January 18, 2017 **ELECTRONIC MAIL**

Rob Dobos
Manager, Environmental Assessment Section
Environmental Protection Operations
Environment and Climate Change Canada
867 Lakeshore Rd.
Burlington, ON L7S 1A1
rob.dobos@canada.ca

Dear Mr. Dobos,

RE: Technical Review of Ontario Power Generation's Response to the Request for Additional Information for the Deep Geologic Repository for Low and Intermediate Level Radioactive Waste Project

The Canadian Environmental Assessment Agency (the Agency) is initiating a technical review of Ontario Power Generation's (OPG) response to the request by the Minister of Environment and Climate Change for additional information relating to the Deep Geologic Repository for Low and Intermediate Level Radioactive Waste Project (the Project). Pursuant to section 20 of the *Canadian Environmental Assessment Act, 2012* (CEAA 2012), the Agency requests your department make available the specialist or expert knowledge or information to enable the technical review of the OPG's response, focusing on areas of departmental mandate.

On December 28, 2016, OPG submitted information pertaining to the three elements from the Minister's request: alternate locations, cumulative effects, and mitigation commitments. The Agency is now commencing a 30-day technical review to assess the technical and scientific accuracy of the additional information. Should the Agency determine that additional information is required from the proponent resulting from the technical review, further review periods may be held on any responses received from the proponent.

The Agency requests that your department provide advice by February 17, 2017.

Please send your comments to CEAA.DGR.Project-Projet.DGR.ACEE@ceaa-acee.gc.ca
or by mail to:
Canadian Environmental Assessment Agency
Deep Geologic Repository Project
Att. Project Manager
160 Elgin Street, 22nd Floor
Place Bell Canada
Ottawa, Ontario K1A 0H3

Please ensure that questions, advice, and recommendations are concise, focused, explained, and are linked to your departmental mandate. You may also note areas where the Agency or the proponent should seek advice from other experts, such as the Province.

Supporting Tools

The objective of the technical review of OPG's response is to ensure it is scientifically and technically accurate, to confirm that the proponent's conclusions are supported by a defensible rationale, to identify any areas that require clarification or additional work in relation to the assessment of environmental effects as defined in section 5 of CEAA 2012, and to ensure that the Minister's request for additional information has been fulfilled

The attached annexes (2) are provided to focus your department's technical review of OPG's response.

- **Annex 1: Questions to Consider in Conducting the Technical Review:** The Agency has provided questions for your consideration during the technical review of the additional information.
- **Annex 2: Information requests for the Agency's consideration**: Provide your department's information requests for the Agency's consideration during the technical review.

Other guidance documents that may aid in the technical review of the response to the additional information are the following**:**

- *Addressing "Purpose of" and "Alternative Means" under the Canadian Environmental Assessment Act, 2012*
- *Technical Guidance for Assessing Cumulative Environmental Effects under the Canadian Environmental Assessment Act, 2012*
- *Assessing Cumulative Environmental Effects under the Canadian Environmental Assessment Act, 2012*
- *Determining Whether a Designated Project is Likely to Cause Significant Adverse Environmental Effects under CEAA 2012*

Additional Information

The Minister's request for additional information and OPG's response are available on the Canadian Environmental Assessment Registry Internet Site:

- February 18, 2016 – Letter from the Minister of Environment and Climate Change to Ontario Power Generation re: Request to provide additional information
- September 7, 2016 – Letter from the Canadian Environmental Assessment Agency to Ontario Generation Power regarding process to review the additional information
- December 28, 2016 – OPG's Response to Minister's Request for Additional Information

Technical review team meetings will be scheduled as required. A 30-day public comment period will begin on January 18, 2017.

Important Note

In accordance with CEAA 2012, comments received and other documents submitted or generated to inform the environmental assessment are part of the project file unless public disclosure is prohibited under the *Access to information* and *Privacy Act*. Accordingly, information submitted to the Agency that is relevant to the environmental assessment of the Project will be posted on the Canadian Environmental Assessment Registry Internet Site under reference number 17520. The Agency will remove information, such as signatures, prior to public disclosure. Should you provide any documents that contain confidential or sensitive information that you believe should not be made public, please contact me.

Sincerely,

<Original signed by>

Robyn-Lynne Virtue
Project Manager

Attachments (3)

1. Annex 1: Questions to Consider in Conducting the Technical Review
2. Annex 2: Information requests for the Agency's consideration

cc. INSERT ANY cc REQUIRED

ANNEX 1: Questions to Consider in Conducting the Technical Review

Questions
• Has the proponent adequately described the criteria it used to determine the technically and economically feasible alternate locations?
• Has the proponent adequately characterized the environment at the alternate locations? • Has the proponent described project components and activities in sufficient detail to understand all relevant project-environment interactions as they relate to alternate locations? • Has the proponent listed the potential effects to valued components (VCs) within your mandate that could be affected by the technically and economically feasible alternate locations?

• Are the methodologies used by the proponent appropriate to characterize:
  • the incremental environmental effects related to the acquisition of land at alternate locations?
  • the incremental costs of acquiring land?
  • the incremental costs of additional off-site transportation of the waste?
  • the incremental risks of additional off-site transportation of the waste?

• Are the methodologies used by the proponent appropriate to characterize baseline information and predict effects? • Has the proponent explicitly addressed the degree of scientific uncertainty related to the methods used within the assessment? • Were appropriate methodologies used in developing the conclusions on significance? • Do you agree with the proponent's analysis and conclusions on significance?
• Has OPG adequately substantiated its decision for a preferred location using a clear, comprehensive assessment of alternative means?
• Is the information provided about the Phase 1 Preliminary Assessment for a hypothetical used fuel repository by the Nuclear Waste Management Organization sufficient to identify interactions between the projects and the environment? • Does the updated cumulative effects assessment use appropriate temporal and spatial boundaries? • Does the updated cumulative effects assessment propose adequate mitigation and follow-up program requirements?
• Are the methodologies used by the proponent appropriate to identify valued components and potential cumulative effects on them? • Are the predicted effects described in objective and reasonable terms (e.g., beneficial or adverse, temporary or permanent, reversible or irreversible)? • Has the proponent explicitly addressed the degree of scientific uncertainty related to the methods used within the assessment? • Were appropriate methodologies used in developing the conclusions on significance? • Do you agree with the proponent's analysis and conclusions on significance?
• Is an assessment of accidents and malfunctions adequately updated to reflect potential cumulative environmental effects?
• Are there any inconsistencies within the updated mitigation measures report? • Are there any substantial gaps between the Joint Review Panel recommendations the updated mitigation measures report?
• Are there key commitments in the mitigation measures report that should be in the Agency's conditions statement, which were not considered before, as they related to your departmental mandate?
• Provide any other comments.

ANNEX 2: Information requests for the Agency's consideration

Table 2: Comments and suggestions for information requests to be considered by the Agency

Departmental number (e.g. HC-01)	Project Effects Link to CEAA 2012	Request Element	Reference to OPG's Response	Context and Rationale	Specific Question/ Request for Information
	If applicable, select the section 5 effect to which your comment applies: 5(1)(a)(i) Fish and Fish Habitat 5(1)(a)(ii) Aquatic Species 5(1)(a)(iii) Migratory Birds 5(1)(b) Federal Lands /Transboundary 5(1)(c)(i) Aboriginal Peoples Health/ socio-economic conditions 5(1)(c)(ii) Aboriginal Physical and Cultural Heritage 5(1)(c)(iii) Current Use of Lands and Resources for traditional purposes 5(1)(c)(iv) any Structure, Site or Thing of Historical, Archaeological, Paleontological or Architectural Significance 5(2) Linked to Regulatory Permits/Authorizations (specify which legislation) If the interaction between the issue of concern and a section 5 effect is unclear, indicate the interaction pathway in the Context and Rationale column.	Identify which element from the Minister's request are related to the comment (alternative location, cumulative effects, mitigation measures)	Identify which section(s) of OPG's Response and appendices are related to the comment (Volume, section, page number).	Provide applicable background or rationale for requesting the information and why it is important for understanding the effects of the Project or for developing a follow-up program to verify the accuracy of EA predictions or the effectiveness of mitigation measures	Ask a specific question, or request specific additional information or clarification.