



September 14, 2017

The Hon. Catherine McKenna
Minister of Environment and Climate Change
200 Sacre-Coeur Boul., 2nd Floor
Gatineau, Quebec
K1A0H3

Re: Environmental and Regulatory Reviews: Discussion Paper (June 2017) - Proposed Role of the Canadian Nuclear Safety Commission

Dear Minister McKenna:

Thank you for giving us another opportunity to demonstrate our support for the Expert Panel recommendations to your Ministry. My wife and I are small business owners and the nearest neighbours to the Bruce nuclear complex.

In 1985, and again in 1988, I was fumigated with hydrogen sulphide from the Bruce Heavy Water Plant. These incidents were the first to lead me to question the assumptions used by both industry and regulators in relation to the use of models that predict point of impingement concentrations. After the 1988 episode, the McMaster University Occupational Health Clinic determined that I had suffered severe central nervous deficits that were caused by an environmental insult. There was a known release of hydrogen sulphide at that time. Our 11-year-old daughter became suicidal and was treated at Children's Hospital in London. Because the regulators and industry said our exposure was to benign concentrations of the gas, she received inappropriate treatment that affects her to this day.

As a result of these episodes I began questioning Ontario Hydro through environmental assessments, beginning with the Demand Supply Plan hearings in 1989, as well as through regulatory channels whenever CNSC or its predecessor held public hearings about Bruce nuclear issues that I could attend.

I need to emphasize that, in my opinion and based on my lengthy experience with it, the CNSC must not be a joint panel coordinator in any environmental assessment conducted under the Canadian Environmental Assessment Act. It is not now and never has been, an impartial adjudicator, even in the face of overwhelming evidence to the contrary. For example, in June or July of 1990 our flock of sheep on pasture went temporarily blind after being exposed to hydrogen sulphide. The lowest known concentrations for this corneal opacity is 50 ppm while the monitor recorded less than 25 ppb. AECB, as CNSC was known then, found no connection between exposure to this toxic gas and our sheep's blindness. In another example, CNSC's bias is underscored when President Binder attended an official Bruce County Council meeting in 2009, before OPG's Environmental Impact Statement for the DGR had been written or the hearing date announced. His comments on leaving when he said he hoped to meet the mayors next at the ribbon cutting ceremony, can leave no doubt that the decision in favour of the DGR

appears to have already been made. This meeting was denounced by a provincially appointed adjudicator to have been an unlawful meeting of Bruce County Council, underscoring President Binder's failure to respect the existing laws of the Province of Ontario. The hearings themselves seem to have been merely a rubber stamp exercise as lip service alone was paid to the ideas of public disclosure and consultation.

In its responses to John Mann's concerns about statutes of limitation violations for these hearings, the Agency comments that because this began under the prior CEAA and these have no time limits, the restrictions imposed by CEAA (2012) do not necessarily apply. However, in the Socio-Economic Special Session conducted before the hearings began, the Chair, appointed by President Binder, stated bluntly that socio-economic concerns would not have a decisive weighting in the JRP's decision for the DGR. This is in keeping with CEAA (2012), but not with its predecessor. If legislative processes are fungible, granting bureaucrats and regulators the ability to cherry pick from among the whole archive of legislative rules, why bother having environmental assessments in the first place? Let's simply acknowledge that the state has prior authority to commit any and all atrocities in the name of progress.

Simply put, that is the situation we appear to be facing as citizens who live and work here in Inverhuron.

The current Provincial Nuclear Emergency Response Plan (PNERP) is a case in point. Inverhuron is in a valley, trapped between the lake to the west and the escarpment to the east. Temperature inversion is common from spring through fall, when Inverhuron is a cottage resort community and a provincial campgrounds. The cottages, in keeping with the romance of our hamlet, are from another century, neither airtight nor well-constructed. This is an ideal situation for a summer cottage community but a tragic one in the event of a nuclear emergency. Both Bruce Power and the Municipality are aware of this situation. Inexplicably, neither legislates that appropriate shelter be in place for such an emergency even when this will be the advice given to Inverhuron residents. As a result, any Inverhuron resident - who will be among the last to be informed - will be exposed to and inhale airborne radioactive elements whenever steam pressure is released from the containment building.

We won't have an opportunity to evacuate because it will be as much as an hour and a quarter after the accident has been reported to provincial authorities that Inverhuron residents will be informed. At this stage, the two roads east of Inverhuron will be clogged with traffic and these residents will be forced to take shelter in buildings that will not provide shelter from these toxins. The CNSC has reviewed the emergency plans and it has not noted anything of concern in this respect.

If the purpose of an environmental assessment is to have an open, transparent review and consideration of a proposed project, and if this is an important aspect of Canadian environmental law, then it would seem that the CNSC fails to understand this message. If the purpose of the legislation is to enable an agency to rubber-stamp projects willy-nilly, then the CNSC, as the High Priests of regulation, is who you will want.

Please separate Church and State. The Expert Panel was right to insist that this is needed.

Yours very truly,

Eugene Bourgeois