things go forward if building codes  
5           or fire codes weren't met.

6                   We would shut the operation down.  
7           I had more than one battle with council members  
8           about that, in fact I can remember Tom Jakobek one  
9           day taking a strip off my hide because I wanted to  
10          close something down.

11                   The job is the job. The job is to  
12          protect the public. The job is to make sure that  
13          things are done.

14                   Insufficient water to the south of  
15          the site, not a very good idea. I understand from  
16          the deficiencies, and I haven't heard them  
17          actually elucidated here in terms of fire and  
18          building code, that there is insufficient water to  
19          the south of the site.

20                   There are a series of issues that  
21          you must deal with.

22                   When I was elected, I was  
23          elected because I didn't like administrative and  
24          purchasing policies and I got into this job.  
25          The first meeting I had with the Mayor was about

1 the security of the facility. We have the  
2 world's largest dirty bomb sitting there;  
3 87,000 pounds of UO<sub>2</sub>.

4 The only facility in the world  
5 producing material for Korea for their reactors,  
6 Argentina, Romania, China, Ontario, 40 per cent of  
7 our power grid. We are contingent upon that. If  
8 it is not there, if the fuel is not there, what do  
9 we do for power in Ontario?

10 And you can't protect the  
11 facility. I have been there. On the morning of  
12 9/11 I was about to place -- as the President and  
13 Chief Executive Officer of Toronto Port  
14 Authority -- a call through to New York to talk to  
15 someone about a marketing issue. One of my  
16 directors phoned me and said, "Have you looked at  
17 the television", which was sort of funny because I  
18 don't normally on the job look at television. So  
19 I turned my TV on. I saw amazing things happen,  
20 but --

21 THE CHAIRPERSON: Mr. Morand, you  
22 are now at 11 minutes, please.

23 MR. MORAND: Within two hours we  
24 had the port closed, the airport was shut down.  
25 Within five days all of the security issues at the

1       airport were dealt with. Not a year, not two  
2       years; within five days we dealt with those  
3       issues.

4                       The challenge is yours. As I said  
5       to you earlier, you are the ones that are  
6       accountable.

7                       My council, of which I am a  
8       member, which I finally voted to say we will trust  
9       the CNSC in terms of moving forward. I finally  
10      gave in and said to the council, "Yes, we will  
11      trust you. We will look to you to solve all our  
12      problems.

13                      Madam Chair, Commission Members,  
14      the challenge is yours. Thank you.

15                      THE CHAIRPERSON: Thank you,  
16      Mr. Morand.

17                      The floor is open for questions  
18      to Mr. Morand. Are there any specific comments?

19                      Mr. Morand's comments on page 74  
20      with regard to action levels, would Cameco like to  
21      comment on Mr. Morand's views on page 74 of the  
22      quarterly environmental status report with regards  
23      to levels at the various stations?

24                      MR. STEANE: Bob Steane, for the  
25      record. I will get Kirk Vektor.

1                   I think there is also some  
2           confusion between administrative levels and action  
3           levels and Kirk Vektor will talk to that subject.

4                   THE CHAIRPERSON: Yes, thank you.

5                   MR. VETOR: Kirk Vektor, for the  
6           record.

7                   Just to be clear, we are talking  
8           about the fence line gamma issue? Yes? Okay.

9                   The action level for the fence  
10          line gamma is specific to the monitoring location.  
11          The action level is for station 14, which is where  
12          the critical receptor is located.

13                   The other fence line gamma  
14          monitoring stations -- and we have a number of  
15          them -- have an internal administrative level of  
16          100. We are aware that we are over that and the  
17          project to construct the concrete wall was  
18          initiated long before Councillor Morand made an  
19          issue of it.

20                   The administrative levels are  
21          there for us to be aware when the emissions are  
22          increasing and for us to take action, and that is  
23          exactly what happened in this case.

24                   THE CHAIRPERSON: Thank you.

25                   Are there any other questions or

1           comments? Mr. Graham...?

2                           MEMBER GRAHAM: Two questions I  
3           have, one with regard to just the comments that  
4           were just made about the construction of the wall.

5                           From the time you are aware of it  
6           to the time the wall was completely constructed,  
7           how long did that take?

8                           MR. VETOR: We are still in the  
9           process of constructing that wall. The initial  
10          measurements that Mr. Steane referred to in the  
11          opening presentation were taken on a section of  
12          the wall that has been constructed and product has  
13          been moved back into that area. So we are  
14          measuring the old section versus the new section  
15          and we are seeing a substantial reduction in the  
16          emissions from the warehouse.

17                          MEMBER GRAHAM: When did you first  
18          realize that a wall was needed?

19                          MR. VETOR: Earlier in 2004. I  
20          don't have an exact date with me.

21                          MEMBER GRAHAM: My other question  
22          is with regard to intervenors comments with regard  
23          to monitoring of water -- I believe it was  
24          monitoring of water to CNSC staff -- that it  
25          should be done on a 24/7 basis and not just at

1           selected times.

2                           My understanding was that it was  
3           being done on a 24/7 basis.

4                           Is that correct or not?

5                           Perhaps that should be to Cameco  
6           instead of staff.

7                           MR. VETOR:   For the record,  
8           Kirk Vetor.

9                           As I mentioned earlier, the  
10           effluent and cooling water monitoring stations  
11           meet the regulatory requirements under the Ontario  
12           MISA regulations.  We have had inspections from  
13           the Ministry of the Environment and haven't raised  
14           any issues or concerns with those stations.

15                           With respect specifically to the  
16           metal sampling, again this is a regulatory  
17           requirement.  The Ministry does not give us the  
18           luxury of randomly choosing the date on which we  
19           conduct those metal samples.  That would give any  
20           industry the opportunity to sample at a most  
21           opportune time.

22                           Instead, they insist, the  
23           regulations require us to choose, predetermine a  
24           date, and on that date, that is the day or time  
25           when you collect that sample.

1                   We are in between or are coming  
2 off a summer shutdown period and promptly went  
3 into a labour dispute. These situations arise  
4 from time to time.

5                   It is not unusual, the way the  
6 regulations are structured, for you to miss a  
7 sample because of that predetermined sampling  
8 frequency.

9                   MEMBER GRAHAM: Just for  
10 clarification, you don't do it, then, on a 24/7.  
11 It is at specific times that are given to you by  
12 regulation?

13                   MR. VETOR: The regulation sets  
14 out different sampling frequencies for different  
15 parameters. Some are daily, some are thrice  
16 weekly, some are weekly, some are monthly, some  
17 are quarterly. Metals just happens to be a weekly  
18 parameter.

19                   MEMBER GRAHAM: My last question  
20 is: How large was the fish kill? Pardon me. How  
21 large was the fish kill? It was mentioned 35,000  
22 parr were killed. Is that correct?

23                   How large was the fish kill?

24                   MR. STEANE: Bob Steane. There  
25 has not been a fish kill.

1                   I think Mr. Morand was referencing  
2                   the migration of some species. I don't know, but  
3                   ask Mr. Morand for clarification.

4                   There was no fish kill.

5                   MR. MORAND: The comment I made  
6                   was that we had had 35,000 parr, Atlantic salmon  
7                   fry, stocked. We have never seen them. Then we  
8                   heard about the effects on rainbow trout and  
9                   daphnia magna.

10                   So my question is: Where did  
11                   35,000 Atlantic salmon disappear to.

12                   If I might say one other thing,  
13                   Madam Chair --

14                   THE CHAIRPERSON: Mr. Morand, is  
15                   that -- no, I think this is really --

16                   MR. MORAND: That is my question.

17                   THE CHAIRPERSON: I don't want to  
18                   skip this right now. I think that we have to have  
19                   this clarified about this connection of factors.

20                   Mr. Graham will not -- perhaps we  
21                   could finish first.

22                   MEMBER GRAHAM: I was given of the  
23                   understanding when I listened to the presentation  
24                   that 35,000 fish were killed. If they weren't,  
25                   they disappeared, that is another instance. They



1           may have died somewhere else.

2                               But specifically to Cameco and the  
3 facilities, the 35,000 that you refer to, there is  
4 no proof that they all died there or died because  
5 of Cameco.

6                               Is that correct?

7                               MR. MORAND: No. No.

8                               MEMBER GRAHAM: I just want that  
9 clarification.

10                              MR. MORAND: That is correct. Nor  
11 did I say that.

12                              What I said -- look at the  
13 record -- was I wondered where they have gone.

14                              Madam Chair, if I might, there are  
15 six video tapes here. When I talked to your staff  
16 I was told that we couldn't provide video tapes of  
17 potential issues with security, et cetera.

18                              This is a video from TVOntario  
19 that did a documentary on the community recently  
20 and I'm sure that some of the Commissioners  
21 haven't seen it. It is very valuable in terms of  
22 actually getting a picture of the facility and  
23 some of the issue that have been raised by  
24 intervenors to this point and a little later, so I  
25 will just leave them for your staff.

1 Thank you.

2 THE CHAIRPERSON: In fact we will  
3 have to make them available to everyone, because  
4 that is the way the Commission works. So we will  
5 leave the staff with this logistical problem to  
6 handle.

7 Are there any other questions?

8 --- Pause

9 THE CHAIRPERSON: We are going to  
10 accept it because the TVO program is public  
11 record, but we will have to make sure that people  
12 have it available.

13 Are there any other questions for  
14 Mr. Morand?

15 We are going to then take a  
16 10-minute break.

17 --- Upon recessing at 8:36 p.m.

18 --- Upon resuming at 8:46 p.m.

19 THE CHAIRPERSON: If you could  
20 take your seat, please. Thank you very much. We  
21 are ready to start.

22

23 **05-H5.7**

24 **Written submission from Port Hope & District**

25 **Chamber of Commerce**

1 THE CHAIRPERSON: We will move to  
2 the next submission which was originally an oral  
3 submission but it is now a written submission from  
4 the Port Hope and District Chamber of Commerce,  
5 CMD 05-H5.7. Ms Meadows has asked us to accept it  
6 as a written submission.

7 Are there any questions or  
8 comments with regards to this submission?

9 Thank you.

10

11 **05-H5.8**

12 **Oral presentation by Janet Fishlock**

13 THE CHAIRPERSON: We will move  
14 back to Port Hope to the next submission, an oral  
15 presentation by Ms Janet Fishlock, who we met  
16 earlier today. This is CMD 05-H5.8.

17 Ms Fishlock, we are attentive to  
18 you. You wish to make a submission with regards  
19 to Cameco.

20 MS FISHLOCK: Thank you. It has  
21 been a very long day and I just want to say that I  
22 am going to keep my presentation short. In fact,  
23 I will put the minutes I don't use up for grabs in  
24 case any of the people who follow me might want to  
25 tag them onto theirs.

1                   I think people before me and  
2           likely after me will speak more pointedly and with  
3           more expertise. I think it was made very clear  
4           the amount of expertise of people living in the  
5           Port Hope area. I think people before me have  
6           been quite eloquent and quite passionate about the  
7           issues so I don't want to reiterate it.

8                   But there were a couple of things  
9           I do find striking and I want to draw all of our  
10          attention to it.

11                   I think there are some very  
12          important issues that have been raised today about  
13          the potential of effluent issues and legal issues,  
14          decommissioning issues, issues around fire safety,  
15          issues around emergency preparedness and community  
16          planning for evacuation, and I think that there  
17          has been a lack of information.

18                   When I look at the mid-term  
19          reviews and I go through it, I find a lot of  
20          deficiencies without details, estimated doses and  
21          reasonable risk, and not a lot of detail to  
22          actually go with.

23                   But the two points I want to make  
24          that I think are important is the value of public  
25          involvement and public consultation. I think the

1 interventions today have raised issues to the  
2 Commission that they may not otherwise have  
3 attended to. I think that is very important to  
4 pay attention to.

5 I think they are valuable,  
6 important and if I can use the work critical,  
7 criticality in a different way, to point to public  
8 involvement and public consultation. And it may  
9 not be the role of the Commission to make policy  
10 recommendations or make policy, but is it not in  
11 your capacity as a regulator to say we need to  
12 know more, the community needs to know more, that  
13 we need a full panel comprehensive review?

14 I realize that we are not here  
15 to talk about the SEU specifically, but both of  
16 the mid-term reviews, both Zircatec and Cameco  
17 mention it.

18 So we need a full panel  
19 comprehensive review. We need more information on  
20 current operations so we as community members can  
21 feel more involved, more informed, more -- if  
22 that's possible -- reassured.

23 I am still very, very confused and  
24 uncertain about issues of health and health  
25 studies. Is it not within the capacity of the

1           CNSC to say: Estimated doses and saying that it  
2           falls within guidelines, what does that mean when  
3           someone gets cancer? What does that mean?

4                        If you put statistics into a pot  
5           you can dilute them enough so that they become  
6           meaningless. To say -- and I believe it is in the  
7           TVO documentary -- that someone from the CNSC  
8           staff said that there were no significant rates of  
9           cancer in this area. But did people kind of take  
10          that information apart? Did we look at data on  
11          radiation-related cancers?

12                       I just feel that there is not  
13          enough dissection and in-depth analysis that I can  
14          certainly make as a resident of Port Hope.

15                       I also want to acknowledge, I have  
16          been amazed and quite humbled by the fact that  
17          everyone has been here for such a very long day,  
18          people coming and spending so many hours today to  
19          support one another in this and to show to you,  
20          the Commission and your staff, just how much  
21          people are passionately concerned about the  
22          operations.

23                       Thank you.

24                       THE CHAIRPERSON: Thank you  
25          very much.

1                   Are there any questions for  
2 Ms Fishlock?

3                   Thank you very much for sticking  
4 with us through this very long day as well.

5

6                   **05-H5.9**

7                   **Oral presentation by United Steel Workers of**  
8 **America, Local 13173**

9                   THE CHAIRPERSON: We will then  
10 move to the next presentation, which is an oral  
11 presentation by the United Steel Workers of  
12 America, Local 13173, CMD 05-H5.9.

13                   We have Mr. Chris Leavitt, Union  
14 President with us today. Welcome, sir, and the  
15 floor is yours.

16                   MR. LEAVITT: Thank you,  
17 Madam Chair.

18                   Madam Chair, Commission Members,  
19 Commission staff, ladies and gentlemen, good  
20 evening.

21                   My name is Chris Leavitt and I am  
22 Union President of United Steel Workers of  
23 America, Local 13173. My workplace is the Cameco  
24 Corporation, Port Hope facility, and I here to  
25 speak on behalf of the over 200 bargaining unit

1 members at this facility.

2 I would like to thank the  
3 Commission today for the opportunity to come  
4 forward and support the review of the licence of  
5 Cameco Corporation at this facility and, to add,  
6 the Commission having the fortitude and strength  
7 of giving this review a true definition of  
8 democracy and freedom of speech. It would be very  
9 challenging for the Commission to carry forward to  
10 analyze the information which they have received  
11 to figure out what is fact and what is fiction.

12 I feel confident that the  
13 workplace is being operated in a safe manner, with  
14 a high emphasis towards health and safety. Every  
15 day we pass by a sign as we enter our workplace  
16 that states the following:

17 "No job is so important, that  
18 we can't take the time to do  
19 it safety".

20 This statement is one that is truly  
21 practised day in and day out. It is embedded into  
22 our daily working environment.

23 The plant Health and Safety  
24 Committee consists of union, staff and management  
25 representatives. The Committee continues to have



1 full access to all reports, studies and tests  
2 relating to the health and safety of its  
3 employees. It receives detailed reports from  
4 various company officers responsible for the  
5 environment, health and safety aspects of  
6 operations. It meets monthly to address any and  
7 all health and safety issues.

8 In addition to this, regular  
9 workplace inspections take place. Its activities  
10 provide the workforce with a high level of  
11 confidence that the workplace is safe and the  
12 environment in which their families, friends and  
13 neighbours reside in is safe.

14 Union and management  
15 representatives from the Health and Safety  
16 Committee work closely and cooperatively with the  
17 assigned CNSC project officer. During these  
18 inspections of the workplace the Health and Safety  
19 Committee has the authority to initiate action and  
20 require a response within specific time limits on  
21 any matter judged.

22 The company has been in full  
23 support of the Canadian Nuclear Workers Council,  
24 which is composed of various unions that are  
25 associated with the nuclear industry. The CNWC

1           have participated at open house at Cameco to which  
2           the public was invited and encouraged for open  
3           discussion.

4                         In addition, we have put up  
5           display booths at the Steelworker Conventions in  
6           Niagara Falls, Vancouver, and one is planned for  
7           Las Vegas in April.

8                         We have received lots of feedback  
9           from these various forums that information is  
10          exchanged. We have positive feedback during these  
11          information settings also.

12                        Since the Commission granted the  
13          licence I have made a couple of presentations.  
14          The first was to the Port Hope Town Council in  
15          late May of 2004. The second was the neighbouring  
16          Town of Cobourg in October 2004 also. Both  
17          presentations had the same agenda of providing  
18          assurance that the workplace in which the members  
19          who I represent today is operating in a safe  
20          manner, with a high regard to the environment.

21                        I made a lot of emphasis to the  
22          fact that we care about the community. Our  
23          members are part of that community in fact. After  
24          the presentation to the Port Hope Town Council a  
25          motion was put in place. This motion was made by

1 Deputy Mayor Linda Thompson and second by  
2 Councillor John Morand. Town Council passed this  
3 unanimously.

4 I was proud on behalf of the  
5 bargaining unit members to receive such an  
6 outstanding achievement on their behalf. This  
7 resolution reads as follows:

8 "Be it resolved that Council  
9 for the Municipality of Port  
10 Hope congratulate USWA Union  
11 Local 13173 on their  
12 commitment to occupational  
13 health and safety standards  
14 in maintaining the Cameco  
15 facility to a high safety  
16 standard."

17 Quite an honour.

18 I received a letter from the Town  
19 of Cobourg, informing me that they found the  
20 presentation to be informative. I invited the  
21 Cobourg Town Council for a tour of the Cameco  
22 facility during the presentation that I made.

23 The Cobourg Town Council did come  
24 for a tour and it found it also to help alleviate  
25 some of the concerns that they may have had in the

1 past.

2 My membership and the company were  
3 involved in a labour dispute last summer. This  
4 dispute lasted seven weeks. It was a challenging  
5 time for both sides, with both sides reserved in  
6 their perspective positions. I did maintain  
7 during this time constant communications with the  
8 human resource manager.

9 Also to add, I heard today about  
10 the Commission asking a lot of questions on the  
11 emergency response and I want to add in about the  
12 labour dispute to tie in with that, that the  
13 Commission and members of the community is assured  
14 by the Local and the Steel Workers that no labour  
15 dispute will reduce in any way the emergency  
16 response capabilities of Cameco.

17 In the most recent dispute, the  
18 first matter discussed between the two parties at  
19 the table was the assurance that emergencies, if  
20 any, would be handled without any interference or  
21 delay. In actual fact, our members did agree at  
22 the time that they would cross the line and go  
23 into the plant if need be by the company officials  
24 to help out if a matter did come to surface.

25 Also during that time the

1 strikers, when we were giving the information  
2 sessions out front before they were allowed to go  
3 into the parking lot, the plant nurses too and the  
4 doctor were fast-tracked ahead and there was no  
5 waiting in line. They just proceeding right in  
6 through. It was a valuable asset that both sides  
7 seen to have them within the plant in case any  
8 emergency did break out.

9 The union and management resolved  
10 their differences after seven weeks with a signed  
11 agreement in hand.

12 One item that we agreed to I would  
13 like to draw attention to is that both sides  
14 agreed to become involved in a program developed  
15 by HRDC Canada. This mediation is known as RBO,  
16 Relationship by Objectives. It is designed for  
17 more effective communication and to be respectful  
18 of our positions. Both sides are working on  
19 moving forward and making this workplace one that  
20 is rewarding.

21 Our union's position is health and  
22 safety have to be part of management all the way  
23 through, which includes the workers from the  
24 floor. Included in this process are the engineers  
25 who designed and the planners who decide when and

1           how work is completed.

2                           Of course, environmental  
3           considerations are a significant and growing  
4           factor in the economic performance of this  
5           industry. Our members, like a major of Canadians,  
6           want good jobs and a healthy environment. A major  
7           focus of the Steel Workers Union has been to  
8           improve corporate responsibility for the health  
9           and safety of its workers together with  
10          environmental protection.

11                          I believe that it is a  
12          responsibility to make sure that the corporations  
13          and all levels of government shoulder their  
14          responsibilities.

15                          The commitment from all levels has  
16          benefits that are shared and enjoyed by the  
17          community and the workers to enjoy a clean and  
18          healthy environment.

19                          We are proud as steel workers to  
20          have direct input to changes to the Criminal Act,  
21          making irresponsible corporate behaviour that  
22          leads to death and bodily harm a criminal act. I  
23          mention this change because of the commitment that  
24          we take for workers that we represent and take  
25          health and safety seriously.

1                   There is a commitment from the  
2                   USWA local and Cameco to continued improvement to  
3                   both the environment and health and safety issues.  
4                   We cannot be content with what is today's  
5                   standard, but always strive for continual  
6                   improvement.

7                   I wish to conclude that Cameco has  
8                   consistently met all regulatory requirements. As  
9                   President of USWA Local 13173 at the Cameco Port  
10                  Hope facility, I believe that the Port Hope  
11                  facility is run in a safe and efficient manner.

12                  I fully recognize the Commission's  
13                  right to directing Cameco to make changes deemed  
14                  necessary at any time within the licensing period  
15                  remaining.

16                  Thank you for permitting me to  
17                  address the Commission today on the review of the  
18                  Cameco licence. It has truly been a privilege.

19                  THE CHAIRPERSON: Thank you  
20                  very much.

21                  Are there any questions?

22                  Dr. McDill...?

23                  MEMBER McDILL: Just a quick  
24                  question, if I may. Approximately how many  
25                  unionized employees, if I may use the expression,

1 are you responsible for?

2 MR. LEAVITT: Two hundred.

3 MEMBER McDILL: I realize this is  
4 the second hearing, but may I ask how many are  
5 roughly at Zircatec?

6 MR. LEAVITT: I will let  
7 Mr. Dowsett answer that.

8 MR. DOWSETT: I believe at  
9 Zircatec it is around 120.

10 MEMBER McDILL: In rough  
11 percentages you may not know, do the vast majority  
12 of these people leave in the Ward 1 and Ward 2  
13 community that have been referred to throughout  
14 the day.

15 MR. LEAVITT: I don't have those  
16 numbers in front of me, as you can appreciate,  
17 Committee Members. I can comment that a good  
18 majority live locally around -- like I would say a  
19 large percentage would live around the area.

20 With Cobourg and Port Hope being  
21 such a small community you can't help but pass  
22 down the street and know an individual from your  
23 plant or somebody within -- it is not like you are  
24 living in a large metropolitan area such as  
25 Toronto or Ottawa where you just leave the



1 building and you may not see a person until the  
2 next meeting.

3 There is lots of communication  
4 amongst soccer groups, hockey, you name it. The  
5 members are around and living within that small  
6 community.

7 MEMBER McDILL: Thank you.

8 THE CHAIRPERSON: Any further  
9 questions?

10 Thank you very much and thanks for  
11 your patience coming this late in the day.

12

13 **05-H5.10**

14 **Oral presentation by Canadian Nuclear Workers**  
15 **Council**

16 THE CHAIRPERSON: We would like to  
17 now turn to the next submission, which is an oral  
18 presentation by the Canadian Nuclear Workers  
19 Council.

20 Is Mr. Walker with us -- yes,  
21 there he is -- and Mr. Keith Clarke. This is  
22 05-H5.10. Again, thank you, gentlemen, for your  
23 patience at this hour of the day. The floor is  
24 now yours, sir.

25 MR. WALKER: Good evening, Madam

1 Chair and Members of the Commission. For the  
2 record, I am Bob Walker and I am with the Canadian  
3 Nuclear Workers Council Executive.

4 I should also mention that Keith  
5 Clarke is with me. He is sitting a couple of rows  
6 back. He is also on the Executive of the Nuclear  
7 Workers Council. He is the Port Hope rep on the  
8 Nuclear Workers Council. It might be interesting  
9 if you have some questions, he is on the Health  
10 and Safety Committee at the Cameco Port Hope  
11 facility and he is also a member of the Emergency  
12 Response Team. So he is a good person to have to  
13 answer questions.

14 The Canadian Nuclear Workers  
15 Council is pleased to have this opportunity to  
16 come before you today. We appear on behalf of the  
17 nuclear industry workers in Canada and  
18 specifically in support of one of our member  
19 organizations, Local 13173 of the United Steel  
20 Workers of America, which represents the workers  
21 at the Port Hope facility of Cameco Corporation.

22 First of all, we would like to  
23 commend the Commission for conducting this  
24 hearing. Over the last few years our council has  
25 supported five-year licences for Canada's nuclear

1 facilities. That being said, we did have a  
2 concern with the time period and did suggest that  
3 some type of review be conducted. It is good to  
4 see the mid-term reviews. Hopefully they will be  
5 successful and help assure the public that all is  
6 well in nuclear facilities.

7 The United Steel Workers of  
8 America is a union that takes the health and  
9 safety of its members very seriously. The United  
10 Steel Workers has spearheaded many health and  
11 safety campaigns on behalf of their members over  
12 the years. Some of these campaigns have been  
13 historical milestones in changing health and  
14 safety policies and laws in Canada.

15 This fact alone hopefully will  
16 assure the Commission and the public that if there  
17 were or are any future safety concerns at the  
18 Cameco Port Hope facility they would be brought to  
19 the attention of the -- and the United Steel  
20 Workers would address them promptly.

21 The workers at Cameco live in Port  
22 Hope and the surrounding communities. They are  
23 naturally concerned with the environment as well  
24 as the health and safety of their families. The  
25 United Steel Workers would naturally raise any

1 environmental or health and safety issue in  
2 regards to this plant where they had concerns.

3 The Nuclear Workers Council is in  
4 full support of the United Steel Workers  
5 submission. As can be seen from their submission,  
6 they have been active in the local community in  
7 assuring the public that the operations at Cameco  
8 are indeed safe.

9 The United Steel Workers local  
10 union at the site is a member of the  
11 Northumberland and District Labour Council.  
12 Labour Councils are set up across Canada by the  
13 Canadian Labour Congress. Councils are comprised  
14 of unions in the district and their mandate is to  
15 ensure that unionized workers' views are made  
16 known at the municipal level and beyond.

17 A resolution is attached in  
18 Appendix A. It was passed by the Northumberland  
19 and District Labour Council, I believe that was  
20 January 11th of this year, which supports the  
21 Cameco operation in Port Hope.

22 There are many nuclear workers  
23 living in Port Hope and the bordering communities.  
24 Many of these workers are employed at the  
25 Darlington Nuclear Plant. The Nuclear Workers

1 Council did an informal poll of the workers at  
2 Darlington Nuclear plant and found that they have  
3 no concerns with Cameco Port Hope operation and  
4 are in full support.

5 A couple of people commented  
6 earlier wondering how many people live in the  
7 community. There is surprisingly a number of  
8 people who work at Darlington and even in  
9 Pickering that live out in that area get away from  
10 the high real estate costs and the traffic  
11 patterns.

12 As do all member organizations of  
13 the Canadian Nuclear Workers Council, Local 13173  
14 holds health and safety of workers to be  
15 paramount. Cameco management and the union have  
16 established a very good understanding and a good  
17 working relationship. The Nuclear Workers Council  
18 fully endorses and supports the very active health  
19 and safety culture promoted and established by the  
20 steel workers and their employer Cameco.

21 The local union works very closely  
22 with Cameco management to establish safety  
23 policies and procedures to maintain a safe and  
24 healthy workplace and to protect the surrounding  
25 natural environment.

1                   The Nuclear Workers Council  
2           conducts an annual convention where delegates from  
3           the Canadian nuclear facilities provide updates on  
4           their workplaces. The Steel Workers presentations  
5           are always well received. Most of the Nuclear  
6           Worker Council Executive Members, as well as  
7           several of the delegates from other member  
8           organizations, have toured the Cameco Port Hope  
9           Facility and are in full support of the operation.

10                   Cameco's operations continue to  
11           receive positive community and industry response.  
12           The many union members who live in Port Hope  
13           receive very positive feedback on Cameco's efforts  
14           within the community. The company maintains  
15           communications with the community through  
16           participation in various community initiatives and  
17           joint committees. These joint committees ensure  
18           that any municipal concerns regarding plant  
19           operations are expressed to management and dealt  
20           with promptly and effectively. The plant's  
21           cleanliness and its health and safety record have  
22           impressed delegates from other Nuclear Worker  
23           Council member organizations who have toured the  
24           plant.

25                   Cameco continues to display a

1 progressive and caring approach towards the health  
2 and safety of its workers and protection of the  
3 environment. Plant performance continues to be  
4 consistently excellent with emission levels well  
5 below regulatory levels. The Nuclear Workers  
6 Council therefore joins with Local 13173 in  
7 supporting the fact that the Cameco corporation is  
8 operating their Port Hope facility in a safe  
9 manner.

10 That is all I have for my  
11 submission. Thank you.

12 THE CHAIRPERSON: Thank you  
13 very much.

14 Are there any questions or  
15 comments? Dr. Dosman...?

16 MEMBER DOSMAN: Yes, Madam Chair,  
17 briefly.

18 Is the union in support of the  
19 biologic monitoring at the plant?

20 MR. WALKER: I will refer that to  
21 Keith of the Steel Workers I think.

22 MR. CLARKE: Could you repeat  
23 that?

24 MEMBER DOSMAN: My question, Madam  
25 Chair, was: Is the union supportive of the

1 biological monitoring program at the plant, the  
2 urine testing?

3 MR. CLARKE: We are in full  
4 support of that.

5 MEMBER DOSMAN: Thank you.

6 THE CHAIRPERSON: Mr. Graham...?

7 MEMBER GRAHAM: Just a question.  
8 I noticed a couple of times you talked about plant  
9 tours and visits.

10 My question is to Cameco on  
11 security issues: Do you still permit plant tours  
12 within your organization?

13 MR. STEANE: Bob Steane.

14 Yes, we do. Any visitors, they  
15 need to produce identification and so on, but we  
16 are able to conduct tours in our facility.

17 THE CHAIRPERSON: Thank you  
18 very much.

19

20 **05-H5.11**

21 **Oral presentation by John Shaw-Rimington**

22 THE CHAIRPERSON: We would like to  
23 then move to the next presentation, which is a  
24 presentation by Mr. John Shaw-Rimington, CMD  
25 05-H5.11.



1                   We would like to thank you for  
2                   your patience, sir, in being here today, a long  
3                   day, and the floor is now yours.

4                   MR. SHAW-RIMMINGTON: Thank you,  
5                   Madam Chair and Commissioners.

6                   My name is John Shaw-Rimmington  
7                   and I live in Port Hope with my wife and our  
8                   11 year old daughter and we do live in a buffer  
9                   zone, whether you want to define it that way or  
10                  not. We can see on our computer if we punch it up  
11                  that we are in an area where radiation dust falls  
12                  on us every day.

13                  I talk to people about this and  
14                  most people don't realize this. I actually had  
15                  somebody checking for some low-level radiation on  
16                  my property and he was surprised that this was the  
17                  case. He didn't even know himself when he was  
18                  using a geiger counter around my property.

19                  I am a dry stone waller. I am the  
20                  President of the Dry Stone Wall Association of  
21                  Canada. Some of you know what a dry stone wall is  
22                  by your British accents perhaps. We like to bring  
23                  material into Port Hope by the tonne, similar to  
24                  Cameco. We do something else with it. We build  
25                  walls and bridges with it, totally ecologically

1 correct I think, or much more so.

2                   Recently we build a dry stone wall  
3 bridge in town, right in the middle of town. I  
4 would like to draw a comparison. I won't go too  
5 far off the mark, but we built a bridge with no  
6 cement, no mortar, it spans six feet. You can  
7 just about walk under it just ducking your head.  
8 Fourteen or 12 tonnes were used to build this  
9 bridge.

10                   I would like to give you my  
11 quarterly report on this bridge in that there  
12 hasn't been one stone fall out of it. It stood  
13 there over three months. So my quarterly report  
14 is that there are no -- there is no fallout from  
15 my bridge, unlike some other companies in town.  
16 There are things falling on us all the time.

17                   However, I could have told you  
18 that on a daily basis maybe three or four stones  
19 fell out. This is an averaging that I'm doing.  
20 And my concern is that there is a lot of  
21 gobbledygook, there is a lot of averaging going  
22 on, there is a lot of computer modelling and  
23 assumptions. My concern is that you can do  
24 anything with that.

25                   So, as I said, I could have told

1           you that two or three stones fell out on the  
2           average. What I'm not telling you is that the  
3           bridge fell down. It actually didn't, but 12 to  
4           14 tonnes could have fallen on somebody and I  
5           could still average it out and just tell you that  
6           over a three month period three or four stones  
7           fell down.

8                           I think this is what is going on a  
9           lot here, that we can average things out so that  
10          we don't see that a bridge is falling on people in  
11          peak times, but you have seen my report, or my  
12          submission is that there are places where I feel  
13          there is a discrepancy in monitoring based on an  
14          unfair averaging out of daily emissions over  
15          periods long enough to not adequately reflect  
16          specifically unusual large emissions.

17                          I also don't feel that you have  
18          addressed the accidents and what are called  
19          unplanned events that have happened. I don't see  
20          any talking about that yet.

21                          And I don't see anybody really  
22          addressing what other experts say, though they are  
23          not on your staff. They have come to Port Hope  
24          and told us that one microgram of radioactive dust  
25          in the lungs can do incredible damage. We live in

1 a town that has dust falling on us every day.

2 Thank you very much.

3 THE CHAIRPERSON: Thank you, sir.

4 Are there any questions?

5 Mr. Taylor...?

6 MEMBER TAYLOR: Thank you,

7 Madam Chair.

8 I would just like to ask staff to  
9 comment on this concern that there is averaging  
10 that hides the true facts about emissions or  
11 releases.

12 MR. O'BRIEN: Marty O'Brien, for  
13 the record.

14 There is continuous monitoring of  
15 the stack from the UF<sub>6</sub> plant so that if any excess  
16 release occurs at any given time it is monitored  
17 and there is an action level in the licence which  
18 licensees have to report to the CNSC if the  
19 exceed.

20 So that is monitored and it is an  
21 on-line monitor 24 hours a day.

22 MEMBER TAYLOR: But that is just  
23 the stack monitor and presumably there are lots of  
24 other things that come out of the plant that don't  
25 necessarily pass up a stack.

1 THE CHAIRPERSON: Perhaps we  
2 should ask the company, Mr. Taylor.

3 MR. JARRELL: John Jarrell, for  
4 the record.

5 I think there are a number of  
6 safeguards for the use of averaging. I think  
7 Mr. O'Brien mentioned one which is the use of  
8 action levels. That is just part of it of course.  
9 There are also emission limits, there is the  
10 derived release limit I mentioned earlier.

11 I think also you will find that a  
12 lot of our data we represent not just averages,  
13 but we also provide range of data. That is very  
14 typical in a lot of this stuff.

15 So sort of in response to that,  
16 what is the average, what is the range as well. I  
17 think that is pretty typical and sort of the way  
18 environmental data is reported.

19 THE CHAIRPERSON: Mr. Shaw-  
20 Rimmington, is the issue the data itself or -- I  
21 guess you have been heard about these number of  
22 safeguards, ranges and whatever. Is it that you  
23 are not getting the data or is it that even if you  
24 got more data you wouldn't trust the source of the  
25 data? I guess I'm trying to understand how we

1           could -- or anybody else in this room could  
2           address it. I'm trying to figure out what would  
3           be the answer here.

4                       MR. SHAW-RIMMINGTON: Well, it  
5           would be silly to just say I don't trust data, but  
6           I am a little cautious of it, and especially when  
7           I read these reports that are quarterly reports,  
8           or I see presentations where there is only half a  
9           year shown and yet levels are shown to look like  
10          they are lower than the year before, but if you  
11          read the fine print -- this was another  
12          presentation, but that sort of thing.

13                      We all know it can be done. We  
14          all know we can juggle numbers to make it look  
15          right. I have listened to an expert, as I said,  
16          who is not here, who is suggesting something  
17          different that is not being said here, that one  
18          particle of uranium dust can do a lot of damage.

19                      The question is: Why can Cameco  
20          continue to do this in town? Why aren't they  
21          being asked to relocate where there is not so many  
22          people? This is a very built-up area.

23                      THE CHAIRPERSON: But, sir, with  
24          respect, I guess what I am hearing from you is a  
25          problem with data and quantity of data and the

1 representation of this data, but what I am also  
2 hearing is: Well, it wouldn't really matter what  
3 the data was, they should move.

4 I guess I just think it is  
5 important for the Commission because the  
6 Commission has a certain ability to ask for data,  
7 suggest that data be presented in different ways  
8 or whatever, and so at the end of the day the  
9 Commission wants to be helpful. The Commission  
10 wants to find a way to provide information that  
11 will provide more information to people who live  
12 there.

13 I can understand as I'm a  
14 scientist, but I can appreciate what it looks like  
15 when there is information that is hard to read.

16 I guess your last statement was  
17 that they should be asked to move or told to move  
18 or whatever, but in terms of trying to find ways  
19 to represent data we know of various ways because  
20 companies around the world have done things  
21 differently in terms of on-line data or whatever  
22 in terms of trying to do this in terms of  
23 representation.

24 So I'm just wondering if there  
25 is -- you have obviously thought very seriously

1           about the data that is deficient in your mind and  
2           I'm just wondering if there is a way that it could  
3           be presented that it would provide for you more  
4           information?

5                           MR. SHAW-RIMMINGTON: I appreciate  
6           that question and I would like to see more data of  
7           any sort, just most information made available.

8                           It is not so difficult to  
9           understand if it is put in certain ways, and I  
10          have certainly learned a lot even today. But it  
11          is still an insidious thing in that it is very,  
12          very invisible. You can put different numbers on  
13          it, you can call it different things and you can  
14          measure it in different ways, and I am very aware  
15          that that is a juggling the can happen, and if you  
16          were looking to make a lot of money it is worth  
17          your while to measure it different ways and call  
18          it different things, and I am just concerned that  
19          we really try to keep everything above board.

20                           Thank you.

21                           THE CHAIRPERSON: Dr. McDill...?

22                           MEMBER McDILL: Thank you.

23                           Perhaps I could ask Cameco to  
24          briefly comment on the intervenor's reference to  
25          the accidents, including four this past year, so



1           that the intervenor is satisfied and we know what  
2           it is the intervenor is referring to, or perhaps  
3           the intervenor could refer to the four accidents  
4           so that Cameco can in turn respond?

5                       MR. STEANE: We will have to ask  
6           for a bit of clarification. I am assuming they  
7           are talking about the four lost-time accidents  
8           that I have reported in my presentation that  
9           happened.

10                      MEMBER McDILL: Mr. Shaw-  
11           Rimmington, is that what your written presentation  
12           refers to?

13                      MR. SHAW-RIMMINGTON: I was  
14           talking with Pat Lawson and she has submitted  
15           records of these accidents, I believe, in her  
16           submission.

17                      THE CHAIRPERSON: If you are  
18           talking about four accidents and Cameco is talking  
19           about four accidents, I think that must be the  
20           four lost time accidents.

21                      MR. SHAW-RIMMINGTON: I don't  
22           believe I said four accidents. I said --

23                      THE CHAIRPERSON: Yes. Yes.

24                      MR. SHAW-RIMMINGTON; Did I?d

25                      THE CHAIRPERSON: Yes.

1 MEMBER McDILL: Yes. You told us  
2 there have been a number of accidents, including  
3 four this past year, which would make me wonder if  
4 the Port Hope Cameco facility is overburdened.

5 THE CHAIRPERSON: Further? So I  
6 think we have clarified that, Mr. McDill.

7 Any comments? Thank you very much  
8 for your patience, sir, in spending a very long  
9 day with you. I hope you are right in saying that  
10 you found it informative.

11 Thank you very much.

12

13 **05-H5.12**

14 **Oral presentation by Municipality of Port Hope**

15 THE CHAIRPERSON: We now would  
16 like to go to Port Hope to the next submission,  
17 which is an oral presentation by the Municipality  
18 of Port Hope. The mayor is with us I believe.  
19 Again, thank you very much, Your Worship.

20 This is CMD 05-H5.12. The floor  
21 is yours, sir.

22 MR. AUSTIN: Thank you very much,  
23 Madam Chair.

24 My presentation is pretty well the  
25 same as it was this morning, only change it from

1 "Zircatec" to "Cameco". So I think I will try to  
2 save time and not read it. The Commissioners  
3 certainly have my presentation.

4 But I did want to comment on one  
5 item that has kind of bothered me all during the  
6 day listening in regards to our fire department.

7 I must tell you as the Mayor of  
8 the Municipality of Port Hope, we have one of the  
9 finest volunteer fire departments in Ontario. I  
10 was just getting some wrong vibes about the job  
11 they do in the municipality during the day and I  
12 wanted to make that quite clear, that we are quite  
13 proud of our fire department here in the  
14 Municipality of Port Hope and they everything that  
15 they can to make sure the health and safety of all  
16 citizens in Port Hope are looked after. So I just  
17 wanted to clarify that, Madam Chair, and now I  
18 will turn it over to Dr. Stevenson.

19 DR. STEVENSON: Thank you, Your  
20 Worship. Malcolm Stevenson, for the record.

21 As with the earlier presentation  
22 today, Jacques Whitford was retained by the  
23 Municipality of Port Hope to review the interim  
24 reports prepared by CNSC staff. Overall, our  
25 review of the interim report indicates that the

1 facility is being operated within the requirements  
2 of the Nuclear Safety and Control Act and  
3 associated regulations and the license to operate.

4 With respect to the health and  
5 safety of the citizens of Port Hope, the interim  
6 report indicates that the facility is being  
7 operated such that it is a safe place to work and  
8 poses minimal risk to the public-at-large or to  
9 the environment.

10 Cameco has implemented a new  
11 program to measure internal doses to workers using  
12 lung counting and uranium in urine testing.  
13 Radiation dose to workers from both internal and  
14 external exposures is low relative to regulatory  
15 requirements.

16 Emissions of uranium and other  
17 hazardous substances to the environment are also  
18 low relative to regulatory requirements.

19 The public dose rate as determined  
20 for a critical receptor living near the facility  
21 is within the public dose rate of 1 millisievert  
22 per year prescribed in the Radiation Protection  
23 Regulations.

24 In the interim reports also  
25 indicate that Cameco is responsive to correcting

1 the minor deficiencies identified by the CNSC  
2 staff during their inspections. The interim  
3 report shows that where issues related to  
4 operational compliance, fire safety or security  
5 were raised during audits and inspections, these  
6 issues were addressed appropriately and in a  
7 timely fashion.

8 CNSC staff has indicated that  
9 Cameco has established and implemented a quality  
10 assurance program that is acceptable and  
11 deficiencies that have been identified from time  
12 to time are addressed.

13 CNSC staff have also indicated  
14 that the security program at the facility and the  
15 nuclear safeguards implemented at the facility  
16 meet CNSC and international requirements.

17 Based on our discussions with Port  
18 Hope municipal staff, the Port Hope Community  
19 Awareness and Emergency Response Committee, CAER,  
20 the police, fire and emergency services, it is  
21 clear that Cameco has demonstrated a willingness  
22 to work with the community. The company has  
23 measures in place and is working with the fire and  
24 emergency services and CAER organizations to  
25 ensure the protection of the public and the

1 environment during unplanned events.

2 Unplanned events that have  
3 occurred at the facility have been promptly  
4 reported to the municipality. The lines of  
5 communication between Cameco and the municipality  
6 appear to be good.

7 We have, however, identified some  
8 issues in our review of the interim report where  
9 the lines of communication between Cameco and the  
10 municipality related to the protection of public  
11 health and safety and the environment could be  
12 further strengthened.

13 Specifically we made the following  
14 recommendations in our review of the interim  
15 reports:

16 a copy of the ecological risk  
17 assessment of the Cameco Port Hope conversion  
18 facility prepared for the CNSC should be forwarded  
19 to the municipality;

20 copies of the Cameco preliminary  
21 decommissioning plan should be forwarded to the  
22 municipality to assist in long-term municipal  
23 planning;

24 Port Hope fire and emergency  
25 services should be briefed on the Cameco fire

1 safety inspection and third party review  
2 observations and findings; and  
3 finally, copies of the emergency  
4 response plans for the facility should be  
5 forwarded to and reviewed with the CAER Committee,  
6 providing this does not compromise confidentiality  
7 of prescribed information.

8 Thank you.

9 THE CHAIRPERSON: Does that  
10 complete your presentation, Your Worship?

11 MR. AUSTIN: Yes.

12 THE CHAIRPERSON: Thank you.

13 Are there questions?

14 Dr. Dosman...?

15 MEMBER DOSMAN: Madam Chair, I  
16 just would like to ask Cameco if there is any  
17 problem releasing the documents requested in the  
18 report, taking into account issues of security and  
19 proprietary information?

20 MR. STEANE: No, I don't see any  
21 problem. Some of these already I think are either  
22 in progress or -- the short answer is, no, I don't  
23 see a problem, subject to security requirements  
24 that would come into play.

25 MEMBER DOSMAN: Thank you very

1 much.

2 THE CHAIRPERSON: Is that that  
3 Cameco will do it?

4 MR. STEANE: Yes.

5 THE CHAIRPERSON: Okay. So there  
6 is no problem and you will also do it.

7 Mr. Graham...?

8 MEMBER GRAHAM: Just one point.  
9 As a Commissioner, at no time did I, as a  
10 Commissioner, insinuate that the fire department  
11 was not doing their job. Our concern is, and my  
12 concern is, and I will ask directly to the Mayor,  
13 is your council prepared to spend the necessary  
14 funds to give your fire department the tools  
15 needed to adequately address the fire suppression  
16 at both -- well, we are talking about at the  
17 Cameco plant -- as we talked about today.

18 I think that is the issue that we  
19 are talking about, is funding to train your own  
20 fire department and is you council prepared to do  
21 that?

22 --- Pause

23 THE CHAIRPERSON: I'm sorry, we  
24 are having a problem with the audio.

25 --- Pause



1 THE CHAIRPERSON: Could we ask the  
2 Mayor to start again? I'm sorry, our audio was  
3 cut off here.

4 MR. AUSTIN: Okay. Thank you.

5 The municipality is willing to sit  
6 down with Cameco and Zircatec to come up with a  
7 plan to make sure the health and safety of our  
8 people is going to be looked after.

9 Will the Municipality of Port Hope  
10 fund all of it, certainly not. I think we will  
11 have to have a partnership with everybody involved  
12 and we are certainly willing to sit down with all  
13 parties to come up with an agreement.

14 THE CHAIRPERSON: Thank you very  
15 much. Thank you to both of you for being with us  
16 for this long day.

17

18 **05-H5.13**

19 **Oral presentation by Ian R. McDonald**

20 THE CHAIRPERSON: We are now going  
21 back to Port Hope and I understand Mr. Ian  
22 McDonald will be joining us. CMD 05-H5.13.

23 It is just coming on the screen  
24 now. Thank you very much for your patience,  
25 Mr. McDonald. The floor is yours, sir.

1 MR. McDONALD: Thank you very  
2 much, Madam Chair.

3 I have lived for just shy of  
4 25 years on the corner of Dorset and Catherine  
5 Streets in Port Hope, from which vantage point I  
6 think I have a better overview of Cameco than  
7 almost anybody else in this town, certainly from a  
8 topographical point of view.

9 The relationship has been uneasy  
10 over many years for many reasons. I would like to  
11 touch on what a few of these have been and  
12 continue to be.

13 I am mindful of the lateness of  
14 the hour and your admonition that we not become  
15 repetitive in our comments, but there are  
16 nevertheless a number of points that I would like  
17 to make orally, even though they are summarized in  
18 my written submission to you.

19 First a word about the mid-term  
20 report that was made available to the public.

21 To be honest, I found it vague,  
22 skimpy and in many senses disappointing. There  
23 were allusions to deficiencies that were not  
24 identified. There were many gaps in the kind of  
25 information that I myself would have found helpful

1 in preparing this submission.

2 Certainly in the course of the day  
3 I have heard Commission Members ask questions of  
4 the CNSC staff that have been very illuminating to  
5 me. Nevertheless, I would agree with Ms Fishlock,  
6 Mr. Miller and Mr. Morand, that in reading this  
7 document we have reached a very high level of  
8 frustration.

9 There has been a lot of talk today  
10 also about language. In reading the report I  
11 identified an extraordinary number of occurrences  
12 of phrases like these: "not unreasonable",  
13 "reasonable agreement", "appropriate",  
14 "acceptable", "significant progress", "procedures  
15 are in place", "timely manner". I really have no  
16 idea what, from the point of view of a lay person  
17 resident in this town, any of these things are  
18 supposed to mean.

19 I would be much happier to read:  
20 "In every respect this industry is exceeding the  
21 parameters that we have defined for it", "This is  
22 an excellent standard", "The company is to be  
23 commended for having achieved such a remarkable  
24 degree of success and such a high degree of  
25 improvement over time". Instead, we find the

1           vaguest and I would say virtually qualified  
2           language in many areas.

3                         We are told in the report that the  
4           Port Hope facility of Cameco does not present an  
5           unreasonable risk. I still don't know what the  
6           Commission would call a reasonable risk, a risk  
7           for whom and for how long.

8                         This brings me to the whole issue  
9           that has been rehearsed more than once today about  
10          our being in a so-called buffer zone.

11                        In preparing my remarks I went  
12          back to a document that I picked up way back in  
13          the fall of 1980 when what we then thought was the  
14          new UF<sub>6</sub> plant was being built. There is reference  
15          there over a couple of pages to the idea of a  
16          buffer zone and, if I may, Madam Chair, I will  
17          read what your predecessor, the AECB, said about  
18          this.

19                        The AECB defines the "buffer zone"  
20          as:

21                                 "the area surrounding a  
22                                 nuclear facility which is  
23                                 under control of the facility  
24                                 licensee". (As read)

25                                 There is no specified minimum or

1 maximum size, and so on, but it goes on to say  
2 that:

3 "The size of the buffer zone  
4 will be determined by the  
5 need to restrict the exposure  
6 of persons outside the zone  
7 to ionizing radiation and/or  
8 hazardous substances...."

9 (As read)

10 Here is the point I want to make:

11 "...to acceptable levels as  
12 determined by the Board."

13 (As read)

14 I would like to think, Madam  
15 Chair, that these are acceptive levels as  
16 determined by the community in which a facility of  
17 this kind is permitted to operate.

18 I looked forward with some  
19 interest to the release of the mid-term report,  
20 perhaps optimistically hoping that a number of the  
21 issues that had apparently caused the Commission  
22 some concern in February 2002 might have been  
23 addressed. But in looking through with some care  
24 the report as we had it, I identified five things  
25 that were of great concern to me.

1                   Other presenters have referred to  
2                   10 or even a dozen similar kinds of things, but I  
3                   would like to indicate these because it seems to  
4                   me that in every case the length of time which the  
5                   industry was allowed to complete what was being  
6                   asked is really extraordinarily long.

7                   First, the completion and approval  
8                   of an ecological risk assessment. Putting two and  
9                   two together, this was I think begun in 2003, but  
10                  the deadline for that has been extended until  
11                  February of this year. I gather from this  
12                  morning's remarks that that now has been done.

13                  The completion and approval of an  
14                  emergency response plan, an updated copy of which  
15                  was submitted to the Commission in September 2002,  
16                  but according to the interim report is still under  
17                  review two and a half years later.

18                  A corrective action plan to remove  
19                  deficiencies and conforming to the National Fire  
20                  Code, scheduled to be completed in 2003, but now  
21                  extended to mid-2005.

22                  A quality insurance program in  
23                  which some deficiencies were found in February  
24                  2002, but the target date for completion of which  
25                  is now December 2005.

1                   A security audit following on 9/11  
2                   that was not completed, as I read the report  
3                   anyway, until August 2003. Councillor Morand made  
4                   some quite telling comments I believe about the  
5                   speed with which the City of Toronto had been able  
6                   to respond to similar kinds of issues.

7                   I know, Madam Chair, that you  
8                   encouraged us not to keep bringing up the whole  
9                   issue of fire and fire safety. I think I have to.

10                   One thing that has not yet been  
11                   raised, I believe either this morning or this  
12                   afternoon, was the fire that took place at what  
13                   was then the Eldorado Processing Facility in  
14                   December of 1981.

15                   That was, for me -- and I am not  
16                   embarrassed to say this to the Commission -- a  
17                   terrifying event. I did not know then what was  
18                   going on, nor did any of my neighbours. Some of  
19                   them packed up and hightailed it out of town.  
20                   Others went into their basements. Some of us  
21                   simply sat and wrung our hands. We did not know  
22                   what to do then. And 25 years later, I still  
23                   don't know what to do.

24                   We have to be assured with  
25                   absolute certainty that any kind of catastrophic

1 event like that is dealt with in a highly  
2 effective and timely way. Your own staff made it  
3 clear this morning that a response time of 310 to  
4 60-minutes for properly trained professionals to  
5 deal with an issue of this kind was simply not  
6 acceptable. It certainly isn't acceptable to us  
7 in this community and certainly we expect that  
8 something very stringent be laid down in this  
9 regard.

10 There is reference in the mid-term  
11 report to the abandonment of parallel monitoring  
12 programs between Cameco and the Ontario MOE. A  
13 lot has been said about that today and I don't  
14 want to rehearse this any more.

15 I am glad to hear that progress is  
16 being made in this area, but I think what this  
17 issue highlights, at least for me, is that we  
18 simply don't want any more continuing pollution of  
19 this kind.

20 It may be difficult to measure it,  
21 but, from my point of view, that isn't really the  
22 issue; it is that we don't want it.

23 Similarly, there has been a great  
24 deal of discussion today about airborne uranium  
25 dust. The report says there are no guidelines,



1 federal or provincial, for this kind of thing.  
2 But certainly there have been a number of  
3 statistics presented.

4 Mr. Shaw-Rimmington had the  
5 interesting discussion with you on this whole area  
6 and I won't rehearse that in more detail, but I  
7 share very many of his concerns.

8 There is a statement in the  
9 interim report that a standby letter of credit in  
10 the amount of \$33 million has been put aside as a  
11 financial guarantee for the future decommissioning  
12 of the Cameco site.

13 There is no reference to the  
14 corporation's being required to carry a  
15 specified level of liability insurance for  
16 possible damage to persons or property as a result  
17 of an accident or a failure in its operations.  
18 Standard homeowners insurance will not cover a  
19 nuclear-related accident and I have to wonder  
20 where we would look for compensation.

21 This issue was raised this morning  
22 with regard to Zircatec and I believe the figure  
23 of \$75 million was put on the table. That may  
24 sound like a lot of money, but when you begin to  
25 count things up that is, I would suggest, a

1           ludicrously small sum.

2                           There are many more things that  
3           I could and would like to say, but I will come  
4           to a close here, Madam Chair, by saying that for  
5           too long we have lived in this town under  
6           conditions that are not acceptable to us and I  
7           think should not have been acceptable in many  
8           respects to the CNSC.

9                           We look down the road at what  
10          would be some manner of hearing into the granting  
11          of a licence at Cameco for a new process. When  
12          that licence is applied for and the necessary  
13          kinds of questions are asked and the reviews are  
14          done, we are going to want, we are going to demand  
15          absolute confidence, absolute credibility and  
16          absolute responsiveness in what you do.

17                          How the Commission deals with the  
18          issues that have been raised before it today will  
19          I think very much colour the views of many people  
20          in this town as to the degree of credibility that  
21          we can see in the Commission when we deal with  
22          this more sensitive issue down the road.

23                          Thank you, Madam Chair.

24                          THE CHAIRPERSON: Thank you very  
25          much for your presentation.

1                   The floor is now open for  
2                   questions to Mr. McDonald. Are there any  
3                   questions?

4                   Yes, Dr. McDill.

5                   MEMBER McDILL: Thank you.

6                   I would like to ask Cameco or  
7                   perhaps the Mayor if he is there: Is there a  
8                   single point of contact that the public can refer  
9                   to in the event of a significant level of concern  
10                  to the community?

11                  THE CHAIRPERSON: That is with  
12                  regard to Cameco.

13                  Dr. McDill, could you reword that  
14                  question and it will go to Cameco, please.

15                  MEMBER McDILL: All right. I will  
16                  try again.

17                  Is there a single point of contact  
18                  at Cameco that a member of the public can call or  
19                  where there will be a point of information for the  
20                  public in the event that there is an accident?

21                  MR. STEANE: Bob Steane for the  
22                  record.

23                  We have put in place through the  
24                  CAER Committee a telephone network system called  
25                  Community Alert Network which we have access to

1 and so does the municipality's Emergency Response  
2 Organization, to place calls and instructions and  
3 emergency information to the homes in Ward 1 of  
4 the municipality.

5 Those instructions -- and you can  
6 zone it according to geography depending upon the  
7 circumstances in which part of the municipality or  
8 all of the Ward 1 that you want to target. So we  
9 put that in place.

10 In the event of an emergency, also  
11 the municipality has the Emergency Response  
12 Organization and they have their command centre.  
13 That is the Mayor and things outside the fence  
14 line is the responsible in charge. He is the  
15 in-charge individual of the municipality's  
16 emergency response.

17 MEMBER McDILL: Thank you.

18 THE CHAIRPERSON: Dr. Dosman.

19 MEMBER DOSMAN: Madam Chair, I  
20 wonder if I might ask Mr. McDonald: Why do you  
21 think there is such a disconnect between what I  
22 hear from you as a resident and what I hear from  
23 the workers in the plant?

24 MR. McDONALD: I think one answer  
25 to that question, Dr. Dosman, is that the workers

1 in the plant have voluntarily undertaken to seek  
2 employment in an area where they clearly feel  
3 confident. That is their judgment. They could  
4 have taken a different kind of job and they have  
5 chosen this one, obviously being confident in what  
6 they find there.

7 However, I find myself, living  
8 where I do, subject to things that go on that I  
9 really did not choose and have no control over.

10 I think the disjunction between  
11 the union point of view and mine probably has to  
12 do with the matter of what each of us has elected  
13 to do.

14 MEMBER DOSMAN: Thank you.

15 THE CHAIRPERSON: Thank you very  
16 much, sir.

17

18 **05-H5.14 / 05-H5.14A / 05-H5.14B**

19 **Oral presentation by Ross Wilcock**

20 THE CHAIRPERSON: We are now going  
21 to move to the next submission, which is an oral  
22 presentation by Dr. Ross Wilcock, CMDs 5.14, 5.14A  
23 and 5.14B. This is in Ottawa.

24 The floor is yours, sir.

25 DR. WILCOCK: Thank you, Madam

1 Chairman.

2 I am a pathologist who trained in  
3 England and Wales in what I now recognize as the  
4 peak period of fission fallout from nuclear  
5 weapons testing. Some of the effects are  
6 described in Busby's book "Wings of Death" and the  
7 "ECRR 2003 Recommendations for Regulators". The  
8 Master of my college in Cambridge discovered the  
9 neutron and was asked in war time to assess the  
10 feasibility of a nuclear weapon. The task caused  
11 him great distress.

12 I am currently the Radioactive  
13 Pollution Working Group Coordinator with Science  
14 for Peace, and we are in the process of obtaining  
15 filter material from abroad that appears capable  
16 of reducing uranium-to-air emissions and it will  
17 be made available to Cameco.

18 I have been very concerned about  
19 uranium weapons and the radioactive battlefield  
20 for a long time. I discovered Port Hope a few  
21 months ago and I am asked by community members to  
22 say something to the hearing about uranium  
23 munitions.

24 Some new books are available and I  
25 have some with me.

1                   "The European Committee for  
2                   Radiation Risk Recommendations 2003" is a new  
3                   paradigm for radiation risk. I hope it will prove  
4                   a useful reference for the CNSC Commissioners and  
5                   enhance nuclear safety in Canada.

6                   The study on which it is based was  
7                   requested and developed in a European Parliament  
8                   Process. It suggests that damage by internal  
9                   radiation is worse than had been recognized, by  
10                  something like two to three orders of magnitude.  
11                  A figure of 300 times has been mentioned.

12                  This means that some assumptions  
13                  may be wrong due to changes in the understanding  
14                  of bioscience. Time can be our teacher.

15                  I attempted to review some aspects  
16                  by bringing together some basic science, mention  
17                  in law about uranium weapons manifestations in a  
18                  book "Uranium in the Wind" and discovered on  
19                  visiting Port Hope that uranium in air is measured  
20                  locally.

21                  At the Uranium Weapons Conference  
22                  held in Hamburg in October 2003, a British trained  
23                  (Member of the Royal College of Physicians) Iraqi  
24                  oncologist, a tumour specialist, who practised for  
25                  30 years in Basrah, shared his experience to the

1 effect that uranium in air has caused tumours and  
2 birth deformities in his region in his 30-years  
3 practice experience in Basrah.

4 I was moved to make this book  
5 after seeing the experience of Dr. Jawad Al-Ali.  
6 He concludes that uranium weapons used in his  
7 region in the 1991 war caused a variety of tumours  
8 and malformations briefly reported in "Uranium in  
9 the Wind" and more fully in his lecture reproduced  
10 by DVD, which I have provided a copy of to the  
11 Commissioners.

12 I hope the Commissioners will  
13 examine both books and others noted in the text.

14 The first two people I met from  
15 Port Hope have children with brain tumours. Brain  
16 tumours in children are now a recognized  
17 association of uranium-in-air exposure.

18 Uranium has been listed as a  
19 poison for at least 22 years in the Encyclopedia  
20 of Occupational Health and Safety (1983), and I  
21 will quote:

22 "Uranium poisoning is  
23 characterized by general  
24 health impairment. The  
25 element and its compounds



1                   produce changes in the  
2                   kidneys, liver, lungs,  
3                   cardiovascular, nervous and  
4                   hemopoetic systems, and cause  
5                   disorders of carbohydrate and  
6                   protein metabolism. Chronic  
7                   poisoning results from  
8                   prolonged exposure to low  
9                   concentrations of insoluble  
10                  compounds and presents a  
11                  different picture from acute  
12                  poisoning."

13                                 These are chemical effects.  
14                  Uranium has a high affinity for phosphates,  
15                  complexing with phosphate containing molecules  
16                  like DNA, RNA and ATP. It can thus interfere with  
17                  cell processes.

18                                 In addition, micro and nano  
19                  particles inside the body periodically emit alpha  
20                  particles with a relatively huge energy,  
21                  disrupting chemical bonds and lipid membranes. An  
22                  analogy at the cell level might be a lightning  
23                  strike.

24                                 Effects on the body of Ceramic  
25                  uranium that is known to be produced by military

1           technology are unceasing and cumulative. The cell  
2           destroying emissions per second become billions  
3           per year.

4                           I am particularly troubled about  
5           the use of uranium munitions that produce uranium  
6           in the air and what has been called the  
7           radioactive battlefield. When uranium metal  
8           incendiaries strike something solid they ignite  
9           and burn, forming ceramic oxide fumes. These are  
10          insoluble and they persist in the body for life.  
11          Most are sub-microscopic nano particles.

12                           Reference was made to P10 and P2.5  
13          but nano particles will be a thousand times  
14          smaller than those familiar standards.

15                           These are invisible but can be  
16          inhaled, crossing brain and placental barriers to  
17          cause a wide range of pathology.

18                           Gulf War 1991 brought uranium  
19          munitions to public attention. A former Cameco  
20          employee told me three months ago that the uranium  
21          used for munitions in that war was from uranium  
22          metal Xrod exported by Cameco. Since 1991 there  
23          have been many disease manifestations in Iraq.

24                           Xrod uranium metal supplied to the  
25          USA was of a diameter suitable for machining to

1       A-10 Gatling gun rounds, and that uranium metal  
2       fired in the 1991 Gulf War came from Port Hope.  
3       This was the specific burden that Dr. Ali refers  
4       to as having caused tumours and malformations in  
5       Basrah.

6                        It appears that uranium chemical  
7       and radioactive exposures on U.S. battlefields,  
8       downwind victims and Port Hope cause cancers and  
9       health damage.

10                      Dr. Mintz's work for Port Hope is  
11       interesting to compare with the Basrah experience.  
12       Port Hope may have experience to share and lessons  
13       to teach. It seems likely that U.S. veterans and  
14       others exposed will have or are having serious  
15       problems.

16                      The medical and legal situation of  
17       uranium as a weapon is explained in "Uranium in  
18       the Wind". Whenever International War Crimes  
19       Tribunal has considered this question, those  
20       responsible for using uranium weapons were found  
21       guilty of crimes against humanity.

22                      A proposal for uranium-based gas  
23       warfare was made in 1943 but such use would  
24       violate the 1925 Gas Protocol ratified by the U.K.  
25       in 1930 and the USA in 1975. The 1925 Gas

1 Protocol was the "never again" response after  
2 World War I. Chlorine gas warfare claimed half of  
3 Russian World War I fatalities leading to the  
4 collapse of Russia.

5 The first known use of uranium  
6 kinetic penetrators was by Israel against Egypt in  
7 1973. I am quoting Doug Rokke, who I heard say  
8 this in Albany in 2003.

9 Uranium is used militarily in  
10 several ways. Deployment of uranium kinetic  
11 penetrators includes the burning of the uranium to  
12 completion in the presence of oxygen, making  
13 poisonous metal fumes with micro and nano  
14 particles, effectively gas that pollutes local and  
15 global environments. Uranium also burns with  
16 nitrogen to form very poisonous nitrous and oxygen  
17 salts, for instance nitrates.

18 THE CHAIRPERSON: I'm sorry, sir,  
19 this is really getting to the edge of relevance to  
20 the mid-term hearing for Cameco. So I would like  
21 you to come back onto subject, please.

22 DR. WILCOCK: Canada traditionally  
23 respects international law and international  
24 treaties. Canada respects the Charter of the  
25 United Nations and signed the Universal

1 Declaration of Human Rights.

2 Canada ratified the Geneva  
3 Conventions and in 1965 enacted the Geneva  
4 Conventions Act which provides universal  
5 jurisdiction over grave breaches of the Geneva  
6 Conventions. The Geneva Conventions Act provides  
7 that proceedings can be brought with respect to a  
8 grave breach "whether or not the person is in  
9 Canada".

10 Canada has ratified the ICC Rome  
11 Statute and in July 2000 enacted the Crimes  
12 Against Humanity and War Crimes Act to implement  
13 the Rome Statute, in part by expressly providing  
14 that a person present in Canada suspected of  
15 previously committing one or more of the crimes  
16 "may be prosecuted".

17 THE CHAIRPERSON: Excuse me, sir.  
18 I am finding this very hard to connect to the role  
19 that we are having here today.

20 Could you please bring it back  
21 into the relevance of the mid-term hearing for the  
22 Cameco facility or I'm afraid I must ask you to  
23 complete your presentation.

24 DR. WILCOCK: The Canadian  
25 Commission should consider the liability arising

1 from supplying the USA with material for illegal  
2 or immoral use. Good neighbourliness calls on us  
3 to give good advice as we can.

4 We trust that Canada no longer  
5 supplies uranium metal for illegal military use.

6 We believe that uranium metal,  
7 Cameco customers should be subject to audit to  
8 demonstrate and guarantee that Cameco production  
9 is not used to commit crimes against humanity in  
10 international law.

11 Science for Peace welcomes the  
12 prospect of working with the Commissioners in  
13 matters of good science, health, law and wise  
14 policy.

15 Thank you for this opportunity to  
16 contribute.

17 THE CHAIRPERSON: Thank you very  
18 much.

19 We will ask for questions from the  
20 Commission Members with regard to the  
21 presentation.

22 I would actually like to ask staff  
23 with regard to the handbook that Dr. Wilcock has  
24 mentioned with regard to the "ECRR 2003  
25 Recommendations for Regulators".

1 Do you have any comments on this  
2 information?

3 MR. BUNDY: Kevin Bundy, Radiation  
4 Protection Division.

5 Dr. Wilcock just passed me a copy  
6 of that today. I have heard about it before. It  
7 was written by Chris Busby, I believe, one of the  
8 members of that committee who is a scientist  
9 within the U.K.

10 I am intending to read it is all I  
11 can say at this time.

12 THE CHAIRPERSON: I wasn't talking  
13 about "The Wings of Death".

14 MR. BUNDY: No. It is another one  
15 that he has participated on.

16 THE CHAIRPERSON: Which is to do  
17 with the one that he is talking about with the  
18 ICRP.

19 MR. BUNDY: Looking at it quickly  
20 today, it includes a discussion on the ICRP and  
21 estimates, yes.

22 THE CHAIRPERSON: So you have no  
23 comments at this time with regard to that.

24 MR. BUNDY: No.

25 THE CHAIRPERSON: Dr. Wilcock, I

1 just want to inform you that the CNSC is not only  
2 the safety regulator but it is responsible for  
3 safeguards and non-proliferation for the Canadian  
4 government. So I can assure you that the CNSC and  
5 the CNSC staff are very well aware of our  
6 international commitments that have been signed  
7 under agreements with regard to non-proliferation  
8 and the additional protocol.

9 We are also responsible for the  
10 import and export of controlled materials under  
11 non-proliferation.

12 The Commission does take close  
13 attention to what happens to Canadian companies,  
14 and I can assure you that the Canadian government  
15 understands its commitment to peaceful use.

16 If that assures you, that is the  
17 role of the CNSC.

18 DR. WILCOCK: I would like to  
19 thank you for taking your responsibilities  
20 globally as well as locally. Thank you very much.

21 THE CHAIRPERSON: Thank you, and  
22 thank you for coming today.

23 We appreciate that.

24

25 **05-H5.15**



1           **Oral presentation by Pat McNamara**

2                           THE CHAIRPERSON: We will now go  
3 to Port Hope for the next submission, the oral  
4 presentation by Mr. Pat McNamara. This is CMD  
5 05-H5.15.

6                           Mr. McNamara, you have the floor,  
7 sir.

8                           MR. McNAMARA: Thank you very  
9 much, ma'am, and thank you to the Commission  
10 Members for staying up this late.

11                          My name is Pat McNamara and I am a  
12 carpenter. When the group started forming last  
13 year to oppose SEU, we needed somebody to start  
14 going through documents and I lost out. So I  
15 became the Director of Research for FARE.

16                          In the intervening time, I have  
17 spent roughly 3500 hours in the last 13 months  
18 going through everything I could get my hands on,  
19 from the molecular to the global level. I will be  
20 glad when I never have to see any of this again.

21                          To get back to one point that was  
22 raised earlier today, now that we have established  
23 the fact that the centre pier is not federal land  
24 and that it is indeed owned by the municipality,  
25 would it be possible to get Dave McLaughlin from

1 the MOE to comment on fulfilling their  
2 responsibilities.

3 Now I will start again.

4 We have asked the CNSC and Cameco  
5 many questions over the past year concerning  
6 Cameco's operation in the middle of Port Hope.  
7 Most of the questions remain unanswered.

8 CNSC's Heather Jarrett was quoted  
9 in our local paper on October 6th, stating that  
10 they were not required to answer our questions.

11 We have asked CNSC if the food we  
12 grow is safe to eat because of the uranium and  
13 other toxins deposited in Port Hope for the last  
14 60 years. We have received no answer.

15 We have asked for comprehensive  
16 community controlled health studies. The federal  
17 government promised to do so 25 years ago. We are  
18 still waiting and dying.

19 We have asked Cameco and CNSC how  
20 they plan on stopping contaminants from the Cameco  
21 site from washing into our harbour from storm  
22 water runoff. They have provided no answers to  
23 solve the problem.

24 There is only one solution, and it  
25 is quite simple: you have to tear down all the

1 buildings and remediate the soil. There is no  
2 other way.

3 The low level waste clean-up is  
4 slated to dredge and decontaminate our harbour in  
5 the next few years. Why bother doing so if it is  
6 going to continue to be used as a settling pond  
7 for Cameco's contaminants?

8 Mr. Mattson's comments on the  
9 toxicity of effluents surprised me as Cameco  
10 states in their recent EA that they release no  
11 effluents. Maybe they could explain that.

12 We have asked the Ontario Minister  
13 of the Environment to meet with us to discuss our  
14 concerns about Cameco's emissions seeing as how  
15 they do have jurisdiction in some of these  
16 matters. They have refused to do so.

17 We have asked our local medical  
18 officer of health to meet with us to discuss  
19 radiation issues. She has refused to do so.

20 We have been assured by Cameco and  
21 the CNSC that security at the facility is  
22 adequate. The film footage captured by two  
23 independent sources show otherwise.

24 We have asked why Port Hope  
25 residents are subjected to allowable radiation

1 levels six times higher than those faced by people  
2 living next to nuclear reactors. There have been  
3 no answers.

4 We have asked for the isotopic  
5 content and source of the depleted uranium being  
6 used at Cameco. No answer.

7 We have asked for the  
8 contamination levels and isotopic content of the  
9 radioactive materials being hauled on our streets.  
10 No answer.

11 We have asked for independent  
12 monitoring of Cameco's emissions because of the  
13 deadly consequences we face from them. No answer.

14 We have asked why there is no  
15 evacuation plan or comprehensive warning system in  
16 place in case of an accident at their facility.  
17 No answer.

18 In response to Bob Steane's  
19 comment about the telephone dialling system, it  
20 has already been made very aware to the community  
21 that that dialling system does not reach all  
22 people.

23 Considering Cameco says no liquid  
24 effluent is released from the facility, we asked  
25 why the water they discharge into our harbour is

1 brown and foamy. We have received no answer.

2 We have asked why Cameco is only  
3 required to have \$4 million in liability insurance  
4 while many people have had that much on their  
5 cars. No answer.

6 We have asked Cameco and the CNSC  
7 why there is such a large discrepancy between the  
8 \$33.8 million Cameco has on deposit for  
9 decommissioning and the \$60 million the CNSC said  
10 it should have. No answer.

11 The conditions that caused the  
12 flood at the facility last fall have been known to  
13 Cameco and the CNSC for several years. We asked  
14 why the problem was never fixed. No answer.

15 We asked what mitigation measures  
16 have been put in place to protect us from a  
17 potential criticality accident involved in the 600  
18 kilograms of enriched uranium Cameco currently has  
19 on their site. No answer.

20 When we asked the Ontario  
21 Emergency Measures Officer, Dr. Young about it, he  
22 was subsequently hired by Environment Canada, I  
23 believe, and we have no response from them either.

24 Considering that many of the air  
25 monitoring stations are mounted below hydro lines,

1 we asked if the electromagnetic field would affect  
2 the accuracy of the monitoring station. We  
3 finally got an answer today, but it doesn't appear  
4 to reflect the research that has been done in  
5 England.

6 We asked Cameco to specify the  
7 contents of the container on a truck in their  
8 visitors' parking lot because we measured neutron  
9 radiation from it. No answer.

10 Why do we have neutron radiation  
11 in a parking lot that our kids and the fishermen  
12 can walk through? No answer.

13 We asked if uranium emissions from  
14 Cameco build up in the soil. We did get an answer  
15 to this question at a council meeting. We were  
16 told by Mr. Vektor from Cameco that it just  
17 disappears. They don't know where it goes.

18 For your information, Mr. Vektor,  
19 some of the uranium you can't account for goes  
20 into our lungs, our brains, our kidneys and our  
21 livers. This is the reason that the two cursory  
22 health studies done to date showed brain cancers  
23 in children four times the provincial average, two  
24 and a half times as high in women. Pharyngeal and  
25 nose cancers in men were 5.6 times the provincial

1 average. And this is in addition to elevated  
2 rates of leukaemia and cardiovascular disease.

3 But we shouldn't worry. CNSC  
4 Vice-President Ken Pereira was quoted on a TVO  
5 show last week stating that these levels were only  
6 slightly elevated.

7 Four times the rate of brain  
8 cancers in our children and that's only "slightly  
9 elevated"? I have children. I don't think that  
10 is slightly.

11 How many times above the  
12 provincial average does it have to be before the  
13 CNSC considers it a problem?

14 How can Mr. Pereira get away with  
15 making that statement? The health study they  
16 referred to was done on 32 different types of  
17 cancers. There was only three of them with  
18 elevated readings: the two brain cancers I have  
19 mentioned and the pharyngeal cancers. The rest of  
20 them were at or close to the provincial average.  
21 But in Health Canada and CNSC's infinite wisdom  
22 they lumped them all together, which brought us  
23 just above the provincial average.

24 They did the same thing with the  
25 schools. The radon count in the rooms was at 2.0

1       picocuries per litre when tested in ten different  
2       sites, but they didn't say that the two classrooms  
3       were well above the remediation level. What about  
4       those kids?

5                       My kids were in those rooms.

6                       Each country in the world is  
7       responsible for setting their own radiation  
8       regulation standards. However, every country in  
9       the world bases their regulatory levels on the  
10      risk model established by the International  
11      Commission on Radiation Protection, or ICRP.

12                      ICRP's risk model is based solely  
13      on testing done after the bomb was dropped on  
14      Hiroshima and does not take internal exposure to  
15      radiation into account. The risk model considers  
16      only external exposures. Unfortunately, we have  
17      come to realize that radioactive material inside  
18      our body is about 250 times more dangerous than on  
19      the outside.

20                      Studies from all parts of Europe  
21      have shown significantly higher levels of disease  
22      and death than those predicted by the RCRP risk  
23      model. The risks of childhood brain tumours or  
24      leukaemia in some towns in North Wales near  
25      radioactive offshore mud banks were more than five



1 times the national average.

2 In the 1980s the childhood  
3 leukaemia clusters at Sellafield were discovered.  
4 This was followed by the discovery of leukaemia  
5 clusters near all three of the European  
6 reprocessing plants and other nuclear sites.

7 Considering the number of  
8 childhood leukaemia cases at Sellafield, the ICRP  
9 model is in error by 300-fold.

10 The European Union took steps when  
11 the ICRP model came into question by ordering  
12 research into the dangers of internal emitters.  
13 They created the European Committee on Radiation  
14 Risk Protection that was referred to by  
15 Mr. Wilcock. Their findings show that the ICRP  
16 risk model was in error by a factor of 100 to  
17 1,000 in accounting for elevated cancer rates.

18 If CNSC's first mandate is to look  
19 after the health and safety of Canadians, why have  
20 they not informed us of these potential additional  
21 risks to our health from the dangers of low level  
22 radioactive waste?

23 Will CNSC take the research of  
24 Dr. Busby and others into account in reviewing  
25 their current allowable limits?

1                   Are these elevated risks from low  
2 level radiation the reason that MOE is three years  
3 later than it said it would be in defining uranium  
4 in air standards?

5                   To get back to the comment that  
6 was made on particle size concerning uranium,  
7 there are two things to consider:

8                   One, it depends on the isotope  
9 that is coming out. And seeing as how we have  
10 depleted uranium in our town, both at Cameco and  
11 Zircotec, and all depleted uranium comes from  
12 sources in the States that have contaminated  
13 sources because of the reprocessing of spent  
14 nuclear fuel, we have plutonium, we have  
15 americium, we have technetium and cesium. Those  
16 haven't been taken into account. We are talking  
17 about uranium and we don't even have a  
18 uranium-in-air standard.

19                   The size of the particles that are  
20 emitted after they pass through a HEPA filter are  
21 less than five microns in size. Once particles  
22 get down to 3 microns in size they can go through  
23 the walls of our blood vessels. Once they get  
24 down to nano particle size, when we ingest them in  
25 through our noses as we are breathing, they can go

1 directly into our brains. Maybe this is what is  
2 causing the cancer rates in children to be four  
3 times as high here.

4                   Where do we go from here? Cameco  
5 and Zircatec should be located in the facility  
6 beside the Darlington nuclear plant in an energy  
7 park there. That way, once the raw material comes  
8 from Blind River it goes to one spot and it is not  
9 hauled through our communities, on our roads, any  
10 more.

11                   The only other time it will ever  
12 have to be hauled is when the fuel rods are taken  
13 to Pickering or to Bruce Power to another source  
14 from Zircatec.

15                   Get this out of our community.

16                   Our council and others tell us to  
17 trust the experts. My response is to say that it  
18 is the experts from CNSC and the AECC before them  
19 who are responsible for the poisoning of Port  
20 Hope's harbour and the deposition of 3.5 million  
21 cubic metres of radioactive material.

22                   This is the CNSC and AECC that did  
23 this. You were in charge when this happened, and  
24 we are the ones paying the price. You don't even  
25 have the audacity to come to Port Hope to listen

1 to what we have to say.

2 How many of the Commission Members  
3 have actually spent a day in Port Hope? This  
4 community will not sit quietly and trust the  
5 experts. If need be, we are now prepared to  
6 resort to civil disobedience to protect our  
7 children.

8 Do not for a moment doubt our  
9 resolve. Thank you.

10 THE CHAIRPERSON: Thank you,  
11 Mr. McNamara. You certainly have raised a number  
12 of issues.

13 I will start with Dr. Barnes.

14 MEMBER BARNES: I have two  
15 comments, one to Cameco.

16 In probably the first half of Mr.  
17 McNamara's presentation he listed a number of  
18 statements and said he had no response, no reply.  
19 I think many of those were in a sense questions he  
20 directed to Cameco.

21 I wonder if you could explain why  
22 he and his organization would not have had a  
23 response to what seemed to be rather specific, in  
24 most cases technical questions and if he is going  
25 to receive an answer.

1 MR. STEANE: Bob Steane for the  
2 record.

3 Some of the questions were part  
4 and parcel of a large number of questions that  
5 were submitted by FARE as part of the SEU  
6 environmental assessment. Those questions that  
7 were relative to the SEU environmental assessment  
8 were answered first and were included as part of  
9 the documentation for that project.

10 There were other questions that  
11 are outside the SEU project scope, and we have  
12 either provided some answers or are in the process  
13 of getting those answers.

14 I also heard some questions that  
15 Mr. McNamara raised that I think we have not  
16 received yet.

17 One, he said we were asked to  
18 identify the material in our cylinder. It is  
19 labelled on the side of it uranium hexafluoride.  
20 I am not aware of us receiving a question specific  
21 to identifying what is in it, but it is uranium  
22 hexafluoride.

23 We are committed to getting  
24 answers back to all the questions that we receive.

25 MEMBER BARNES: My second question

1 is to staff and it refers to a point that  
2 Mr. McNamara made at the top of the second page of  
3 his written statement, referring to Cameco's  
4 \$4 million in liability insurance.

5 We discussed this issue a long  
6 time ago earlier today with Zircatec, and I think  
7 the response was that they had \$2 million  
8 insurance, but the federal system has an amount up  
9 to \$75 million. So I guess the company in  
10 Zircatec's situation pays the first \$2 million and  
11 the taxpayer covers the rest or the Government of  
12 Canada on behalf of taxpayers pays the rest.

13 Could you explain how a figure of  
14 \$4 million is arrived at. Is it simply as a  
15 matter of policy in this example when we are  
16 looking at this issue today?

17 MR. HOWDEN: Barclay Howden for  
18 the record.

19 With respect to the Nuclear  
20 Liability Act, the number of \$75 million has been  
21 set by the Act. The \$4 million is set by the risk  
22 posed by the facility. This applies to the  
23 potential of a criticality accident at the  
24 facility.

25 I don't have my specialist here

1           who can give you the risk assessment and how it is  
2           related to the number.

3                           This would be for a criticality  
4           accident at a Cameco facility for \$4 million, with  
5           the government covering up to \$75 million through  
6           NIAC.

7                           I just want to make the comment  
8           that if it goes beyond \$75 million, then the  
9           government through the Governor in Council would  
10          have to declare Part II of the Nuclear Liability  
11          Act to apply, in which case a commission would be  
12          established and Parliament would have to be  
13          involved to allow claims above \$75 million to go  
14          forward.

15                          At the same time, even though we  
16          implement this Act, it is under revision and that  
17          is being done by Natural Resources Canada because  
18          it is looking at these numbers as being low and  
19          not reflective of today's environment. That  
20          process is ongoing but I don't know the exact  
21          timing of that.

22                          MEMBER BARNES: How often do you  
23          look at the \$4 million? Is that CNSC's  
24          responsibility to fix? I sense that was the  
25          Commission's responsibility. And how often is

1 that reviewed?

2 Or when was the last time it was  
3 reviewed?

4 MR. HOWDEN: That was recently  
5 reviewed, within the past two or three years. But  
6 to the best of our knowledge, once it is set it  
7 doesn't have a review cycle unless something were  
8 to change at the facility that would warrant the  
9 review.

10 THE CHAIRPERSON: Mr. Graham?

11 MEMBER GRAHAM: I have two  
12 questions.

13 One is with regard to -- and I may  
14 be out of order on this, Madam Chair -- the  
15 reference to film footage on security. I have no  
16 idea what that was, and I am wondering if someone  
17 could inform us on that that is, from CNSC first.

18 MR. HOWDEN: Barclay Howden  
19 speaking.

20 There was a report done by TV  
21 Ontario which was aired last week, I believe,  
22 which was about 20 minutes in length, which  
23 included interviews with CNSC staff, Mr. Pereira,  
24 Mr. Morand and others.

25 I am not sure if it involved



1 licensee staff.

2 In that there was footage shown  
3 that was intended to show that there were security  
4 problems at the facility.

5 THE CHAIRPERSON: Mr. Graham, this  
6 was in the video that was offered by Mr. Morand.  
7 While you are on the subject, if you don't mind, I  
8 think we should ask Mr. Dubé if he has any  
9 concerns based on that facility.

10 MR. DUBÉ: For the record, Pierre  
11 Dubé.

12 I am not familiar with the video.  
13 We will be having a look at it. But as far as we  
14 know, there has been no security breach that we  
15 are aware of or that has been reported by the  
16 licensee.

17 MEMBER GRAHAM: Thank you.

18 My other question was with regard  
19 to an evacuation plan. We talked about it this  
20 morning, some time ago, regarding Zircatec.

21 Is there an evacuation plan being  
22 planned at this time and when will that be in  
23 place?

24 I guess I will first of all to  
25 Cameco and then to the CNSC.

1 MR. STEANE: Bob Steane for the  
2 record.

3 I believe, as was discussed  
4 earlier, preparation of the evacuation plan falls  
5 into the jurisdiction and domain of the  
6 municipality.

7 John Morand answered some  
8 questions about that and there was some discussion  
9 about it with council. The evacuation plan for  
10 the Municipality of Port Hope is not something  
11 that Cameco can do.

12 MEMBER GRAHAM: Since Cameco is  
13 the principal employer, are you prepared or is  
14 your company prepared to participate and to  
15 perhaps initiate or expedite speed in developing  
16 an evacuation plan?

17 MR. STEANE: We would certainly  
18 assist in any role that we can play in cooperation  
19 with the municipality in developing plans.  
20 Probably it would involve the CAER group. We  
21 would certainly participate and assist wherever we  
22 could.

23 MEMBER GRAHAM: CNSC staff, what  
24 role would CNSC staff play in initiating this  
25 since it seems to be the municipality's role? And

1 we have heard today about other things that is the  
2 municipality's role that may be taking a bit of a  
3 long time and this is of urgency.

4 What role would CNSC play in this?

5 MR. HOWDEN: Barclay Howden  
6 speaking.

7 With respect to CNSC requirements,  
8 as I mentioned this morning one of the  
9 requirements is that the licensees cooperate with  
10 off-site authorities in order to assist those  
11 authorities to be able to carry out their role as  
12 the off-site authority.

13 Our role would be to monitor this  
14 and basically take a hands-off approach unless the  
15 municipality or Emergency Management Ontario came  
16 to us and felt that they were not getting the  
17 cooperation that they felt was reasonable and  
18 required. Then we would step in to look at that.

19 But we will be in a monitoring  
20 mode on that particular issue.

21 MEMBER GRAHAM: A question, then:  
22 Is it necessary to have an evacuation plan, and do  
23 you feel it will be in place within a year?

24 MR. HOWDEN: We basically assess  
25 the licensee's ability to execute their own

1 emergency plan and their ability to interface with  
2 the off-site authorities in whatever the agreement  
3 is between the two of them.

4 I can't comment directly on the  
5 emergency plan and the timing. My understanding  
6 is that Emergency Management Ontario is still here  
7 and may be able to provide you with feedback.

8 MEMBER GRAHAM: If I may -- and I  
9 know the hour is getting late -- I would like to  
10 clarify from Emergency Management Ontario. Is it  
11 an urgency to have an evacuation plan and when do  
12 you anticipate it would be in place?

13 MR. VERDIRAME: Joe Verdirame of  
14 Emergency Management Ontario.

15 Madam Chair and Commission  
16 Members, as I mentioned earlier today in my  
17 comments on the Zircatec matter, under the  
18 Emergency Management Act there actually is no  
19 specific legislative requirement for an  
20 "evacuation plan" per se in this situation.

21 In fact, the Municipality of Port  
22 Hope has met all of the requirements under the  
23 Emergency Management Act and the regulation passed  
24 under that Act for an emergency management  
25 program, of which the emergency response plan, I

1 might add, is only one component.

2           You have heard today there has  
3 been discussion about an exercise which took place  
4 in November, and I would like to take this  
5 opportunity to point out that that exercise that  
6 was carried out in conjunction with industry and  
7 municipal officials also counted as the required  
8 exercise under the emergency management program as  
9 one element of that program, and they have also  
10 undertaken that exercise.

11           That was relating to a  
12 transportation accident of hazardous materials, as  
13 I understand.

14           To come back to the point of the  
15 evacuation plan, as I say, it is entirely under  
16 the purview of the Municipality of Port Hope if  
17 they feel that an evacuation plan is required.

18           Part of the emergency management  
19 program that municipalities undertake involves  
20 assessing the risks that they have in their  
21 community. We like to say that our emergency  
22 management programs are risk-based, and obviously  
23 the risks will vary from community to community  
24 based on local circumstances.

25           In doing its program, the

1           Municipality of Port Hope has undertaken a hazard  
2           identification risk assessment, and based on the  
3           results of that they would then prioritize their  
4           next steps in their emergency program.

5                        About the only other thing I can  
6           say is that they have two more levels to go under  
7           the emergency management program, enhanced and  
8           comprehensive, over the next two years. Our  
9           community officer advises us that the municipality  
10          is proactive in undertaking its responsibilities  
11          under the Emergency Management Act.

12                       At this point that is about all I  
13          can say.

14                      THE CHAIRPERSON: We are going to  
15          take a ten-minute break. I realize it is late,  
16          but I think people do need a bit of a stretch. So  
17          ten minutes.

18                      Thanks very much. That's the end.

19                      MR. McNAMARA: Excuse me.

20                      THE CHAIRPERSON: Yes,  
21          Mr. McNamara.

22                      MR. McNAMARA: I am going to have  
23          one question for EMO: Why, considering the fact  
24          that we have two nuclear fuel cycle facilities in  
25          Port Hope, are we not part of the Ontario

1 government's emergency measures plan where they  
2 mobilize the resources of 12 or 13 different  
3 ministries to help the community?

4 I don't think we could get  
5 anything too much more severe than two nuclear  
6 fuel cycle facilities in a town of 12,000 people.  
7 Do you?

8 And why are we not included in  
9 that?

10 THE CHAIRPERSON: Just a short  
11 answer, please, sir.

12 MR. McNAMARA: Considering  
13 Dr. Young stated in Cobourg that we were at risk  
14 of a terrorist attack because of this being a fuel  
15 cycle facility.

16 THE CHAIRPERSON: Mr. McNamara, we  
17 will ask EMO for a short answer and then we will  
18 take a break.

19 MR. VERDIRAME: Thank you, Madam  
20 Chair.

21 I would like to respond very  
22 quickly by saying that there is in fact a document  
23 known as the Provincial Nuclear Emergency Response  
24 Plan. Parts 2 to 6 of that plan deal with  
25 designated municipalities and the nuclear

1 generating stations such as Pickering, Darlington,  
2 Bruce and so on.

3 Part 8 of that plan is entitled  
4 "Other Nuclear Emergencies" and does in fact  
5 provide for an emergency response for nuclear  
6 establishments such as Cameco and Zircotec in the  
7 event that there are off-site effects.

8 Part of that response is that once  
9 the response capabilities of the municipality have  
10 been surpassed, if the emergency is severe enough  
11 in fact the provincial emergency operations centre  
12 does go to enhanced monitoring and activation, if  
13 necessary, and you do get in fact that response  
14 that Mr. McNamara was referring to in which we do  
15 call on ministry representatives and we bring the  
16 full resources of the province to bear on the  
17 problem.

18 THE CHAIRPERSON: I think,  
19 Mr. McNamara, this is obviously an area that is  
20 broader than the discussion here today. There is  
21 likely to be ongoing discussions between EMO and  
22 the Municipality of Port Hope, and I would suggest  
23 that that is the vehicle to get more information  
24 on that.

25 We are going to take a ten-minute



1 break.

2 Thank you, Mr. McNamara.

3 --- Upon recessing at 10:23 p.m.

4 --- Upon resuming at 10:33 p.m.

5 THE CHAIRPERSON: If you could  
6 take your seats, ladies and gentlemen, here and in  
7 Port Hope, we are ready to go.

8 We realize it has been a long  
9 evening but I think it is important that we finish  
10 up this evening.

11

12 **05-H5.16**

13 **Written submission from Alexandra McKee-Bennett**

14 THE CHAIRPERSON: The next  
15 presentation was scheduled to be an oral  
16 presentation by Ms Alexandra McKee-Bennett. This  
17 is CMD 05-H5.16.

18 Ms McKee-Bennett has notified us  
19 that she would like this to be considered as a  
20 written submission.

21 Are there any questions or  
22 comments from Commission Members with regard to  
23 H5.16?

24 MEMBER DOSMAN: Madam Chair, I  
25 would like to recognize and thank Ms McKee-Bennett

1 for her consideration of all convenors in taking  
2 this course of action.

3 THE CHAIRPERSON: Thank you.

4

5 **05-H5.17 / 05-H5.17A**

6 **Oral presentation by Ian W.M. Angus, B. Eng.,**

7 **LL.B., P. Eng., Barrister & Solicitor**

8 THE CHAIRPERSON: We will now move  
9 to a presentation in Ottawa by Mr. Ian Angus, who  
10 is joining us again. Thank you, sir, for staying.

11 It is 05-H5.17 and 05-H5.17A.

12 Mr. Angus, do you have some  
13 comments today, sir?

14 MR. ANGUS: Yes, I do.

15 Thank you, Madam Chair and  
16 Commissioners for hearing me again.

17 It seems almost 12 hours since I  
18 have been presenting to you. At this time I have  
19 two questions for you to ponder.

20 The first of these is: How long  
21 will it be before the Cameco facility is inundated  
22 with water from the Ganaraska River whose exit to  
23 the lake becomes blocked from time to time?

24 How long will it be before the  
25 harbour retaining walls collapse and the buildings

1 sink into the silt they are built on?

2 My hope is that the facility can  
3 be moved to higher ground before these questions  
4 are answered. I will tell you why I am concerned.

5 First, I am a buffer-zoner and I  
6 don't like to lie awake at night and think of the  
7 consequences of what a mess like this is going to  
8 mean in local terms.

9 The second reason is that I am a  
10 shareholder of Cameco. I think I have an interest  
11 in my company being prudent and avoiding a  
12 situation where my investment transforms itself  
13 into a rather substantial anchor located in the  
14 middle of the harbour.

15 Let me quickly take you through  
16 pictures, which I know you have before you, and  
17 which come from the archives of Mr. Rod Parrott, a  
18 long-time Port Hope resident.

19 THE CHAIRPERSON: Mr. Angus, in  
20 lieu of the time and the fact that we are going to  
21 lose about ten other intervenors for this, we do  
22 have copies of the pictures. I wonder if you  
23 would just highlight some particular pictures for  
24 us, and then we can have the time to try to get  
25 some answers to the questions that you have.

1                   So I would ask if you could  
2 highlight some particular ones of the pictures  
3 rather than us doing an historical review of Port  
4 Hope.

5                   MR. ANGUS: You didn't think I was  
6 going to dwell on each one, I hope.

7                   THE CHAIRPERSON: I was going to  
8 cut you off after seven and a half more minutes.  
9 I do have to be aware that there are some people  
10 around who we are keeping here.

11                   So could you just give us those  
12 highlights.

13                   MR. ANGUS: Very quickly I will.

14                   The first portion of the material  
15 deals with an historical overview of how the  
16 harbour developed, where it is located, how the  
17 walls were built, how the silt was accumulated in  
18 the harbour, where that silt was put, and how  
19 specifically the area that first comprised the  
20 coal yards and now the Cameco facility got there.

21                   The next part -- and there are  
22 lots of pictures there to dwell on -- shows the  
23 effects of high water. It shows the effects of  
24 the many floods that have occurred over the years  
25 from the river that we know as the Mighty

1           Ganaraska. It has certainly inundated Port Hope a  
2           number of times, and those pictures illustrate the  
3           extent of the havoc that I think is fair to say is  
4           regularly created and exists throughout the  
5           downtown area.

6                               This is important because the  
7           Cameco facility is located in the flood plain of  
8           the Mighty Ganaraska.

9                               That flood plain, we are told, is  
10          subject to flooding. It can be subject to  
11          flooding for a number of reasons. One is the  
12          build-up of ice and some sudden rain, as almost  
13          occurred a week ago. And were it not for the  
14          timely intervention of someone who was at the Port  
15          Hope Library at the moment noticing that this  
16          river was about to overflow its banks, we would  
17          have had more to write about in the local media  
18          than exists on the last page of the presentation  
19          you have before you.

20                              There are other ways in which the  
21          Ganaraska can flood.

22                              As you will notice, there are  
23          pictures in there of the sandbar that was created  
24          last summer and almost blocked the mouth of the  
25          river.

1                   That was caused by wave action  
2                   coming in from Lake Ontario in a year when water  
3                   levels are low.

4                   Then you have pictures  
5                   illustrating the ice dams that are built at the  
6                   entrance to the harbour. These occur from time to  
7                   time.

8                   And you have pictures of the wave  
9                   action when Lake Ontario gets annoyed at us and  
10                  sweeps over the walls that encase the harbour  
11                  opening.

12                  I have included some excerpts from  
13                  newspapers about how the timeliness of  
14                  intervention is very important in dealing with  
15                  these flood conditions and historical references  
16                  of people who know about how this river acts.

17                  The one constant in all of these  
18                  things is that you have to look after the harbour.  
19                  You have to look after the river. And if you  
20                  don't, something is going to overcome something  
21                  else.

22                  There is also reference in there  
23                  to earthquakes. There is a fault running offshore  
24                  and there have been earthquakes. There is a  
25                  1-in-20 chance of an earthquake that registers 6

1 on the Richter Scale.

2 There is reference to the flood at  
3 Cameco last September as a result of a rain storm  
4 that dumped a certain amount of water in the Port  
5 Hope area, half the amount of water that was  
6 dumped in Cobourg just a few miles east.

7 What would have been the result if  
8 the good Lord had diverted a little more of that  
9 water a little west of Cobourg?

10 So I invite you to speculate,  
11 bearing in mind the factors that can contribute to  
12 a flood condition include weather-induced  
13 increased waterflows of the Ganaraska River, ice  
14 accumulation in the Ganaraska River, silt  
15 accumulation at the mouth of the Ganaraska River,  
16 high Lake Ontario water levels, high onshore wind  
17 conditions piling water into the harbour mouth, a  
18 collapse of the harbour walls, an earthquake or --  
19 and I want to take you to the very end of the  
20 presentation where there are several pictures of  
21 the dock walls and water pouring out of those dock  
22 walls from Cameco.

23 What happens if there is a failure  
24 of the system pumping water from the facility  
25 building foundations? Where does that water go?

1                   The penultimate page is an aerial  
2 photograph of Port Hope, and you will see the  
3 discoloured water that comes out of the harbour,  
4 out of the harbour mouth and swings west.

5                   Where is Port Hope's water intake?  
6 Right there.

7                   What happens when those dock walls  
8 collapse? And they are going to collapse soon.  
9 Look at how wiggly they are. Some of that  
10 material is very old and hasn't been properly  
11 maintained. It is going to happen again.

12                   What happens when one of these  
13 flood factors comes into play? You have near  
14 misses. You have small incidents. There is going  
15 to be a time coming sooner probably than later  
16 when more than one of these factors occur  
17 simultaneously. And that is when there is going  
18 to be a lot of explaining to do.

19                   So I ask of you, please, take note  
20 of these pictures. Remember the history of the  
21 area and thank our lucky stars that we have not  
22 had any incidents of the nature that are worrying  
23 me and, perhaps when you think about this, should  
24 worry you.

25                   Make provision to move this plant



1 to high ground while there is still time.

2 Thank you.

3 THE CHAIRPERSON: Thank you,  
4 Mr. Angus, for a very interesting presentation.

5 Perhaps I could start by asking  
6 Cameco for their comments with regard to the two  
7 questions that have been put in the document  
8 05-H5.17A. There are two questions that Mr. Angus  
9 started out with.

10 Do you have any comments on those  
11 two questions?

12 MR. STEANE: Bob Steane for the  
13 record.

14 I note in Mr. Angus' presentation  
15 and we have looked and the Port Hope Ganaraska  
16 River has a long history of flooding, but also the  
17 flooding has not reached the Cameco site. So that  
18 is one aspect.

19 The other is the harbour walls.  
20 There was a significant remediation of the harbour  
21 walls done by the federal government, who owns the  
22 harbour walls. They came three or four years ago  
23 and did a lot of work in maintaining -- I said  
24 remediation, but maintaining the harbour walls.  
25 So they are being maintained, which is a bit

1 different than what Mr. Angus had said.

2 MR. ANGUS: Madam Chair, perhaps I  
3 could comment.

4 I find, with respect, Mr. Steane's  
5 assertion that these floods have not reached the  
6 Cameco site difficult to distinguish from the  
7 report shown in this presentation:

8 "Hurricane's heavy rain  
9 floods Cameco"

10 September 10, 2004, six months  
11 ago.

12 That incident, by the way, has not  
13 been reported to you in these mid-licence review  
14 materials. Search through them. You won't find  
15 any reference to this flood.

16 THE CHAIRPERSON: Mr. Angus, I  
17 would just like to say, with all respect, it is  
18 the Commission Members who ask the questions here.  
19 I think we have to give the Commission Members to  
20 ask the questions.

21 I know that you are eager to get  
22 on with this, but you did have your ten minutes to  
23 represent the story. So I think we have an  
24 opportunity to go through a period of questioning  
25 here.

1                   That is a good comment, but until  
2                   you become a Commission Member you might want to  
3                   let us continue on with our questions on that.

4                   Staff, do you have a comment with  
5                   regard to the two questions that Mr. Angus has put  
6                   forward?

7                   MR. HOWDEN:   Barclay Howden  
8                   speaking.

9                   The Cameco facility is in the  
10                  flood plain of this river.  Mr. Angus made  
11                  reference to some other things that seemed to be  
12                  related to SEU, but that is being redefined, just  
13                  to make you aware of that, and is being examined.

14                 In terms of water affecting the  
15                 facility, we are taking the view that water  
16                 management is required irrespective of how it is  
17                 caused.  So his comments are very valid in terms  
18                 of that.  Water management is a concern around the  
19                 facility even with its operations now.

20                 The second thing is that when  
21                 there is design work done, that is taken into  
22                 account when the engineering designs are being  
23                 done.

24                 I will ask Mr. O'Brien, who is the  
25                 inspector for the facility, to add comments to

1           that.

2                           MR. O'BRIEN:   Marty O'Brien for  
3           the record.

4                           I would like to comment on the  
5           September 9th incident, I believe.  That was a  
6           flooding caused by storm water alone.  There was  
7           no water that came from the river or harbour that  
8           influenced that flood.

9                           Cameco has taken some remedial  
10          measures to correct the situation where the storm  
11          water backs up at the south end of the site, and  
12          they are also looking into long-term actions to  
13          correct the problem.  CNSC will be following up on  
14          that.

15                          THE CHAIRPERSON:  So the September  
16          9th event wasn't considered a significant  
17          development?

18                          MR. O'BRIEN:  No, it was not.  It  
19          was considered an incident, but the discharges  
20          were monitored and they were all essentially at  
21          normal levels and there was no untreated water  
22          that left the site.

23                          THE CHAIRPERSON:  With regard to  
24          the comment about evaluation of the site for  
25          earthquakes, has this been part of the overview of

1           this facility?

2                               Perhaps I should ask Cameco.

3                               MR. JARRELL:   It's John Jarrell  
4           for the record.

5                               If it was covered, it would have  
6           been in the 1981 environmental assessment we did.  
7           The only recollection I can think going back  
8           drawing from my memory is there was some  
9           consideration of earthquakes with respect to the  
10          Port Granby facility, about ten kilometres west.

11                              Again I am testing my memory here,  
12          but I believe there is a fault that crosses Lake  
13          Ontario.  It is called the Clarendon-Linden fault,  
14          I believe, and it crosses into Prince Edward  
15          County.

16                              I believe we did some work trying  
17          to assess what the impact of that would be on the  
18          Port Granby facility.  That is about the only  
19          thing I can add at the present time.

20                              THE CHAIRPERSON:  Are the staff  
21          aware of any studies that were done with regard to  
22          the susceptibility of this facility to  
23          earthquakes?

24          --- Pause

25                              MR. HOWDEN:  Barclay Howden

1 speaking.

2 We are just trying to recall the  
3 details of the safety report in terms of whether  
4 it was considered but not considered credible.  
5 But we don't have those details with us at the  
6 moment.

7 THE CHAIRPERSON: For staff, take  
8 aside the September 9th event here and just look  
9 at the issues of water hazards. You talked in a  
10 general sense that this would have to be looked at  
11 in terms of water hazards.

12 What would be your expectations  
13 for the way that Cameco would prepare for this?  
14 They are on the water, for heaven's sake. What  
15 would be the expectations you would have for that?

16 Then I will ask Cameco.

17 MR. LEI: Shizhong Lei for the  
18 record.

19 The flood plain is defined by the  
20 regulatory flood which is further defined using  
21 Hurricane Hazel. Hurricane Hazel, as far as we  
22 know, is the largest storm recorded in Canadian  
23 history. So that is the kind of reference storm  
24 which has a return period between 200 to 500 years  
25 because from different estimates the numbers are

1 different. But on average it is about 300 to 400  
2 year return, which means that a flood of that  
3 magnitude would only occur once in every 300  
4 years, between 200 to 500 years.

5 This flood line was estimated or  
6 defined in 1986 and it is kind of out of date.  
7 Currently -- I always have problems pronouncing  
8 it. Ganaraska Region Conservation Authority is  
9 actually working with Cameco to redefine this  
10 flood line and CNSC staff is paying very close  
11 attention to this matter. If it ever goes to the  
12 licensing stage, at that time we will have even  
13 higher flood protection criteria to protect this  
14 whole site.

15 THE CHAIRPERSON: Are there any  
16 further questions in this area from Commission  
17 staff -- from Commission Members? I can tell how  
18 tired I am.

19 Mr. Taylor.

20 MEMBER TAYLOR: What is the staff  
21 position on the state of these walls? The  
22 pictures taken on the 8th of November of 2004 show  
23 a rather wavy wall. I presume that there hasn't  
24 been any maintenance or repair done on that wall  
25 since that time.

1                   Is this thought to be or is there  
2                   an attempt to get expert opinion on whether the  
3                   state of the walls around the building are in fact  
4                   a threat to the building as the intervenor  
5                   suggests?

6                   --- Pause

7                   MR. HOWDEN:   Barclay Howden  
8                   speaking.

9                   We have not looked at these walls  
10                  so we can't give you an opinion at this moment on  
11                  that particular issue.

12                  THE CHAIRPERSON:   I think Cameco  
13                  was saying that it was maintained by the federal  
14                  government.

15                  MEMBER TAYLOR:   I accept that they  
16                  have said that.   But looking at the picture, I am  
17                  not a great expert on sea walls, but it doesn't  
18                  look in good shape.

19                  Has the Harbour Authority done  
20                  anything about that wall?

21                  THE CHAIRPERSON:   Is there any  
22                  comment from Cameco on that?

23                  MR. STEANE:   Other than I am aware  
24                  of them doing their maintenance work a few years  
25                  ago, I don't know what other assessments they have



1 done.

2 I would agree with the  
3 Commissioner in looking at those pictures -- I  
4 don't know what that wall looked like 20 years  
5 ago, whether it looked the same 20 years ago or  
6 whether it was straight lines. I don't know. I  
7 think it bears some investigation.

8 THE CHAIRPERSON: Thank you very  
9 much, Mr. Angus, for your comments.

10

11 **05-H5.18 / 05-H5.18A / 05-H5.18B / 05-H5.18C**

12 **Oral presentation by Port Hope Community Health**  
13 **Concerns Committee**

14 THE CHAIRPERSON: We will now move  
15 on to the next presentation, which is by the Port  
16 Hope Community Health Concerns Committee, CMD  
17 05-H5.18, 05-H5.18A, 05-H5.18B and 05-H5.18C.

18 We have Ms More with us again.  
19 Thank you very much for staying with us here. The  
20 floor is yours, ma'am.

21 MS MORE: Good evening, Madam  
22 Chair and Members of the Commission and people in  
23 Port Hope. Sorry, I am just getting organized  
24 here.

25 Madam Chair, I wanted to ask if I

1           could take the first five minutes for the  
2           following presentation. I am presenting on behalf  
3           of Great Lakes United. If it would be acceptable  
4           if I run over, if I take a bit of that time,  
5           because I do have a fair bit of material to try  
6           and get through.

7                         THE CHAIRPERSON: I think the two  
8           topics have to be related to the two organizations  
9           that are there. So if the two organizations have  
10          common concerns, you will be able to do that. If  
11          it is called Great Lake United, it can't be under  
12          the title of Community Concerns or that would  
13          jeopardize our whole way of operating.

14                        MS MORE: All right. I will scrap  
15          that idea.

16                        THE CHAIRPERSON: Thank you.

17                        MS MORE: We submitted a 12-page  
18          brief and in addition to that sent supplementary  
19          clippings. It is basically the same package that  
20          was attached to the Zircatec presentation.

21                        In addition to that, we had  
22          attached a set of minutes of a staff meeting from  
23          June 2002.

24                        In the first two pages of the  
25          submission we were addressing the issue of

1 operating in silos, of having distinct  
2 environmental assessments, which is very taxing  
3 for a small community. You have heard people  
4 comment on the number of meetings.

5 We have also stressed the lack of  
6 comprehensive health data on the population, and  
7 it is certainly our submission to both of the EA  
8 process going on and it is our submission to you  
9 with respect to the mid-term report that no one  
10 can argue to you that there has not been harm to  
11 the people of Port Hope. There is simply no  
12 evidence to support that.

13 We are arguing that in fact the  
14 evidence is to the contrary: that where any  
15 evidence worth talking about exists, it is  
16 indicative of problematic trends that are  
17 deserving of good, solid health investigations and  
18 follow-up.

19 I will be very quick here,  
20 basically mentioning the context which is very  
21 important in terms of what we go through; that we  
22 have A and B environmental assessments. We also  
23 have unlicensed waste sites and some of us want to  
24 request to you opportunities to intervene on this  
25 subject. We are not aware of what those might be.

1 We know you do have meetings with AECL and Low  
2 Level Radioactive Waste Management staff on this.

3 We do point out a particular  
4 problem with Dr. Power's school in Port Hope again  
5 under the health umbrella as a subset of the  
6 Unlicensed Waste Site topic that we feel  
7 absolutely needs to be investigated and it needs  
8 to be done now.

9 The last point is the provincial  
10 and federal jurisdictions which have been  
11 confounding for many years. We still sense a lack  
12 of clarity between the responsibilities and MOE  
13 and the federal responsibilities.

14 Moving quickly to the health  
15 report card, the federal commitments to our  
16 community have been touched upon, which really  
17 began around 1979. There was a real spotlight on  
18 Port Hope. We were in the provincial legislature.  
19 We were in editorials in the Globe and Mail.  
20 There was a great deal of publicity as the story  
21 broke about the degree of contamination, and there  
22 were commitments made to study the health of the  
23 people of Port Hope in a very comprehensive  
24 intensive way. That included biological testing.  
25 It included tracking and following people who

1 lived in remediated properties, doing longitudinal  
2 tests, following special populations like the  
3 children of St. Mary's School and Dr. Power's  
4 school long into the future.

5 So there would be statistical  
6 studies. There would be special population  
7 studies and there would be biological testing.

8 Moving on to the Lees Study which  
9 was done by Queen's University, it was very small.  
10 It was basically Phase 1 of these commitments.

11 So the spotlight went away, and  
12 the editorials all stopped because the government  
13 said we will do something.

14 The first piece of this was the  
15 Lees Study done by Queen's University, which at  
16 the time what Port Hope heard in the newspaper was  
17 that the study was issued by press release, which  
18 was that it was inconclusive and that was a really  
19 good thing. So the rest of the studies were  
20 effectively scrapped.

21 That sequence of health studies  
22 never happened. And this is on the basis of a  
23 study size of less than 40 subjects who fit the  
24 program design.

25 Next we move to the Port Hope

1 Harbour Area of Concern Report which was issued  
2 around 1998 because the Port Hope Harbour is an  
3 IJC area of concern.

4 That report included all of Hope  
5 Township at the time, which is now amalgamated  
6 with Ward 1, the Town of Port Hope. It also  
7 included the Alderville Native Reserve 20 miles  
8 north of Cobourg for key statistical areas.

9 What it did show, to the extent  
10 you could quote it on anything really without  
11 further detailed analysis, is elevated rates of  
12 cardiovascular disease, respiratory disease and  
13 some neurological disorders like Parkinson's  
14 disease, for starters.

15 Now I come to the Community Health  
16 Survey Design which the Atomic Energy Control  
17 Board funded Dr. Trevor Hancock to develop and  
18 design, at our request as a committee. He spent  
19 the better part of a year developing an excellent  
20 background document of the Port Hope story -- he  
21 is a physician -- from a technical point of view.  
22 And he also, using Health Canada information,  
23 developed a community health survey which could be  
24 implemented.

25 When he finished all of that --

1 and we had a joint process with AECB -- the AECB  
2 told us they didn't believe in health surveys and  
3 they would not implement it.

4 So that piece of work still sits  
5 waiting to be implemented.

6 Then there was the Pilot Tracking  
7 Study. The AECB said that they would fund that.  
8 The tracking was to track people who lived in the  
9 area, in the core area, which still today is the  
10 area of the worst deposition. It certainly has  
11 been through all these years. There was a  
12 neighbourhood around the Eldorado Plant that was  
13 paved over and made into a parking lot and  
14 expanded Eldorado property.

15 There were people who lived there  
16 on Lower John and Lower Smith Street. So it was a  
17 matter of trying to find the people who had the  
18 greatest exposures to whom we would apply the  
19 health survey. It actually makes a lot of sense.  
20 We would survey the current population, so we are  
21 keeping it rooted in today. But as well we would  
22 take the people who were exposed the most from the  
23 core area point of view, also those who lived  
24 around the dump sites.

25 You know by now that the nature of

1           contamination in Port Hope is very random.

2                           We were told that AECEB would in  
3 fact fund this, and I believe I provided  
4 correspondence to that effect; that said they had  
5 agreed that they would fund this. I had a letter  
6 from the Director General at the time.

7                           That never happened.

8                           So we move to the Childhood Kidney  
9 Function Biotesting. That was announced at an  
10 AECEB relicensing hearing for Cameco in Port Hope.  
11 I believe that was 1999. I think it was 1999.

12                           Again there was a lot of  
13 publicity. CBC was there; lots of stress.

14                           THE CHAIRPERSON: I am really  
15 worried that you are going to run out of time.

16                           MS MORE: How much time do I have  
17 left?

18                           THE CHAIRPERSON: You are at nine  
19 minutes. You have one minute left.

20                           MS MORE: I have used nine  
21 minutes?

22                           THE CHAIRPERSON: Yes.

23                           MS MORE: Okay. The Kidney --

24                           THE CHAIRPERSON: And we have read  
25 this, Ms More, and we are quite familiar with it.



1           So perhaps you could come to the recommendations  
2           part.

3                           MS MORE:   The kidney test did not  
4           happen.   The cancer incidents did.   The cancer and  
5           general mortality studies, those two studies did  
6           happen.   They didn't happen independently.

7                           Here is the data from those two  
8           studies as discerned by Dr. Eric Mintz,  
9           Epidemiologist.

10                           You will see child cancer, 48 per  
11           cent; childhood leukaemia, 41 per cent; adult lung  
12           cancer elevated, female significantly; adult brain  
13           cancer, elevated for men, women and children;  
14           child Non-Hodgkins Lymphomas, statistically  
15           significantly elevated.

16                           So you can see that.   These are  
17           very disturbing disease trends.   These were in the  
18           reports.

19                           What you heard from your staff  
20           before the last report was released I put in the  
21           minutes to you.   Your staff told you that there  
22           were no significant increases in cancers that  
23           would be related to radiation, and of course we  
24           are also concerned about heavy metals and  
25           chemicals.   We do not like the constant focus only

1 on radiation.

2 There was an elevated circulatory  
3 disease rate that was noted by your staff. That  
4 was the only thing they noted significantly, and  
5 they tended to attribute that to lifestyle  
6 factors, such as smoking or something else. The  
7 notion that it could be in any way related to the  
8 smog in our community, which contains uranium and  
9 has contained arsenic, ammonia and nitrates, was  
10 not even part of the picture.

11 Moving on, the Lees Study did in  
12 fact show an association between lung cancer and  
13 exposure to radon. That has been said by  
14 Dr. Mintz, Dr. Murray Finkelstein who works with  
15 the Low Level Peer Review Team for town council.  
16 I believe your staff have also mentioned that in  
17 the last report.

18 Dr. Mintz's analysis you will see  
19 there. He identifies disturbing disease trends.  
20 He says there is a pattern suggestive of  
21 environmental problems that are deserving of  
22 follow-up.

23 The Atomic Veterans List in the  
24 United States that is in law, the U.S. Department  
25 of Justice, that stipulates to all of these

1 diseases, well over 30, that are associated with  
2 radiation exposure. I have contrasted those in  
3 our brief with what your staff and Health Canada  
4 staff applied to Port Hope, which was basically  
5 four as the sentinel cancers. They discuss others  
6 but when it comes to drawing conclusions they  
7 basically rely on those four.

8 Cameco operations: neutron  
9 radiation, public hazards have been identified  
10 through independent geiger counter testing. This  
11 is certainly -- it appears I am hearing reaction  
12 second-hand since I have been in Ottawa since the  
13 press release was issued by our committee and  
14 FARE. We are very upset about this. This is  
15 disgraceful. This is not radiation that is  
16 reported as far as we have ever seen anything in  
17 any reports.

18 These materials are publicly  
19 accessible in the visitors' parking lot. They are  
20 trucked through the streets. We would like to  
21 know what is going on and we would like you to  
22 investigate.

23 Again there is no buffer zone.  
24 You have heard that repeatedly.

25 The dangers of inhaled uranium in

1           our opinion are in no way accurately accounted for  
2           in the allowable levels that our town is subjected  
3           to, and the dangers from particles are just  
4           beginning to be understood by the people of Port  
5           Hope. And we do not like what we are hearing.

6                        The ongoing deposition of uranium  
7           in soil and plants. It is now 2005 and we still  
8           do not have a clear answer on the extent to which  
9           this company continues to add to deposition in the  
10          soil.

11                       There is a lack of security.  
12          There is a lack of compliance. There is a lack of  
13          detailed information.

14                       We want to know where the products  
15          are coming from that come into Cameco. That is  
16          very important because they could import other  
17          contaminated materials without realizing it, from  
18          the United States.

19                       We have quality assurance  
20          questions. We have issues with inadequate  
21          liability insurance. And we have a couple of  
22          recommendations.

23                       Am I still okay?

24                       THE CHAIRPERSON: You are doing  
25          what you asked to do. You are now using your

1 Great Lakes time, and I will not have over 20  
2 minutes for the two.

3 You are now at 14 minutes.

4 MS MORE: That's fine.

5 We were suggesting:

6 - that an end be brought to the  
7 grandfathering of non-compliance and that a time  
8 limit be set -- we are suggesting that it be a  
9 month;

10 - that the licence be suspended if  
11 these things are not in order;

12 - that the CNSC recommend to the  
13 Minister of the Environment that a full panel  
14 review be undertaken of the current Cameco  
15 operation and its plan for SEU;

16 - that an immediate and public  
17 investigation be undertaken into the management of  
18 radioactive materials and their accessibility and  
19 transport in the public domain in Port Hope.

20 We would ask that you issue a  
21 statement supporting comprehensive health  
22 investigations for Port Hope.

23 We need you to counteract the  
24 misleading information that is being said by the  
25 Low Level Radioactive Waste Management Office and

1           that has been said previously by Cameco -- I  
2           haven't heard it lately, though -- that studies  
3           have been done that show that no one really has  
4           been harmed in Port Hope, or words to that effect.

5                         We have taken exception directly  
6           with Cameco representatives and with Low Level  
7           representatives, because that simply is not the  
8           case. These reports do not show that and they  
9           have been by no means thorough.

10                        To Robert Kennedy Junior's quote  
11           that Port Hope has asked to be the national  
12           sacrifice zone for Canada, I would say that the  
13           question to be answered is: How great has that  
14           sacrifice been and how much more will be asked of  
15           us?

16                        Thank you.

17                        THE CHAIRPERSON: Are there any  
18           questions with regard to this presentation?

19                        It was a very thorough  
20           presentation, a very thorough historical look at  
21           the studies. I am aware of some of them and  
22           certainly a number of other people are aware of  
23           them.

24                        Would the staff like to make any  
25           comments? No.

1 Thank you very much, Ms More.

2

3 **05-H5.19**

4 **Oral presentation by Great Lakes United**

5 THE CHAIRPERSON: Now we will go  
6 to your presentation for Great Lakes United, which  
7 is now four and a half minutes. That is CMD  
8 05-H5.19.

9 The floor is yours, ma'am.

10 MS MORE: Thank you. This is Faye  
11 More. I am Chair of the Port Hope Community  
12 Health Concerns Committee. I am also the Lake  
13 Ontario Director for the organization Great Lakes  
14 United.

15 Our organization strongly supports  
16 the intervention of Lake Ontario Waterkeeper.

17 Mr. Mattson and his organization  
18 have raised extremely important issues with you in  
19 their submission and in their presentation today:  
20 that compliance with the Fisheries Act is  
21 essential and that somehow the process with your  
22 staff needs to be modified so that when you  
23 receive material from your staff the legalities  
24 and the requirements to comply with law should be  
25 an essential part.

1                   It could be suggested that all of  
2                   the laws with which a company needs to comply  
3                   could actually be part of the format and almost a  
4                   checklist of whether the appropriate tests have  
5                   been done and whether there is compliance or  
6                   non-compliance can be very clearly stated.

7                   I am still not clear from the  
8                   answer I heard and the explanation I heard a while  
9                   ago. I feel that kind of language is just way too  
10                  fuzzy. When it is legal or not legal, it should  
11                  be able to be very clear to lay people as well.

12                  Great Lakes United is very  
13                  concerned about pollution of the Great Lakes. It  
14                  is a binational organization with the U.S. and  
15                  Canada. A number of people joined Great Lakes  
16                  United who are from troubled community areas.  
17                  That is what drove me to become interested in just  
18                  seeking help, seeking advice, seeking information  
19                  a few years ago, trying to better understand what  
20                  it was that Port Hope was dealing with.

21                  I have said this I know before to  
22                  you, but it can be a very isolating experience to  
23                  be in a small town, a polluted small town, trying  
24                  to grapple with issues of this size.

25                  So organizations like this and



1           like Lake Ontario Waterkeeper are a real godsend  
2           to us. They help us enormously with their  
3           knowledge and their strength and their training.

4                           I would be happy to conclude with  
5           that.

6                           THE CHAIRPERSON: Thank you.

7                           Are there any questions?

8                           Certainly Great Lakes United has  
9           been an intervenor quite often here for the  
10          Commission. So thank you very much and thanks to  
11          the organization.

12

13          **05-H5.21**

14          **Oral presentation by Miriam Mutton**

15                           THE CHAIRPERSON: I would like to  
16          now move then to Port Hope. We have an oral  
17          presentation by Ms Miriam Mutton, CMD 05-H5.21.

18                           Ma'am, the floor is yours. Thank  
19          you for being so patient. It is very late. The  
20          floor is now yours.

21                           MS MUTTON: Thank you very much.

22                           My name is Miriam Mutton. What I  
23          will read is an expansion of the outline I  
24          submitted.

25                           My presentation today has been

1           provoked by a statement made by the Canadian  
2           Nuclear Safety Commission. In the summary of the  
3           Interim Licence Report on Cameco's facility in  
4           Port Hope it is stated:

5                                 "The continued operation of  
6                                 the facility does not pose  
7                                 unreasonable risks to the  
8                                 health and safety of persons,  
9                                 the environment and national  
10                                security."

11                               The facility does in fact pose  
12                               unreasonable risks. Furthermore, I have not been  
13                               convinced by the nuclear industry experts,  
14                               including those of the CNSC, that procedures and  
15                               policies of the Canadian nuclear industry promote  
16                               sustainable results.

17                               This hearing is an important  
18                               opportunity for the average citizen like myself to  
19                               become involved. I am not merely interested; I am  
20                               deeply concerned about what I have seen and heard  
21                               over the last year from concerned citizens and  
22                               industry experts.

23                               I am a resident of Cobourg, a  
24                               community of about 18,000 people located on the  
25                               shores of Lake Ontario and less than 10

1 kilometres, centre to centre, east of Port Hope.  
2 Cobourg's motto is: Ontario's feel good town.  
3 And it is developing a reputation as a centre for  
4 wellness practitioners.

5 In yesterday's local paper, a  
6 front page headline proclaims: "Cobourg Wins Top  
7 Honours for an Ontario Economic Development  
8 Award." Why would Cobourg volunteer to be  
9 associated with the stigma of a nuclear industry  
10 that has burdened our neighbour Port Hope for  
11 decades?

12 It is up to the experts of the  
13 CNSC to ensure we are included.

14 The nuclear industries in Port  
15 Hope do impact us. The materials used in the  
16 nuclear industries are transported through our  
17 community. Fine particulates from emissions can  
18 also travel long distances.

19 Cobourg is geographically located  
20 within the area of influence. I say  
21 geographically because recent studies conducted  
22 for Cameco have recognized political boundaries  
23 only, such as the regional study area identified  
24 in their recent environmental assessment.

25 I have increasing concerns about

1       our local nuclear industries. I found out  
2       recently that Zircatec has relocated its  
3       non-radiological operations to Cobourg, including  
4       the Beryllium Room. Because of its highly toxic  
5       nature, this operation is kept in a special  
6       protected area.

7                   I understand this process is  
8       essential to the local nuclear industry and the  
9       CNSC has chosen not to license Zircatec in  
10      Cobourg. Cameco and Zircatec are linked in the  
11      manufacturing process. I have chosen to focus on  
12      the Cameco Review. I hope the CNSC is fully aware  
13      of Zircatec's activities in Cobourg.

14                   Furthermore, Cameco's proposal to  
15      produce SEU raises issues of concern about current  
16      operations and the role of the CNSC in ensuring a  
17      comprehensive study of all relevant matters,  
18      including impacts upon neighbouring communities.

19                   If there is only one message I can  
20      deliver to you today, it is this: Cameco does not  
21      belong on the waterfront in downtown Port Hope.  
22      Keeping Cameco on the waterfront is unsustainable  
23      and socially irresponsible when viewed in the  
24      context of the economic and environmental health  
25      of our local communities. It is time to give the

1 waterfront back to the people.

2 In Cobourg, we have reclaimed our  
3 waterfront, establishing public parkland and  
4 providing public opportunities for new investment  
5 and development. In the process, we too have had  
6 to deal with federal regulatory agencies.

7 The issue of the location of a  
8 nuclear industry must not be confused with the  
9 issue of an employer providing jobs. It is my  
10 observation that the two issues have been tied  
11 together on the local political level, diverting  
12 attention from the serious problem of location  
13 which is directly related to risk and security on  
14 a much larger scale.

15 Even Cameco itself has admitted it  
16 would not choose to locate at its present position  
17 today.

18 What guidance has the CNSC  
19 provided?

20 As a resident of Cobourg, I am  
21 downwind and downstream. I live closer to Cameco  
22 and Zircatec than someone living at the north end  
23 of Port Hope, at places like Garden Hill.

24 I hope you can see this. The  
25 orange outline is Port Hope. Cobourg is the

1 yellow at the bottom. I live here, Cameco is  
2 here, and Garden Hill is right here. So you can  
3 see the distance. It is much shorter.

4 We have not been consulted in a  
5 public process about this mid-term licensing  
6 review, nor have we been advised of any impact,  
7 measured or predicted, of the current and proposed  
8 operations.

9 There is a facility in Cobourg  
10 which is directly connected to the nuclear  
11 industry. When did the CNSC place a public notice  
12 in our local newspapers or make a public  
13 presentation to our town Council to notify us  
14 about the licence review?

15 This hearing and your decisions  
16 are important to this community and its  
17 neighbours. Ordinary protocol may justify you  
18 remain in Ottawa but there is nothing about the  
19 nuclear industry that is ordinary. I think  
20 everyone should spend more time in Port Hope.

21 I ask the CNSC to stop treating  
22 the nuclear industry as benign operations that are  
23 under strict control. The lack of sensitivity to  
24 the community values by the regulator is alarming.

25 In Port Hope, the presence of the

1 nuclear industry continues to depress the economic  
2 sustainability, keep other potential employers  
3 away, lower real estate values and impact upon the  
4 health of people.

5 Our elected municipal officials  
6 should not be expected to police the nuclear  
7 industry, and yet, my community would be affected  
8 by the major issue of transportation, whether by  
9 road or rail, or by water since Cobourg has a  
10 harbour too.

11 Has Cobourg been consulted by the  
12 CNSC on radioactive waste issues, the long-term  
13 impacts of allowable emissions or liability in the  
14 event of an accident? There are reciprocity  
15 agreements between area municipalities for  
16 emergency services that would require Cobourg's  
17 involvement.

18 Why does CNSC, the federal  
19 government and the nuclear industry continue to  
20 pretend nothing is wrong? The nuclear industry is  
21 not a clean industry. It is a toxic industry  
22 without an appropriate level of accountability.

23 I have heard nuclear experts  
24 repeatedly state in public that certain questions  
25 they interpreted as being outside their mandate or

1 scope of work would not be answered. The nuclear  
2 industry resists challenge by telling us we are  
3 not experts and we should have faith in due  
4 process and in an industry that fundamentally  
5 regulates itself.

6 The nuclear industry appears to be  
7 a laboratory-justified science experiment relying  
8 heavily of models and predictions and it continues  
9 to perform unpredictably in applications in the  
10 real world.

11 Consider the dangerous waste and  
12 problems of containment, both civil and military,  
13 that remain unresolved.

14 Consider the movement of  
15 materials, the transportation of which has  
16 numerous variables that no scientist could  
17 possibly predict or measure.

18 Even if one argues that the  
19 nuclear industry is an engine of economic growth  
20 in Ontario, why does the CNSC balk at ensuring  
21 utmost public safety and security?

22 The Cameco Facility at Port Hope  
23 is located on a flood plain where one of Ontario's  
24 major rivers, the Ganaraska, meets a lake. The  
25 facility is located on the shores of Lake Ontario,



1 the source of fresh water for more than 6 million  
2 people.

3 Cameco is located on sensitive  
4 lands. Cameco and Zircatec have neither adequate  
5 security nor sufficient buffers to protect their  
6 industries nor the community in which they are  
7 located.

8 In fact, Cameco and Zircatec in  
9 Port Hope could be considered prime targets to  
10 seriously cripple the Ontario economy, and yet,  
11 there is a proposal to add an SEU Facility to  
12 Cameco's operations, which, I repeat, are located  
13 on a flood plain, on the shore of an important  
14 water resource, in the middle of a town.

15 The reason I bring up the SEU  
16 proposal is that the licence has not yet been  
17 granted but it is common knowledge that both  
18 Cameco and Zircatec are busy building and staffing  
19 the facilities.

20 When I asked a senior staff member  
21 of Cameco why the company, the largest of its type  
22 in the world, with annual profits of more than  
23 \$200 million, did not realize this opportunity to  
24 relocate from downtown Port Hope, at once a grand  
25 gesture to return the waterfront to the people and

1 an opportunity to move into new state-of-the-art  
2 facilities, the reply I received was: "We have to  
3 consider the interests of the shareholders." And  
4 he was not talking about the people of Port Hope.  
5 It is all about money.

6 UNIDENTIFIED SPEAKER: Hear, hear.  
7 --- Applause

8 MS MUTTON: What is needed is a  
9 true accounting of the cost of the nuclear  
10 industries in our communities, specifically  
11 regarding Cameco in Port Hope. The land on which  
12 Cameco is located no longer presents the best-use  
13 scenario which may have justified its predecessor  
14 Eldorado to locate and operate here many years  
15 ago.

16 Using the standard of a reasonable  
17 person when assessing the actual and potential  
18 environmental contamination, it is clear the  
19 closure and decommissioning of this nuclear  
20 facility is now the proper course of action.

21 Science and engineering both  
22 require an oath and a code of conduct that demands  
23 the human element be part of any consideration.  
24 The human element can be an unpredictable variable  
25 which can unwittingly undo the best intentions of

1 the expert. However, it is a serious problem when  
2 the human element becomes disposable, as a cost of  
3 doing business in the nuclear industry.

4 A responsible citizen has an  
5 obligation to those who follow.

6 Commitments by the authorities to  
7 mitigate the damaging results of past activities  
8 of the nuclear industry in Port Hope and area have  
9 been slow, slow to the point of disgrace. Why  
10 should we trust you now?

11 We must have commitment and action  
12 by the authorities, including the CNSC, towards  
13 economic and environmental sustainability. Cameco  
14 does not belong on the waterfront in Port Hope.

15 What legacy will the CNSC leave  
16 behind in Port Hope for those who follow?

17 Thank you.

18 UNIDENTIFIED SPEAKER: Hear, hear.

19 --- Applause

20 THE CHAIRPERSON: Thank you very  
21 much for your intervention.

22 Are there any questions from the  
23 Commission members with regards to this  
24 intervention?

25 Thank you very much and thank you

1 very much for taking the time to be with us today  
2 and this evening.

3 We are then going to move to the  
4 next presentation, which is an oral presentation  
5 from Mr. Derrick J. Kelly who is with us here in  
6 Ottawa. Thank you very much for your patience,  
7 sir. This is CMD 05-H5.22.

8 The floor is yours, sir.

9

10 **05-H5.22**

11 **Oral presentation by Derrick J. Kelly**

12 MR. KELLY: I appreciate the  
13 opportunity to be able to come to Ottawa and speak  
14 to you directly. At this point, I am wishing I  
15 was doing it from Port Hope so I would only have a  
16 five-minute walk home from the town hall instead  
17 of a three-and-a-half-hour drive, but being here,  
18 I hope, demonstrates the seriousness of the issue  
19 to me.

20 I am going to just start briefly  
21 with some generalities and move into the more  
22 specific area that I had forwarded back earlier.

23 I am proud to boast that I have  
24 lived in Port Hope most of my life. In the  
25 eighties when my wife and I decided to buy our

1 first house, it was a given that it would be in  
2 Port Hope.

3 Both my wife and I had been born  
4 and raised in Port Hope and had parents that have  
5 worked in the nuclear industry. My wife's mom and  
6 dad had worked at Eldorado and my dad had worked  
7 for a good number of years at Westinghouse, then  
8 Zircatec.

9 We had accepted the fact that the  
10 uranium processing plants were part of Port Hope,  
11 and without question or worry.

12 Over the years, I became concerned  
13 about Port Hope's low-level radioactive waste  
14 situation and decided to find out more about it,  
15 but even then, my concern wasn't about the nuclear  
16 industry in Port Hope, it was simply about cleanup  
17 of the existing waste.

18 However, my focus and concern  
19 changed about two years ago when I found out that  
20 Cameco wanted to, I guess, restart a process that  
21 they had given up, the slightly enriched uranium  
22 process, which I think at this point in time was a  
23 bad business decision on their part because now  
24 they have to go through all the EAs and such.

25 That is when my concern really

1 started and resulted in me wanting to look into it  
2 for myself and do my own research and  
3 investigation into Ontario's and Port Hope's  
4 nuclear industry.

5 I do say Ontario because, quite  
6 frankly, it is not Canada's nuclear industry, it  
7 is Ontario's, because I think about 20 of the 22  
8 reactors and most of the business in the nuclear  
9 industry happens in Ontario.

10 I tried to get both sides of the  
11 picture and there is a lot of information out  
12 there.

13 I think that when you don't get  
14 paid through the nuclear industry, it is not too  
15 hard to get a bias and a different sort of picture  
16 than what I generally hear coming from people  
17 that, of course, get paid from the nuclear  
18 industry, as I said, but I want to make it clear  
19 that I am not against Cameco or for that matter  
20 necessarily the nuclear industry at this point in  
21 time but I just want to -- as I say, I am not  
22 against Cameco, I just happen to be way more for  
23 Port Hope.

24 While Cameco does benefit the town  
25 with some jobs and taxes and so forth, as has been

1 mentioned by the last intervenor, there are a lot  
2 of costs that aren't looked at or they are  
3 overlooked by all levels of government, by the  
4 local Chamber of Commerce, which I might add I am  
5 a member of and don't agree with their stance per  
6 se, and I know there are a few other intervenors  
7 here today that are also members of the local  
8 Chamber, and I think a lot of the residents don't  
9 realize a lot of the costs that happen.

10 The general feeling I get is that  
11 people are willing to overlook any adverse effects  
12 to the town in order to not rock the boat and  
13 jeopardize jobs, business taxes, that this  
14 industry provides.

15 I question how many opportunities  
16 the community has lost because of the nuclear  
17 industry being located here and I don't know if  
18 there has ever been any formal study done to show  
19 that, but having studied economics at university,  
20 I am well aware that there are certainly a lot of  
21 lost opportunities.

22 Anyway, I don't think anyone has  
23 to worry about losing their job or having their  
24 business lost or losing taxes in Port Hope as a  
25 result of Cameco ever leaving, because as long as

1 Cameco is legally allowed to do what they do in  
2 Port Hope, that is where they are going to be.

3 Ontario has dug a huge nuclear  
4 hole -- or a huge hole from the nuclear industry  
5 and it is going to take decades for us to get out.  
6 So I don't think that concerns about people losing  
7 jobs in Port Hope, which I have heard through the  
8 grapevine that that is what a lot of people are  
9 concerned about who work at Cameco and Zircatec, I  
10 don't think that that would happen.

11 The only way to have Cameco  
12 relocate from Port Hope's waterfront to another  
13 more appropriate location within the community is  
14 to change the laws and that is basically why I am  
15 here today.

16 My understanding of the way things  
17 work is it is the federal government and the  
18 Canadian Nuclear Safety Commission that are part  
19 and parcel -- the organizations or the groups that  
20 change the laws or where we can get them changed.

21 I would like to see the process of  
22 changing the laws to better fit -- or so that  
23 Cameco better fits into the town of Port Hope. I  
24 am sure that there are other areas that they could  
25 move to, but it is not going to happen as long as



1           they are legally able to stay there, as I say, and  
2           as long as it is profitable for them to stay  
3           there, that is where it is going to be. It is not  
4           until the laws are changed to move them from our  
5           beautiful waterfront that it is going to happen.

6                         So my beef isn't with Cameco  
7           necessarily, my beef is with the Canadian Nuclear  
8           Safety Commission and the federal government.

9                         That is not to say I don't have a  
10          few maybe petty beefs with Cameco right off the  
11          top that I would like to mention just because I  
12          have the floor here and I would like to take a few  
13          jabs maybe.

14                        I kind of chuckle to myself when I  
15          hear about, you know, "Safety is first." I kind  
16          of always want to add when I hear someone like  
17          Terry Rogers say that: "Safety is first when it  
18          is convenient."

19                        I also get a chuckle out of the  
20          paper. There have been some local advertisements  
21          to promote Cameco and some job advertisements  
22          where they put the logo down, something to the  
23          effect of nuclear energy is clean air energy or  
24          something like that. Again, I always wonder,  
25          clean air energy as compared to what?

1                   If I had the time and resources, I  
2 would certainly like to take that another step and  
3 level further because I think it is false  
4 advertising. I mean if it is such a clean air  
5 energy, I am kind of curious as to why the Ontario  
6 Coalition for Clean Air haven't endorsed nuclear.  
7 I am also curious as to why it wasn't included in  
8 The Hague Agreement or with the Kyoto Protocol.

9                   So I mean there certainly are  
10 beefs that I have with Cameco and with the nuclear  
11 industry, but just to go on further, my beef is  
12 with the federal government and the Canadian  
13 Nuclear Safety Commission for allowing Cameco to  
14 live by low standards to make a profit.

15                   That is what they do. They  
16 externalize their costs to the environment and  
17 society and to the community of Port Hope to  
18 internalize their profits so that they can make  
19 more money for their shareholders.

20                   I will get to the more specific  
21 end of what I came here for and that was to talk  
22 about incident reporting, et cetera.

23                   Usually when I read about a  
24 reported incident in the local paper, Cameco  
25 always makes it sound as if there is no danger or

1 concern and that while the discharge or release  
2 may have been just under or just over the  
3 acceptable provincial or federal standard that  
4 there is nothing to worry about.

5 My question always is: If there  
6 is not a concern, why did they have to report it,  
7 and if it was reported, was it reported fully and  
8 correctly?

9 I just wonder, you know, there are  
10 different -- well, I will come to that in a bit  
11 here.

12 Further, I always question how  
13 many incidents go unreported. If no one is around  
14 to see discharges from pipes, releases or stacks  
15 or whatever, say, on the third shift, who is going  
16 to know?

17 I mean I know that there are  
18 devices and monitoring systems on stacks and  
19 pipes, et cetera, but do they all have it, and as  
20 we know, they are only sampled, they are not  
21 necessarily monitored on a  
22 24-hour/seven-day-a-week basis.

23 After all, there is no third-party  
24 independent auditor located at Cameco a hundred  
25 per cent of the time to verify that everything

1 gets recorded properly and reported to the CNSC  
2 and the public.

3 I have worked in industry long  
4 enough to know that this happens a lot. I have  
5 grown up on the shop floor of the automotive  
6 industry and the electronics industry. I have  
7 been a member of the CAW, so I have been a  
8 unionized employee. I have been a non-unionized  
9 hourly employee, I have been a supervisor, I have  
10 been an industrial engineer and I have been a  
11 manager, and I know that things don't always get  
12 reported the way they should.

13 THE CHAIRPERSON: You have half a  
14 minute left.

15 MR. KELLY: Okay.

16 So my question that I am here  
17 mainly for is: What type of things can we put in  
18 place to ensure that the reporting of incidents do  
19 get forwarded and that we are getting all the  
20 information all the time?

21 I would like to suggest that maybe  
22 the Canadian Nuclear Safety Commission should have  
23 a full-time staff located at Cameco to monitor and  
24 record these things.

25 Why do I say that? Well, it is

1           because this is a different sort of business.  
2           Cameco is unique in that there is no other spot  
3           that I know of in the world that processes uranium  
4           so close to a population. It is not like making  
5           auto parts. It is not like making consumer  
6           electronics.

7                           There needs to be something that  
8           compensates for the lack of a buffer zone and I  
9           think that by having somebody like the CNSC or  
10          some independent third-party auditor on site all  
11          the time, it would make me and I am sure others  
12          feel a little bit safer.

13                          Quite frankly, if there is ever  
14          anything that happens at the Port Hope Facility,  
15          as I said, it is not Cameco that I would  
16          necessarily blame, it is the federal government  
17          and the Canadian Nuclear Safety Commission.

18                          Thanks.

19                          THE CHAIRPERSON: Thank you.

20                          Are there any questions?

21                          Dr. Dosman.

22                          MEMBER DOSMAN: Madam Chair, if I  
23          interpret Mr. Kelly's remarks as I think I do, he  
24          says that he thinks that Cameco cheats on their  
25          reporting, and if this is the case, it is a very

1 serious charge and I would just like to ask CNSC  
2 staff if they believe that Cameco cheats.

3 MR. HOWDEN: Barclay Howden  
4 speaking. We have no evidence to suggest that  
5 that is taking place.

6 MEMBER DOSMAN: Thank you.

7 MR. KELLY: I don't believe I said  
8 "cheat" and I certainly wouldn't want those words  
9 to be reflected in anything that I have said.

10 I have been involved in processes,  
11 manufacturing, continuous processes, and I do  
12 know, as we all are well aware and we are awfully  
13 naive to think otherwise, that numbers don't get  
14 cooked, things don't get fudged, buffer zones and  
15 cushions aren't added, and that it is part of  
16 human nature.

17 Cameco and the human beings that  
18 work there are no different from the human beings  
19 that work in any other industry. We have seen  
20 Northern Telecom fudge the books. We have seen  
21 WorldCom and Enron fudge the books. These things  
22 are a heck of a lot less serious because it is  
23 only numbers for accounting. I am talking about  
24 uranium, which we do know has toxic effects.

25 THE CHAIRPERSON: Dr. Barnes.

1                   MEMBER BARNES: Well, at this late  
2 time, I am really getting a little frustrated  
3 because it seems to me we give the intervenors 10  
4 minutes to discuss the issue at hand, which is the  
5 Interim Report, and I honestly didn't see anything  
6 in this last 10 minutes that dealt with the issue  
7 at hand.

8                   There are words in your written  
9 statement, sir, that say books do get cooked when  
10 no one is looking and a whole lot of implications  
11 like that, and I think if you are going to spend  
12 10 minutes appearing before this Commission and  
13 raising issues like this or implications, you  
14 should give some evidence, right?

15                   MR. KELLY: (Off mic) ...speak to  
16 the generalities that I personally have seen in my  
17 own crew.

18                   THE CHAIRPERSON: Yes, but I think  
19 what the Commission is saying, sir, is there is a  
20 responsibility that comes with this. This is a  
21 quasi-judicial administrative tribunal. This  
22 would be equivalent to going up before a court and  
23 making these accusations. These are very serious  
24 accusations about a business.

25                   I think that it is quite different

1 to talk about concerns that people may have about  
2 various types of issues but this is a very, very  
3 interesting situation, which, I think, Cameco will  
4 have to look at very seriously.

5 Also, it should be clear to you  
6 that under the Nuclear Safety and Control Act the  
7 company is responsible to be a responsible  
8 custodian of the operations that they have.

9 They are responsible. I think  
10 they have made it clear that they consider that  
11 they are responsible for the operations that go on  
12 in their facility and so I think that should be  
13 absolutely clear.

14 The role of the CNSC is also clear  
15 from the Nuclear Safety and Control Act, and that  
16 is to be an independent regulator, to be the  
17 independent party that looks at the regulation of  
18 the industry and to ensure that the industry  
19 continues on, but it is the industry that is  
20 responsible for the safety of their operation,  
21 whether it is a nuclear facility, a car plant or  
22 the Shell station down the road, and that is the  
23 way that this economy goes.

24 If you have studied economics,  
25 well then you should know that, that that is



1           actually who bears the responsibility, is the  
2           company, and I think that is really important.

3                         So I think that we do welcome  
4           intervenors -- I think Dr. Barnes said that --  
5           before the Commission but we do believe that  
6           people should really pay attention to what goes on  
7           in the report. I think you have spent a lot of  
8           time coming up here and we appreciate that but I  
9           think that it would help the Commission if there  
10          was an analysis of what goes on rather than  
11          innuendos which are without evidence of this.

12                        As I said at the beginning, these  
13          are transcribed remarks. This information and  
14          these transcripts are available to companies to  
15          look at seriously because this is Canada. You  
16          can't throw around comments and accusations. It  
17          really is extremely serious and I am talking about  
18          four and a half years of being in front of this  
19          Commission. I don't take this casually.

20                        MR. KELLY: (Off mic) ...really no  
21          apology. It is just a concern that I have as a  
22          citizen of Port Hope.

23                        Again, as far as outright saying  
24          and having evidence, I am only suggesting and I  
25          would like to see -- you know, there are a lot of

1 things that slip through the cracks and if I can't  
2 suggest these things, then, you know, I am not  
3 sure what country I am living in.

4 THE CHAIRPERSON: Well, you have  
5 sat through a day, Mr. Kelly, of listening to  
6 people make concrete comments about the things  
7 that really concern them about specific  
8 recommendations that have been in the report or  
9 specific things but I don't think your comments  
10 could be considered in that avenue.

11 So I think we will move on then to  
12 the next presentation. Thank you.

13 The next presentation was  
14 originally an oral presentation by Mr. Roy Cowan,  
15 CMD 05-H5.23. Mr. Cowan has asked that this be  
16 accepted as a written submission.

17

18 **05-H5.23**

19 **Written submission by Roy Cowan**

20 THE CHAIRPERSON: Are there any  
21 comments from the Commission Members?

22 Yes, Dr. Dosman.

23 MEMBER DOSMAN: Madam Chair, I  
24 would like to recognize and thank Mr. Cowan for  
25 his consideration for other presentations by

1 making this a written presentation.

2 THE CHAIRPERSON: We will now then  
3 move to the next presentation, which is a  
4 presentation by Mr. Tom Lawson, who is with us.  
5 This is CMD 05-H5.24.

6 Mr. Lawson, do you have some  
7 comments to make with regards to Cameco, sir?

8

9 **05-H5.24**

10 **Oral presentation by Tom Lawson**

11 MR. LAWSON: Thank you, Madam  
12 Chair. I am sorry to do this at this late hour.  
13 I am concerned, too, very much about the hour. It  
14 has been a long day and I do appreciate the  
15 alertness and the attention you people have paid.

16 I particularly, Madam Chair,  
17 appreciate your candour when you told me -- I told  
18 you I wanted you to think who are the real  
19 experts. That was my key question. And you said:  
20 "We have to depend on the excellent expertise of  
21 our staff." Those were your words. Please  
22 contradict me if they weren't.

23 Now, that is what I want to  
24 address right now very seriously, although I must  
25 admit it reminds me of an American First Nations

1 leader addressing the World Economic Forum a  
2 couple of years ago in Switzerland. He talked to  
3 many of these executives beforehand and was most  
4 impressed by their recognition of the extent to  
5 which their industrial activities were  
6 environmentally harmful.

7 So when he addressed them as a  
8 body, he asked them a question, how many of you  
9 have grandchildren, and up went a whole pile of  
10 hands, and he said, when are you going to stop  
11 thinking as CEOs and begin to think as  
12 grandparents?

13 Now, I gather that I am not  
14 really -- is it out of place for me to ask of you  
15 as Commissioners the same question, but I do ask  
16 you to pay attention to the following.

17 I am skipping an awful lot of what  
18 I put in my address in order to make this shorter.

19 Throughout the Cameco Report --  
20 and this was true of Zircatec. I told you the  
21 same thing then, I am a student of language, I am  
22 not a scientist. But throughout the Cameco  
23 Report, I identified 16 different areas of real  
24 concern, that should be of serious concern to you,  
25 and they were dealt with with the usual -- they

1           were dismissed with their usual reassuring  
2           phrases: "are being addressed," "are acceptable,"  
3           "significant progress," "being corrected within a  
4           schedule," "controlling," "monitoring," all those  
5           phrases, a whole pile of what I told you the word  
6           for it, it is bafflegab. This is what it  
7           basically is.

8                                 Nowhere -- and I am repeating  
9           again and you need to hear it again -- does the  
10          report concede that no level of ingestion,  
11          ingestion through the mouth, of Cameco's air  
12          contaminants is safe. No level is safe. That is  
13          established. You cannot deny that.

14                                There is no addressing of  
15          cumulative effects, no proper addressing of it.  
16          There is no suggestion of testing the nearby  
17          residents themselves rather than levels of  
18          contamination measured against politically  
19          acceptable levels, which change with politics.

20                                Where is the recognition that the  
21          location of the plant makes security against  
22          terrorism, against flooding or a criticality  
23          accident a joke? Where does it really face the  
24          fact? Where have you really faced the fact that  
25          we as citizens of Port Hope are the buffer zone?

1                   At virtually all expert  
2 presentations in support of Cameco's plans, we  
3 find many of our questions dismissed as outside  
4 the mandate of the speaker.

5                   Malcolm Stevenson, who was there  
6 with the Mayor twice on the screen, when he was  
7 questioned when he spoke in Port Hope, he couldn't  
8 deal with most of the questions. He had to say:  
9 "It's outside my mandate. You've got to go to the  
10 CNSC."

11                   And guess what happens? He goes  
12 to you and then you go to your staff, and your  
13 staff are not exactly at arm's length from the  
14 nuclear family.

15                   Now, I want you to ask yourself,  
16 can you imagine any staff member here tonight,  
17 because he happens to believe it, saying: You  
18 know, Cameco is earning a helluva lot of money.  
19 Surely, their insurance liability should be more  
20 than I pay for my car.

21                   Or one of them saying perhaps:  
22 You know, I wouldn't really want to live in Port  
23 Hope myself.

24                   Or one of them maybe saying: You  
25 know, if they start SEU in Port Hope, it is going

1 to become a prime terrorist target.

2 Well, I want to tell you that the  
3 second and third of those, I have picked up from  
4 nuclear employees after considerable conversation  
5 with them. Believe it or not, I am not lying.

6 So what I am trying to say to you  
7 is you know, your dependence on them -- you have  
8 to know that none of them will ever step out of  
9 line. None of them will ever say anything that is  
10 in any way dangerous or damaging to Cameco or  
11 Zircatec or the nuclear industry.

12 And so when you tell me you depend  
13 on them, you are telling me: People like you can  
14 talk till the cows come home, and even as human  
15 beings, we are convinced, my God, those people's  
16 expertise is superior to the staff's expertise,  
17 they don't indulge in all that bafflegab, but we  
18 can't pay any attention to them. We have to  
19 dismiss what they say because they are only  
20 citizens. They are only people who live in Port  
21 Hope and who have lived with it for a whole  
22 generation, and their expertise isn't the  
23 expertise of people who are paid by the nuclear  
24 industry, so how can we possibly listen to them?

25 Now, I am sorry to be a bit

1           sarcastic but that is what it adds up to, Madam  
2           Chair, and I find myself deeply disturbed by it.

3                         At your 1995 hearing, I quoted  
4           chapter and verse from AECB's Decommissioning  
5           Regulations. They were impressive in tone but  
6           essentially as toothless as your present reports.  
7           There was and there is no sign of penalties for  
8           failure to comply.

9                         Now, speaking as a schoolteacher,  
10          every teacher knows that threats without penalties  
11          are a joke.

12                        I will skip past most of this  
13          other stuff.

14                        A Globe and Mail editorial on  
15          November 15, 1997. Listen to what it said:

16                                 "We have subsidized the  
17                                    nuclear power industry and  
18                                    its exports, we have shielded  
19                                    it from insurance liabilities  
20                                    and failed to make adequate  
21                                    provisions for  
22                                    decommissioning or for spent  
23                                    fuel disposal." (As read)

24                                Has anything really changed in the  
25          past eight years? I am telling you, Bob Steane's



1        remarks today give me no confidence that they  
2        have.

3                                By contrast to the rest of it,  
4        Cameco is a highly profitable corporation. You  
5        have heard it before and you hear it again, like  
6        all big corporations, it is bound by its own  
7        rules. It is not its money, the money is the  
8        shareholders. It is bound by its own rules to put  
9        maximum profits for its shareholders ahead of  
10       every other consideration, including the  
11       well-being of Port Hope. They can't spend a  
12       nickel that would interfere with the bottom line  
13       of their profits and they don't. And all these  
14       freebies they hand around in town are advertising,  
15       frankly. You know it as well as I do.

16                              But on the other hand, your  
17       declared mission is our health and safety and the  
18       environment. But platform and performance are two  
19       very different things, and your performance, I am  
20       sorry to say it, but it suggests to many of us  
21       that your real mission is the health and safety of  
22       the industry and it will be as long as you depend  
23       on their dependence on risk assessment as a base.

24                              You must really trust your staff.  
25       You cannot act on obviously superior expertise

1 from the citizens.

2 Take a final look at Cameco. The  
3 industry has saddled our town for 60 years of  
4 contamination and the debilitating stigma that  
5 goes with it, it continues to dominate and pollute  
6 and deface our waterfront, and now it plans  
7 another 30 years of a more dangerous operation.  
8 Do you really want to see that happen?

9 We want our waterfront back and  
10 you are in a position of power to ask the Minister  
11 to have a panel review. You can do that. You can  
12 do it. Please, seriously, consider doing it.

13 Thank you.

14 THE CHAIRPERSON: Thank you, Mr.  
15 Lawson.

16 Are there any questions?

17 Yes, Dr. Dosman.

18 MEMBER DOSMAN: Madam Chair, I  
19 must say that I can certainly hear the  
20 intervenor's passion and frustration but I am  
21 deeply troubled with a process that allows a  
22 platform for unsubstantiated allegations about the  
23 integrity of individuals or organizations and I  
24 for one, as a Commissioner, do not accept or  
25 respect those kind of statements as part of the

1 process.

2 THE CHAIRPERSON: Mr. Lawson, the  
3 reason ---

4 MR. LAWSON: I don't understand  
5 that ---

6 THE CHAIRPERSON: Excuse me.  
7 Excuse me, Mr. Lawson.

8 MR. LAWSON: Yes.

9 THE CHAIRPERSON: You have talked  
10 for 10 minutes. It is now the Commission's role.

11 MR. LAWSON: Yes, I am sorry.  
12 Yes. But I am being accused, aren't I?

13 THE CHAIRPERSON: Well, I think it  
14 is because, Mr. Lawson, you commented on the  
15 integrity and independence of the staff.

16 Do you not feel any responsibility  
17 for the fact that these people work for the  
18 Commission, they work for the people of Canada,  
19 they probably could earn twice as much by working  
20 for industry, and these people are very, very  
21 dedicated? They are staying here at midnight,  
22 sir, because they are responsible for the  
23 oversight of this facility.

24 Do you not feel any responsibility  
25 for the fact that you can throw around these

1           accusations with such great abandon? You don't  
2           know these people. You don't know the work they  
3           have done. You don't know the studies that they  
4           have done. You don't know that they have not  
5           recommended things to people, that they haven't  
6           talked about issues, not only about Cameco but  
7           others.

8                            You don't know that, sir, and I  
9           think that it is extremely facile, trop facile, as  
10          they say in French, just really, really too easy  
11          to just throw up and throw out this diatribe. You  
12          know, if we wanted ---

13                          MR. LAWSON: I am sorry, I won't  
14          accept that. That is an insult. This is not a  
15          diatribe. I asked you whether you could imagine  
16          any one of them doing any one of those three  
17          things.

18                          THE CHAIRPERSON: And the answer  
19          is yes, sir, and I think that you don't know that  
20          they would not do other. I think these people  
21          deserve your respect. I think they deserve the  
22          thanks and the gratitude and the respect of the  
23          people of Canada, as they do of the people around  
24          this table, for what they have done for 4,500  
25          licences, not one, not six, 4,500 licences.

1                   Every cancer clinic in this  
2                   country depends on these people. Every one of  
3                   those nuclear power plant facilities depends on  
4                   these people that work on these areas. The  
5                   security of these facilities depends on those  
6                   people providing those guidelines and doing that.

7                   I think that it is perhaps a late  
8                   hour but I think that it is important that we  
9                   understand that there is a certain degree of  
10                  civility that is responsible. This is not a  
11                  neighbourhood grocery store where people can talk  
12                  over the back of the fence. This is a tribunal  
13                  where this is all recorded and people have a right  
14                  to realize that there are people's reputations,  
15                  including people who have studied all of their  
16                  lives and dedicated every moment of their lives to  
17                  this place. I mean that, I think, is an extremely  
18                  serious thing, Mr. Lawson.

19                  MR. LAWSON: I apologize for  
20                  anything that you have taken or that any of them  
21                  has taken as personal. I apologize for that.

22                  It was not meant as a personal  
23                  thing, it was meant as an inevitable thing that  
24                  happens to people in the position that they are  
25                  in. It happens to you, it happens to them, it

1 happens to me, but I happen to be free from any  
2 obligations.

3 I am not paid to say what I am  
4 saying. It cost me to do this. How many of you  
5 paid to do this?

6 THE CHAIRPERSON: Dr. Barnes.

7 MEMBER BARNES: It is late, I  
8 agree, Mr. Lawson, and you have appeared before  
9 this Commission many times, as you said, and I  
10 have sat and listened to you and you usually give  
11 an impassioned view and I know you feel these  
12 deeply, but I can also tell you, rather than just  
13 the comments that the Chair made, that if you look  
14 also at other transcripts that the Commission has,  
15 there are repeated examples, repeated examples  
16 where the staff, for example, disagree with the  
17 licensee.

18 Just at our last meeting, we had  
19 situations with the Atomic Energy of Canada  
20 Limited in disposal of sewage sludge, and it was  
21 basically the Commission and the staff, I think,  
22 making some observations -- I won't go into any  
23 detail but it is there for the public record --  
24 and you know because you live fairly closely the  
25 difficulties that formerly Ontario Hydro have had

1 at Pickering, and if you go over repeatedly the  
2 meetings we have had for years now with Pickering,  
3 I can tell you that you do not see the staff  
4 simply saying to Ontario Hydro, and now it is OPG,  
5 we agree with you.

6 I mean this is what I think is  
7 troubling to us at this late hour, is that we have  
8 several volumes of books here and what we hope and  
9 expect from the citizens of Port Hope is that they  
10 use their 10 minutes to look at the material that  
11 the licensee has brought on the issue before us  
12 and what staff has brought and if you can indicate  
13 why anything of that is out of order or  
14 inappropriate or inaccurate, then that is what we  
15 hope that individuals, because you live in the  
16 community, you have been telling us that all day,  
17 that you know a lot of things that go on. That is  
18 what we hope you will bring to the table as part  
19 of the transcript so that can be part of our  
20 thinking and part of our decision-making.

21 What is disappointing is when -- I  
22 made this, I think, to some extent in your  
23 presentation and my comment for the previous  
24 one -- is that the 10 minutes is not used to  
25 provide a substantive, I will say, analytical,

1           dispassionate approach to the issues before us.  
2           That doesn't help and I don't think it really  
3           serves you, in all honesty, and I wish it would  
4           and that is what is partly frustrating for me.

5                       MR. LAWSON:  You have read my ---

6                       MEMBER BARNES:  Right.

7                       MR. LAWSON:  -- report.  I skipped  
8           a lot of that, which had a lot of detail in it.  I  
9           am sorry, maybe I should have been careful to go  
10          through it detail by detail.

11                      THE CHAIRPERSON:  Well, I think we  
12          are all very tired and I am going to take a  
13          five-minute break so that we can all cool down and  
14          then we will come back.  A five-minute break.

15          --- Upon recessing at 12:03 a.m.

16          --- Upon resuming at 12:10 a.m.

17                      THE CHAIRPERSON:  If we could  
18          please take our seats.

19                      Ladies and gentlemen, it is after  
20          midnight and it was clear to the Commission that  
21          the last two speakers were not on topic in terms  
22          of the discussion of the Mid-Term Report, and so I  
23          think that it is fair for us to say that I think  
24          it is going to be extremely importnat for the  
25          future speakers for the rest of this evening to be



1 on topic or they can expect to be overridden on  
2 the microphone.

3 So I think that we have to get  
4 this back on trail in terms of what we are here to  
5 talk about. We are here to talk about a very  
6 serious topic, which is the Mid-Term Report for  
7 Cameco. There have been presentations put  
8 together by a lot of people to have a serious  
9 discussion about this and I think it behooves us  
10 all not to go into airy-fairy discussions but to  
11 stick to the topic and I will interrupt people if  
12 they don't do that. So we will move on to that.

13 So the next presentation is to  
14 Port Hope again and it is to Mr. Alfred Groves if  
15 he is there. It is CMD 05-H5.25.

16 The floor is yours, sir.

17

18 **05-H5.25**

19 **Oral presentation by Alfred Groves**

20 MR. GROVES: Thank you, Madam  
21 Speaker.

22 Good evening. My name is Alfred  
23 Groves. I am a citizen of Port Hope and I have  
24 been for most of my life.

25 I am here to appeal to the CNSC to

1 not extend Cameco's licence.

2 I want to make it clear that I am  
3 against nuclear energy due to the extremely  
4 hazardous waste that it produces.

5 We have heard from a lot of people  
6 today who have expressed the facts about the  
7 toxicity of waste that is generated by nuclear  
8 energy. I don't think that any party would  
9 dispute the severity of these waste emissions or  
10 that it will accumulate and will be persistent in  
11 the environment for thousands of years.

12 I am concerned with two main  
13 aspects of safety in which Cameco operates. First  
14 are the uranium and other toxic emissions, and  
15 secondly, I am concerned about the possibility of  
16 unknown radical events.

17 I am concerned with the uranium  
18 emissions because I live in Port Hope and I have a  
19 food garden here. It is not only a sustenance  
20 garden from which I eat and my loved ones eat but  
21 it is also a market garden to which I supply a  
22 small amount of food to the community.

23 It has been said that most of the  
24 uranium falls within a short distance from the  
25 plant and that seems to imply to me that some of

1 the uranium falls on my property where I grow my  
2 food.

3 I have heard conflicting reports  
4 about the absorption of uranium by plant life and  
5 I have also heard different figures about the  
6 amount of emissions that Cameco releases. I have  
7 heard it is in the order of 65 kilograms per year  
8 and I have also heard that it is only 1 kilogram  
9 per year.

10 There is a lot of confusion to me  
11 and to the rest of Port Hope about the real facts  
12 and it seems to me that Cameco is mostly  
13 protecting their own interest when it comes to  
14 releasing facts. I could be wrong on that.

15 I would like to address Derrick  
16 Kelly's point earlier of the fudging of data. I  
17 worked in a water-bottling facility where I  
18 experienced ---

19 THE CHAIRPERSON: Excuse me, sir,  
20 we have made it clear that we aren't interested in  
21 people's accusations. If you have something to  
22 say with regards to Cameco's Mid-Term Report,  
23 please make it clear. Otherwise, this is not  
24 going to be allowed. Is that clear, sir?

25 So please continue.

1                   MR. GROVES: Yes, it is clear,  
2                   thank you.

3                   As far as I have heard, there is  
4                   no acceptable level of uranium that is safe for  
5                   anybody to ingest. The nuclear industry creates  
6                   safeguards for known problems but it is the  
7                   unknown events that cause real problems.

8                   For example, during a labour  
9                   dispute, a worker scattered uranium pellets across  
10                  the ground purposely for whatever reason they may  
11                  have had. That, to me, represents a security  
12                  risk.

13                  Now, they have put safeguards in  
14                  place to cover that risk should it ever occur  
15                  again but it is the other things that might come  
16                  up that we aren't aware of or that we haven't  
17                  perceived yet that we should be concerned about.  
18                  We can't, of course, create safeguards for threats  
19                  that we are unaware of but we do recognize that  
20                  the threats are there.

21                  Now, if the threats are there for  
22                  radical events to happen, be it the dirty bomb  
23                  scenario or a floodway happening, if the threat is  
24                  there, then it seems to me that the plant should  
25                  not be where it is.

1                   It is too close to people, it is  
2                   too close to me, it is too close to my loved  
3                   family, and if you lived here in Port Hope, you  
4                   might also agree that it is too close to you --  
5                   but you don't.

6                   We know that other companies in  
7                   this field have established, but with buffer  
8                   zones. And why do they do this?

9                   Is it because they are worried  
10                  about the damage of their emissions and what they  
11                  can cause to the human population? Is it because  
12                  they are concerned of the actions that people  
13                  might take against them? For whatever reason they  
14                  do it, they are trying to be responsible.

15                  It is irresponsible for Cameco to  
16                  operate in such close proximity to the population  
17                  and it is irresponsible for the CNSC to allow  
18                  Cameco to operate so close. They can be as safe  
19                  as they can be but is that safe enough? No, it is  
20                  not safe enough for me.

21                  It is past midnight and I know  
22                  everybody wants to get home, so I will leave it at  
23                  that. Thank you.

24                  --- Applause

25                  THE CHAIRPERSON: Thank you, sir.

1                   Are there any questions? Any  
2                   questions?

3                   Thank you very much then.

4                   We will now move back to Ottawa to  
5                   Mrs. Pat Lawson, CMD 05-H5.26, 26A, 26B.

6                   Mrs. Lawson, you have the floor,  
7                   ma'am.

8

9                   **05-H5.26 / 05-H5.26A / 05-H5.26B**

10                  **Oral presentation by Pat Lawson**

11                  MRS. LAWSON: Thank you.

12                  You have the document I wrote a  
13                  month ago, so I am not going to go through that  
14                  becuase of the hour and becuase of some stuff you  
15                  said.

16                  I am just going to zone in on what  
17                  I think is the nub of the whole issue that relates  
18                  directly to the staff reports, to things that Mr.  
19                  Steane has been saying.

20                  I will sum it up this way, that  
21                  they meet the requirements of the CNSC, that the  
22                  emissions are low in relation to the requirements,  
23                  that the licence limits are not exceeded.

24                  I am questioning the licence  
25                  limits and this is a risk analysis.

1                   Is there one person in this room  
2                   who thinks there is a reason why we in Port Hope  
3                   should willingly undergo a risk of cancer that is  
4                   hundreds of times greater than it would be from a  
5                   non-radiological carcinogen?

6                   In other words, because this is  
7                   radioactive, with all these other chemicals  
8                   involved in it, it falls under ICRP standards.  
9                   Now, those standards are highly questionable now,  
10                  and a month ago, I sent you, the Commission and  
11                  your staff, two scientific documents that analyzed  
12                  why the legally allowed limit should be reduced by  
13                  at least an order of 10. Instead of 1 mSv, in  
14                  other words, it should be .1.

15                  All what Mr. Howden has told us,  
16                  and the other staff members, is -- I am talking  
17                  about the legally allowed risk -- and it gets all  
18                  confused with DRL action limits, all the rest of  
19                  it -- the legally allowed risk, because we are  
20                  here today dealing with a radiological substance,  
21                  is hundreds of times greater than the legally  
22                  allowed risk of another chemical carcinogen.

23                  A company that makes chemicals  
24                  that do not have the radiological component, that  
25                  company is required by law to have a risk level

1           that equals one possible cancer death in a million  
2           or one cancer -- it is not even cancer death --  
3           but one in a million, whereas because it is  
4           radiological the legal requirement is now upped to  
5           somewhere hundreds of times higher than that.

6                        I would like to ask your staff  
7           members to provide you with the math that goes  
8           into this and to analyze for you -- if you haven't  
9           already had it done -- the justification for  
10          following this legally allowed risk, because  
11          everything we are doing today is boiled down to  
12          this, and this is part of this two and a half  
13          years.

14                       I do not agree with the staff  
15          saying that there is no risk because the risk they  
16          allow is hundreds of times greater than the risk  
17          should be.

18                       Madam Chair, there is one other  
19          item I want to address. Louise Knox came to the  
20          town of Port Hope and gave an address. She is in  
21          charge of the Canadian Environmental Assessment  
22          Agency located in Toronto.

23                       She told us that a panel review is  
24          warranted for three reasons.

25                       THE CHAIRPERSON: Are you talking



1           about the SEU project, Ms Lawson?

2                           MS LAWSON:  No, I'm not.  She was  
3           addressing procedures of assessment for the town  
4           council.

5                           It has nothing to do with SEU  
6           specifically.  It has to do with how to assess  
7           what is going on.

8                           She said a panel review is  
9           warranted if there are unknown consequences.  I  
10          put to you that this whole level of risk puts us  
11          in that position.  There are unknown consequences.  
12          It relates directly to what has been going on in  
13          the last two and a half years.

14                          She said there are three reasons:  
15          unknown consequences, public concern and the  
16          possibility of adverse environmental impact.

17                          The only way that I can see to  
18          reconcile the disparate voices you have been  
19          hearing from today is through a panel review.  
20          This must not continue to be a debate in our town  
21          with polarized sides.

22                          A solution must be found where all  
23          members of our community can move forward to  
24          create a vision for the future of our town, and  
25          that's why we are asking you, the Commission, to

1 request of the Minister of the Environment to hold  
2 a panel review to assess the problems in Port  
3 Hope: Cameco/Zircatec waste.

4 --- Pause

5 THE CHAIRPERSON: Does that finish  
6 your presentation, Ms Lawson?

7 MS LAWSON: There is tonnes I can  
8 say, but it's so damned late, and a lot of it -- I  
9 mean, for instance, on the accidents. The company  
10 had four accidents in the time period you are  
11 looking at.

12 One of them was flooding of their  
13 building, but the worst was the fluoride release.  
14 It was 2,900 grams of fluorides.

15 The main thing I want to tell you  
16 about the accidents is that the staff members --  
17 and I think Mr. Steane too, maybe Mr. Jarrell --  
18 are saying that they do x, y and z to prevent  
19 accidents from happening. We heard that a lot  
20 today.

21 But I gave you a list of accidents  
22 that have happened over the past. I mean, they  
23 all happened.

24 So my analysis of it is there is  
25 always either technical failure or human error

1           that lead to these accidents, and we can't -- you  
2           know how dangerous it is to have these accidents.  
3           Like, this highly polluted stuff goes into Lake  
4           Ontario.

5                                The fluorides that came out two  
6           and a half years ago, they affect the bones in  
7           people.

8                                THE CHAIRPERSON: Thank you Ms  
9           Lawson. That's your ten minutes.  
10                               Dr. McDill.

11                               MEMBER McDILL: Thank you, Ms  
12           Lawson.

13                               I would like to, even with the  
14           late hour, ask two questions of staff, if I may.

15                               What is the permissible dose for  
16           the public in Port Hope and what is the  
17           permissible dose for the public in Pickering,  
18           Darlington, Kincardine?

19                               DR. THOMPSON: Patsy Thompson, for  
20           the record.

21                               The process CNSC staff uses to  
22           calculate derive release limits based on the  
23           public dose limit of one millisievert is the same  
24           for all nuclear facilities that have a derive  
25           release limit.

1                   However, the derive release limit  
2                   and the public limit of one millisievert isn't a  
3                   target that is set and for which licensees are  
4                   allowed to release up to that level.

5                   The derive release limit is used  
6                   as an indication of the upper levels of releases  
7                   that could result in a public dose limit of  
8                   millisievert.

9                   The licensee is expected then,  
10                  through engineering controls, procedural controls,  
11                  to reduce emissions to well below the one  
12                  millisievert public dose limit using the ALARA  
13                  principles.

14                  So through those procedures and  
15                  engineering controls the actual releases from  
16                  facilities will vary, but they are all very well  
17                  below the public dose limits.

18                  MEMBER McDILL: Thank you.

19                  THE CHAIRPERSON: I think what the  
20                  important information that Dr. McDill got is that  
21                  it is the same.

22                  DR. THOMPSON: The dose limit is  
23                  the same. It is the same dose limit that is used  
24                  to set the derive release limit.

25                  However, depending on the type of

1 facility, the application of ALARA will result in  
2 actual releases that may vary from one facility to  
3 the other.

4 THE CHAIRPERSON: But it would be  
5 lower.

6 DR. THOMPSON: They are all very  
7 much lower.

8 THE CHAIRPERSON: Dr. Dosman.

9 MEMBER DOSMAN: Madam Chair,  
10 perhaps what would seem like a minor point.

11 I am just referring to the  
12 document provided by Ms Lawson on the CERRIE  
13 Minority Report.

14 I wonder if there is a possibility  
15 of a copyright issue on the photocopy and whether  
16 it might be appropriate if this document was  
17 re-typed or re-copied on entering into the record.

18 THE CHAIRPERSON: I think we will  
19 let the lawyers handle that, Dr. Dosman.

20 MEMBER DOSMAN: Thank you.

21 THE CHAIRPERSON: Any further  
22 questions for Ms Lawson?

23 Thank you very much, Ms Lawson.

24

25 **05-H5.27**

1           **Oral presentation by Port Hope Nuclear**  
2           **Environmental Watchdogs**

3                           THE CHAIRPERSON: We will now move  
4           to the presentation here in Ottawa by the Port  
5           Hope Nuclear Environmental Watchdogs. Mr. Chris  
6           Conti is with us. Welcome, Mr. Conti. This is  
7           01-H5.27, and the floor is yours, sir.

8                           MR. CONTI: Thank you, Madam Chair  
9           and members of the Commission.

10                           In view of the late hour I will  
11           try to keep this brief.

12                           The Port Hope Nuclear  
13           Environmental Watchdogs are a citizens' group. We  
14           were established in 2002.

15                           Prior to 2002 we were a citizens'  
16           group called the Port Hope Environmental Advisory  
17           Committee from 1997 to 2002. Prior to that a  
18           number of our members were on the town  
19           environmental advisory committee before we were  
20           just disbanded.

21                           We have had considerable  
22           experience with the nuclear industry in Port Hope  
23           and have made a number of submissions to the AECB  
24           and the CNSC at the relicensing hearings.

25                           I guess after about twelve years

1 of involvement in this issue my conclusion is that  
2 the location is the problem.

3 The location of the facility on  
4 the waterfront with no buffer zone is the reason  
5 why I think 90 per cent of the issues that are  
6 being raised here today are raised and why 90 per  
7 cent of the interveners are here as well.

8 There is no buffer zone. There is  
9 soil contamination issues. There is a floodplain  
10 issue. There is concerns about health in the  
11 community because there is no buffer zone. The  
12 emissions are immediately available to people in  
13 their houses, in their backyards, where they work.  
14 All of those factors are a result of the location.

15 I know we are talking about a  
16 mid-term performance review today, but I think you  
17 have to look at the performance review in view of  
18 the performance of the industries that have been  
19 located at that site over the years and the sorts  
20 of problems that they have caused.

21 We have had a major clean up in  
22 the late 1970s. About 300,000 cubic metres of  
23 material was moved to Chalk River.

24 We had, I guess, the cavern  
25 proposal in the mid-1990s and the siting taskforce

1 initiative. We have had the harbour declared a  
2 RAP area, a remedial action plan area, area of  
3 concern.

4 We had the current processes going  
5 on now where there was a proposal to locate a  
6 waste site right in the middle of a residential  
7 neighbourhood.

8 We have the current siting process  
9 dealing with the facility proposal at Wellcome.

10 We have SEU coming up.

11 All of these issues have resulted  
12 from a facility being located on our waterfront  
13 right in the heart in our community.

14 Soil contamination levels, we have  
15 heard, in some residential areas and  
16 industrial/commercial areas: uranium (150 parts  
17 per million) in surface oils; arsenic (50 parts  
18 per million). We have heard potentially that  
19 there is still some uranium accumulating as a  
20 result of continuing emissions.

21 Given the fact that people are  
22 living and working in those areas isn't acceptable  
23 to allow any more uranium accumulation or any more  
24 emissions, I would suggest maybe it's not.  
25 Certainly the arsenic levels in those areas are



1 above clean up criteria, provincial clean up  
2 guidelines.

3 Areal emissions. We have heard  
4 today a lot or some information about the  
5 potential impacts of inhalation of small particles  
6 and potential of health impacts. Still there is  
7 no comprehensive health studies, independent  
8 health studies, of the people in Port Hope that  
9 has been undertaken.

10 Floodplain issues. We have heard  
11 about the facility being in the floodplain. Based  
12 upon the old floodplain mapping of the  
13 conservation authority that regulates floodplain  
14 issues, that facility is in the floodplain.

15 As part of the SEU proposal, they  
16 are supposed to be re-calculating the floodplain.  
17 The conservation authority has asked for more  
18 information.

19 Our understanding is that CNSC  
20 staff are not going to get that information until  
21 the licensing process or until the licensing  
22 initiative is undertaken. We feel that's too  
23 late. There are already strong prohibitions in  
24 provincial policy to prevent the manufacture and  
25 storage of hazardous materials in the floodplain.

1                   If it is being manufactured and  
2 stored in the floodplain now, that is in  
3 contravention of the intent of provincial  
4 policies.

5                   We are also concerned about the  
6 insurance issue. Why should the federal  
7 government pick up the majority of the cost if  
8 there were an insurance claim as a result of an  
9 accident at Cameco?

10                  I am just going to go through the  
11 recommendations. We have a number of  
12 recommendations that we have outlined in our  
13 letter to really address these issues or just to  
14 try to start to address the issues that are  
15 resulting from the facility being located where it  
16 is and the continuing operation.

17                  We feel there needs to be complete  
18 and more reliable information regarding existing  
19 levels of contamination in soil in the deposition  
20 zone surrounding the Cameco facility and about the  
21 further accumulation of uranium.

22                  We know it is a complex issue. We  
23 feel that is critical before additional approvals  
24 are allowed for Cameco or even before decisions  
25 are made about the continued performance of the

1 facility.

2 We request that the CNSC require  
3 implementation of a public information program in  
4 conjunction with the studies to characterize the  
5 soil contamination in order to inform the  
6 community and effected property owners about soil  
7 contamination issues.

8 Basically people are moving into  
9 these areas, buying and selling their homes,  
10 without even recognizing that they have 150 parts  
11 per million in uranium in their soil, 50 part per  
12 million arsenic.

13 We feel there is potential risk  
14 there. People should be informed.

15 We request that the CNSC review  
16 the licensed limits for the emissions of uranium  
17 to determine the potential amount of uranium that  
18 would be deposited if these limits were reached.

19 We have noticed in the staff  
20 report that the license limits are actually much  
21 greater than the emissions. Our question is, what  
22 would happen if those license limits were reached  
23 and Cameco were allowed to emit uranium to those  
24 limits?

25 We request that the CNSC ask the

1 provincial Ministry of the Environment to move  
2 forward with developing a standard for uranium in  
3 air.

4 We feel this is critical,  
5 especially given the information that is coming  
6 forward now about inhalation of small uranium  
7 particles.

8 We request that the CNSC order  
9 Cameco to carry out floodplain calculations as  
10 required by the conservation authority and that  
11 they ensure that neither manufacturing nor storage  
12 of hazardous materials is in locations that are  
13 floodprone.

14 I missed one. We request that the  
15 CNSC support and fund comprehensive independent  
16 health studies of people in Port Hope as  
17 identified by the Port Hope Community Health  
18 Concerns Committee.

19 In conclusion, in light of all  
20 these concerns we request that the CNSC initiate a  
21 planning process in conjunction with the  
22 municipality of Port Hope, Cameco, other relevant  
23 agencies and community groups, with the objective  
24 of relocating the Cameco facility.

25 Thank you, Madam Chair. I will

1 take questions.

2 THE CHAIRPERSON: Thank you,  
3 Mr. Conti. Questions, Dr. Barnes?

4 MEMBER BARNES: I don't have a  
5 question, but in contrast to some comments here I  
6 just would like to compliment Mr. Conti in at  
7 least the structure of your presentation here  
8 where you identified the issues, you gave detailed  
9 specifics on five an them and on the basis of that  
10 you make a number of specific recommendations  
11 which are easy for us, I think, to bear in mind.

12 Thank you very much.

13 THE CHAIRPERSON: I would just  
14 like to echo Dr. Barnes' comments, but I also  
15 think -- sometimes I am struck by how much power  
16 people think we do have, that there is throughout  
17 a number of suggestions and areas that would be  
18 clearly very difficult for us in our mandate.

19 I have to, of course, consult  
20 widely, but I don't think number 7 could be  
21 possible for us. I mean, we are really in the job  
22 of looking at the health and safety of an  
23 established facility.

24 If they don't meet the health and  
25 safety, then we have certainly those powers. But

1 I am not sure we can initiate planning processes.

2 But I am always struck by the  
3 power people think that we do have. But I would  
4 just like to signal I don't think that one is  
5 possible.

6 But, I think, as Dr. Barnes said,  
7 there is some specific suggestions here,  
8 Mr. Conti, that we can go over and do some  
9 thinking about it.

10 So that's very helpful. Thank  
11 you, sir.

12

13 **05-H5.30 / 05-H5.30A**

14 **Oral presentation by Mary Birkett**

15 THE CHAIRPERSON: I would like  
16 then to move on to the next presentation, which is  
17 in Port Hope. It is an oral presentation by Ms  
18 Mary Birkett -- I believe Ms Birkett -- CMD  
19 05-H5.30 and 05-H5.30A.

20 I gather there is just a  
21 presentation that has been just circulated to us,  
22 Ms Birkett. The floor is yours, Madam.

23 MS. BIRKETT: I have been  
24 listening to what has been going on. I have been  
25 here since 8:30 this morning.

1                   Madam Chair, ladies and gentlemen  
2 of the Commission, messieurs et mesdames, thank  
3 you very much for the opportunity to speak before  
4 you today.

5                   My name is Mary Birkett. My  
6 husband and I moved to Port Hope a year and a half  
7 ago from Toronto wanting to be in a small town we  
8 knew and loved already, and we wanted to be close  
9 to his mom who has been here for five years.

10                  I would, had I known about the  
11 dis-ease in Port Hope, have chosen another town as  
12 home. However now that we are invested in a home  
13 we love I cannot be complaisant in the face of  
14 existing and continuing damage done to the land  
15 and the people who live on it.

16                  I am passionate about our planet  
17 and our health and the people who must co-exist  
18 with the dangerous side effects and potential  
19 criticality from the nuclear industry.

20                  This is an opportunity and a  
21 responsibility I take very seriously, and I speak  
22 from my heart.

23                  We have a responsibility to each  
24 other for today and for the future that is vital  
25 and potentially life-changing.

1                   Nuclear power is in the world, but  
2 we must never take for granted that the  
3 catastrophic potential of mishandling, misusing  
4 and mistakes that are part and parcel of this very  
5 powerful energy source.

6                   We must never assume that we are  
7 safe in all circumstances in the face of any  
8 process connected to uranium.

9                   This unfortunately has been proven  
10 in world time and again with radiation exposure  
11 from such planet-impacting catastrophies such as  
12 Chernobyl and Three Mile Island. The results,  
13 among other things, are elevated rates of  
14 cancer -- I am going to skip that. We know what  
15 the possible results are.

16                   Disturbingly it no longer  
17 surprises that man desires and actually  
18 consciously sets out to create such a destructive  
19 force.

20                   The Canadian Nuclear Safety  
21 Commission has -- this is a tough one because I  
22 don't want anybody to take this personally -- but,  
23 okay, we have seen delays, we have seen  
24 non-substantive research and patronizing of the  
25 citizens of Port Hope and the world at large. I'm



1           sorry, but I just don't feel safe at the moment.

2                           My general concerns for the planet  
3           and the way we treat her are many, but my specific  
4           concerns for my own backyard are first and  
5           foremost.

6                           On the north shore of Lake Ontario  
7           we are faced everyday with serious health and  
8           environmental concerns and safety standards  
9           involving one big multinational  
10          pollution-generating neighbour who is licensed to  
11          operate as such by an appointed government body.  
12          That body is the Canadian Nuclear Safety  
13          Commission.

14                           My dilemma with the issue of  
15          Cameco's mid-term review is the safety aspect.

16                           How can we feel safe when so many  
17          questions are unanswered?

18                           How can we feel safe when  
19          standards are not up to par?

20                           How can we feel safe when building  
21          codes are ignored and operational compliance is  
22          neglected?

23                           How can we feel safe when the  
24          health studies of the population are not  
25          considered relevant?

1                   How can we feel safe when those  
2                   raising questions are considered fear mongerers?

3                   How can we feel safe when the  
4                   ecological impact of this processor of uranium is  
5                   minimized by the processor itself and its  
6                   licensing body?

7                   Again, how can we feel safe when  
8                   the people asking for definitive answers are seen  
9                   as trouble makers?

10                  Where is the safety factor? Where  
11                  is the confidence we should have in our  
12                  regulators?

13                  I am not unsympathetic to the  
14                  people who work at this plant or to those who own  
15                  businesses in and around town or to the people  
16                  like myself who are property owners.

17                  In talking with many, many people  
18                  in town, what comes up in conversation about  
19                  Cameco's presence or absence in town is that --  
20                  and I quote -- it's an emotional issue.

21                  Some feel livelihoods could be at  
22                  stake. That is very threatening, and when we are  
23                  threatened we defend and we pretend at any cost.

24                  Some people are physically ill as  
25                  a direct result of harmful effects of uranium

1 processing. That makes for anger.

2 Some see land and water being  
3 changed for the worse. That becomes a matter of  
4 heart.

5 However the most debilitating,  
6 powerful and defeating of our emotions is fear.  
7 Fear can paralyse and it can motivate. Clearly  
8 the members of FARE are motivated.

9 Knowledge enlightens. In the  
10 light of day our health and safety override the  
11 importance of profits. Don't we all deserve  
12 definitive answers, statistics, studies and  
13 reviews and conclusions?

14 Those of us who see a broader  
15 spectrum of issues other than the bottom-line  
16 industry profits are seen as upsetting the status  
17 quo of this beautiful little town, as having no  
18 regard for the members of the Chamber of Commerce  
19 and as seeing things only in nebulous and naive  
20 terms.

21 Those who feel that it is best to  
22 ignore the effects of this worldwide corporation  
23 on our health, safety and livelihood are perceived  
24 as having tunnel vision with only one concern: do  
25 not upset the status quo.

1                   To me, the true bottom line is  
2                   what is best for Port Hope. We fool ourselves  
3                   however by remaining unaware of all of the facts,  
4                   the effects and the dangers of uranium processing.

5                   The safety, security and  
6                   invulnerability of Cameco at this point in its  
7                   mid-term review is ever of utmost importance.

8                   I understand modifications to the  
9                   processing plant structure are already under  
10                  way -- a building within a building -- despite  
11                  Cameco not complying with several significant  
12                  issues in not only mid-term but earlier reviews.

13                  Where does the responsibility for  
14                  compliance lie? Does it not lie with the  
15                  regulator?

16                  In 2004, Cameco performed an  
17                  ecological risk assessment for the facility, and  
18                  this assessment showed that it wasn't risky enough  
19                  to warrant additional environment effects  
20                  monitoring. No detailed status report has been  
21                  presented as part of the mid-term license review.

22                  CNSC staff reviewed Cameco's own  
23                  risk evaluation and recommended they address minor  
24                  comments and it has been deemed as making  
25                  acceptable progress. On who's terms? Under what

1 stringent -- this would be your terms.

2 I am just going to leave that  
3 because I don't want to offend anyone.

4 Mr. Steane, Vice President, Fuel  
5 Services Division at Cameco, in an interview with  
6 TVO in January 2005 said that -- at least it was  
7 aired in 2005 -- we do not believe criticality  
8 will happen.

9 I am sorry, Mr. Steane, but  
10 according to the Random House Dictionary "belief"  
11 is defined as "to have confidence in the truth".  
12 We are not confident in your truth. You believe  
13 that a 28-inch thick wall is adequate when truly a  
14 six-foot wall is required.

15 In continuing with the processing  
16 of uranium without compliance with current safety  
17 criteria you tarnish the truth. It is not  
18 reassuring in the least.

19 What the concerned citizens want  
20 and deserve from the CNSC and from its elected  
21 officials in town council are: the implementation  
22 of a fully independent panel review; that you take  
23 immediate action to ensure full and without  
24 exception operational compliance with current  
25 regulations and building codes or suspend

1 production; an independent in-depth study of  
2 Cameco's effect on human health and the health of  
3 our environment; and, again, we want a buffer  
4 zone.

5 This is an emotional issue for me,  
6 no question. For me the emotion is sadness.

7 It saddens me that we are so  
8 careless about we do to each other and the planet.  
9 It saddens me to hear the justification for  
10 proceeding with the status quo is because risk is  
11 termed "reasonable" and "acceptable" over and  
12 over.

13 This is most unreasonable to me  
14 and most unacceptable. Let us stop the financial,  
15 physical, emotional and spiritual bleeding.

16 To the members of town council and  
17 to the CNSC, please do the right thing and take  
18 responsibility for your future, my future and the  
19 future of our children and their children.

20 I thank you and I wish you peace  
21 and blessings.

22 --- Applause

23 THE CHAIRPERSON: Thank you very  
24 much, Ms Birkett.

25 Are there any questions for

1 Ms Birkett? Yes, Dr. Dosman.

2 MEMBER DOSMAN: Madam Chair, I  
3 would just like to indicate to Ms Birkett -- I can  
4 see that you feel passionately on this issue and  
5 you feel called to assume responsibility to  
6 influence action.

7 But I must say that I disagree  
8 with your first paragraph on page 2 which -- as I  
9 interpret it -- cast aspersions on the integrity  
10 of the Canadian Nuclear Safety Commission, and I  
11 do not accept that language.

12 MS. BIRKETT: I understand that  
13 totally, and it was never, ever my intention to  
14 cast aspersions on integrity.

15 MEMBER DOSMAN: Thank you.

16 THE CHAIRPERSON: Any further  
17 comments?

18 Well thank you very much, and  
19 thank you for staying all day. Of course, that  
20 matches what we have done.

21 Thank you very much.

22

23 **05-H5.28 / 05-H5.28A**

24 **Oral presentation by Sanford and Helen Anne**

25 **Haskill**

1 THE CHAIRPERSON: We are now going  
2 to what will be our last oral submission, which is  
3 a presentation here in Ottawa. This is an oral  
4 presentation by Sanford and Helen Anne Haskill,  
5 05-H5.28 and 05-H5.28A.

6 Are Mr. and Mrs. --

7 MR. HASKILL: Good morning, Madam  
8 Chair. It's a pleasure for me to be here.

9 I am getting old and I might  
10 forget something that was said yesterday. So  
11 please bear with me.

12 I am 62 years old and I have in  
13 the municipality of Port Hope for those 62 years.  
14 I have watched Cameco grow and carry on, which I  
15 have no problem with the product they make, but I  
16 do have a couple of questions in my submission  
17 about the CAER group.

18 In Ward 2 they have totally  
19 ignored us. My phone number is 885 -- it starts  
20 with 885. The same as Mr. Steane and Mr. Lawson  
21 and the rest of people.

22 They get called about any  
23 criticalities. We do not. I don't feel that the  
24 CAER group is looking after us in Ward 2.

25 I am sorry to say, if it's the



1           mayor's fault or if it's the CAER group's fault,  
2           but we have been totally looked the other way at.

3                         I would also like to address the  
4           point of the fire. I don't think we need outside  
5           fire protection. I think the municipality must  
6           buy the fire equipment to satisfy the needs of the  
7           municipality.

8                         If the fire service is coming  
9           Peterborough, they cannot make Port Hope in 30  
10          minutes. To get to Zircatec, they must cross two  
11          railroads. If there is a train going by, it's at  
12          least a 14-minute wait.

13                        I don't think that's acceptable.  
14          I think our fire department is second to none  
15          under the direction of Mr. Halo, and I think in  
16          some way we have to get the fire equipment that's  
17          necessary.

18                        Madam Chair, you won't have to  
19          talk to me about my time. I carry my stop watch  
20          as I use it down on Albion Road pretty near twice  
21          a week.

22                        I do have a concern with the  
23          report. I don't see enough in there about the  
24          biosolids.

25                        I kind of think biosolids are a

1 very, very serious thing. The municipality of  
2 Port Hope last year or two years ago -- I forget  
3 where I am on that -- passed a by-law that they  
4 would not allow those to be spread on land in the  
5 municipality of Port Hope because, as we found  
6 out, there were some radioactive material in those  
7 biosolids. So they are now shipped out to another  
8 municipality.

9 I would also like to bring that  
10 this is not a small amount. In the month of  
11 January the municipality moved to drying beds  
12 279,000 gallons of biosolids. This was from  
13 council's agenda last night from the water  
14 pollution control plant.

15 I don't know whether your  
16 licensing would address that or not. I found  
17 nothing in the report to talk about biosolids.

18 It's a big concern. I am in the  
19 farming business and I know what kind of damage  
20 chemicals can do on farmland. I would like this,  
21 somewhere, looked at.

22 Also, Madam Chair, on the council  
23 agenda of May 4, 2004, Mr. Vetor wrote a nice  
24 letter to council telling them that there could be  
25 a plumage over the town, and I found nothing in

1           that report to tell me if there was any problem  
2           with that.

3                           It was well spelled out by  
4           Mr. Vektor that they didn't expect any problem, but  
5           I found nothing in the report to talk about that.

6                           Another thing that concerns me --  
7           there was one incident at Cameco last year where I  
8           happened to be at the town hall and Mr. Rostetter  
9           was called out of there. They said it was a  
10          criticality at Cameco.

11                          I don't find enough evidence to  
12          tell me that everything was all right to that  
13          individual who was taken off to hospital. I think  
14          the report should have been a little more specific  
15          to tell us if that person -- or whatever it was --  
16          was okay.

17                          I would like to compliment  
18          Mr. Steane. He took my wife and I on a tour of  
19          the plant, which personally got my eyes opened and  
20          my wife did too. As far as tours, he has been  
21          very kind to us.

22                          I have no problems with Cameco,  
23          the way they perform. We heard yesterday from the  
24          union that everything is okay there.

25                          There don't appear to be too many

1 problems there, only this fire issue. I think  
2 that's up to the municipality to do something.

3 Madam Chair, I would like to show  
4 you a picture of what happened in 1981 at Port  
5 Hope, and I would like some assurance that maybe  
6 you could guarantee us that something like this  
7 wouldn't happen again.

8 The smoke went out over the lake.  
9 It did not come over the town. Had it come back  
10 over the town, I think we would all be still  
11 running.

12 In conclusion, I hope I have not  
13 gone off the record on what you have asked me to  
14 do. I have tried to have been very  
15 straightforward with you.

16 But, please, remember. We are  
17 citizens of Port Hope, and look after us please.

18 Thank you.

19 THE CHAIRPERSON: Thank you very  
20 much, sir.

21 Are there questions? Mr. Graham.

22 MEMBER GRAHAM: Yes. I want to  
23 thank the presenter for having an excellent  
24 presentation.

25 My question to staff is about

1 biosolids. Do we have jurisdiction there or --  
2 what recommendations can CNSC staff make to the  
3 Commission?

4 DR. THOMPSON: Patsy Thompson, for  
5 the record.

6 Essentially the process is the  
7 municipality has a sewer by-law which essentially  
8 sets limits for uranium in discharges to the  
9 sewer.

10 The CNSC, in licensing these  
11 facilities, have set limits; and the licensees  
12 have action levels to make sure that the  
13 discharges to the sewer do not exceed the level  
14 set by the municipality.

15 The biosolids -- I think it's  
16 around 1990 or 1992 -- the Ontario Ministry of the  
17 Environment had done an assessment of the sludge  
18 in the Port Hope sewage treatment plant.

19 At that time the assessment was  
20 that the sludge or the biosolids were suitable for  
21 use as land amendments and met the Ontario  
22 Ministry of the Environment requirements for such  
23 practices.

24 MEMBER GRAHAM: So there hasn't  
25 been anything done since 1991. Is that what you

1 are saying? As far as analysing or studies.

2 DR. THOMPSON: Essentially at that  
3 time the work indicated that a level of uranium in  
4 sludge -- and I will stretch my memory -- I think  
5 it's 10 milligrams per kilogram were  
6 concentrations in sludge that could be safely used  
7 for land amendments.

8 There was no need to revisit this  
9 assessment because it was based on good science  
10 and reasonable assumptions in term of  
11 bioavailability.

12 To my knowledge this hasn't been  
13 reassessed by the Ontario Ministry of the  
14 Environment.

15 MEMBER GRAHAM: I know, the hour  
16 is late. Just one other question.

17 Are biosolids sampled so that they  
18 do meet these guidelines on a periodic basis?

19 DR. THOMPSON: Patsy Thompson, for  
20 the record.

21 I don't have the information about  
22 what the municipality of Port Hope actually does,  
23 but there are requirements in place for the  
24 disposal of biosolids from municipalities.

25 The Ontario Ministry of the

1 Environment has quite detailed regulations on this  
2 matter, and to my knowledge there are no issues  
3 with the enforcement of those requirements.

4 THE CHAIRPERSON: Mr. Taylor.

5 MEMBER TAYLOR: Thank you, Madam  
6 Chair.

7 My question is for Cameco. Is  
8 Cameco prepared to undertake to resolve with  
9 Mr. Haskill his apparent concern about a -- and I  
10 quote -- possible criticality accident and a  
11 person being taken off to hospital?

12 Can you clarify with him what that  
13 circumstance was? Not necessarily here, but  
14 independently.

15 MR. STEANE: Bob Steane.

16 Yes, I can meet with Mr. Haskill.  
17 I can assure the Commission and the public that  
18 the accident was not a criticality. We do not  
19 have enriched materials that that accident could  
20 happen.

21 But I suspect it may have been an  
22 HF inhalation. I will check with Mr. Haskill -- I  
23 will get the date -- and I can provide any  
24 information on who was taken to hospital.

25 THE CHAIRPERSON: Dr. Dosman.

1                   MEMBER DOSMAN: Madam Chair, there  
2 has been much said about firefighting today.

3                   I would just like to ask  
4 Mr. Haskill your view as to what could be done to  
5 unlock this situation in Port Hope with the  
6 apparent gap between the capability of the  
7 firefighting force and the need potentially to  
8 fight fires involving potentially dangerous  
9 substances.

10                  MR. HASKILL: Really, I don't know  
11 what I could say about it. We need fire  
12 equipment, and I believe the mayor has stated  
13 today that the municipality would not pay for it  
14 without help from Cameco.

15                  I personally don't feel Cameco  
16 should be paying for this service. There are a  
17 taxpayer like I am in the municipality. I demand  
18 fire service for my taxes, and I think Cameco has  
19 that right too and Zircatec and -- we had a major  
20 fire there the other night at another industry.

21                  I think we have to -- the  
22 municipality has to supply that service for Cameco  
23 if they have a criticality.

24                  MEMBER DOSMAN: Thank you for your  
25 view.



1 THE CHAIRPERSON: Dr. McDill.

2 MEMBER McDILL: Just a short  
3 question. I wonder if Cameco has any plans to  
4 help with the issue of Ward 1 versus Ward 2  
5 warning telephone system.

6 MR. STEANE: Bob Steane.

7 That issue of Ward 1, Ward 2 and  
8 the phone system is being discussed through CAER.  
9 It is an item that is recognized by the  
10 municipality. I think there are plans to move it  
11 forward.

12 We will support and assist as we  
13 can.

14 MEMBER McDILL: Thank you.

15 THE CHAIRPERSON: Thank you very  
16 much, Mr. Haskill for your recommendations and  
17 thank you for your presence here today.

18 We now will go to the written  
19 submissions. We have a series of written  
20 submissions.

21 I will ask the Commission members  
22 if they have any questions after each one of  
23 those. Some of these are marked oral, but they  
24 are written.

25

1           **05-H5.31**

2           **Written submission from Diane Taylor**

3                           THE CHAIRPERSON:  The next one is  
4           a written submission now by Diane Taylor, CMD  
5           05-H5.31.

6                           Are there any questions or  
7           comments with regards to this?  Okay.

8

9           **05-H5.20**

10           **Written submission from Sandra and Milton Parcher**

11                           THE CHAIRPERSON:  We will now move  
12           to the written submission by Sandra and Milton  
13           Parcher, CMD 05-H5.20.

14                           Are there any comments or  
15           questions with regards to this submission?

16

17           **05-H5.29**

18           **Written submission by W.J. Crowley**

19                           THE CHAIRPERSON:  The next  
20           submission is a written submission by Mr. W.J.  
21           Crowley, CMD 05-H5.29.

22                           Are there any questions or  
23           comments with regards to this?

24                           That ends the written submissions.  
25           Mr. Secretary.

1                   MR. LEBLANC: This completes the  
2 record for the public hearing on the matter of the  
3 Interim Licensing Report on Cameco Corporation's  
4 Class 1B Nuclear Facility in Port Hope, Ontario.

5                   The Commission will consider the  
6 information presented and will publish its Record  
7 of Proceedings in due course. It will be posted  
8 on the CNSC Web site and will be distributed to  
9 participants.

10                  THE CHAIRPERSON: I would just  
11 like to thank you all for your attendance. I will  
12 note again that originally we had hoped to have  
13 two matters together in Port Hope. We weren't  
14 able to do that.

15                  So if we go ahead with the  
16 environmental assessment screening report then we  
17 will be in Port Hope for that area. But that  
18 depends on that report coming through. So if that  
19 report comes through and there is a hearing on  
20 that, we will be in Port Hope.

21                  Thank you very much.

22                  Tomorrow morning we will commence  
23 at 8:30 a.m. for a hearing on the Interim --

24                  Yes, this morning, we will meet at  
25 8:30 on the Interim Licensing Report on Cameco

1 Corporation's Class 1B Nuclear Facility at Blind  
2 River, Ontario.

3 See you then.

4 --- Whereupon the hearing adjourned at 1:03 a.m.,  
5 to resume on February 24, 2005 at 8:30 a.m.