Fact-checking Review – Deep Disposal

August 15, 2024

Review Approach

This fact-checking review of "Deep Disposal", a book by Dr. William Leiss, focused on chapters where NWMO work is mentioned.

Led by former NWMO Vice President, Site Selection Ben Belfadhel with support from NWMO technical experts, the review identified significant factual errors, omissions and speculative claims not based in fact related to the NWMO's mandate, work and the site selection process for Canada's deep geological repository for used nuclear fuel.

Neither the section on Used Nuclear Fuel Waste Around the World, nor the chapter on OPG's work were included in the scope of this assessment. We strongly encourage the author to reach out to OPG to confirm accuracy of the profile of their work before publishing.

General Comments

Many of the inaccuracies identified are used in support of the book's two overarching criticisms of the site selection process the NWMO is implementing to identify a site for Canada's used nuclear fuel repository:

1. that local municipalities are the primary decision makers to the exclusion of others, and particularly Indigenous communities; and,
2. that inadequate risk assessment studies have been completed and shared with communities ahead of their willingness decisions to host the project.

The first assertion is factually incorrect and potentially offensive to the First Nations that have and continue to spend significant effort to evaluate the project, safety and well-being and to build their capacity to make informed decisions. For many years, the NWMO has been clear the project will only go ahead with informed, and willing hosts. For each of the sites under consideration that means both the local municipality and First Nation on whose traditional territory the site is located must confirm they are willing for the project to be located there in order for it to proceed.

The second criticism is both factually incorrect and premature. Considerable analysis has been undertaken and included in technical studies and reports that have been published by the NWMO and reviewed extensively in potential host communities. More detailed risk assessments will continue through the regulatory decision-making and licensing processes that have not yet begun. Over the next decade, the NWMO's understanding of the safety of the repository will be independently confirmed, by both the Canadian Nuclear Safety Commission, and through the Government of Canada's impact assessment process.

At every stage of that process, local Indigenous and non-Indigenous communities will continue to be informed and engaged for their input and feedback.

Detailed Comments

1. **Page 13 (xiii); 2nd paragraph; last sentence:**

   - ***"It seems to mean…., a project that will actually take place somewhere well outside the municipality's boundaries on unincorporated land some distance away, likely fifty kilometres or more."***

   - This is inaccurate and misleading. The NWMO has never indicated the project needs to be located outside of municipal boundaries. The location of suitable sites has always been based on technical and social factors, and community preferences.

   - In fact, in the Saugeen Ojibway Nation-South Bruce area in southern Ontario, the potential project host site is entirely located within municipal boundaries. As a point of interest, the process we used to work with landowners to identify the site in this area is documented under 'The Land Access Process" on this page.

   - At the other potential siting area in northwestern Ontario, once several potential locations with suitable geology were identified, both the municipality of Ignace and Wabigoon Lake Ojibway Nation were involved in selecting the location of the potential repository site, which happens to be located outside municipal boundaries. This process for identifying this site is documented under "Borehole drilling and testing" on this page.

   - Please also reference the siting process, described in Moving Forward Together: Process for Selecting a Site for Canada's Deep Geological Repository for Used Nuclear Fuel. On page 19 of this process under "How is 'community' defined?" the NWMO made clear there are a wide range of possibilities regarding where the repository could be located:

     "Throughout the siting process, we must ensure that people and communities can participate in all aspects of the site selection decision that affect them. It is important to identify what constitutes a 'community' and who can best speak on its behalf. Should a community be defined narrowly and by political boundaries, such as the confines of a town, or should it be based on patterns of economic activity and include the surrounding area? In the site selection process, each is important and forms the basis of involvement at different points in the siting process".

     "For the purpose of expressing interest in Step 2 of the siting process as described later in this document, "interested community" refers to a community—defined as a political entity such as a city, town, village, municipality, region or other municipal structure—that is interested in the siting process. Interested communities may also include Aboriginal governments. An interested community may also be made up of a combination of these. Private landowners interested in this project will be encouraged to work with the community and its accountable authorities."

2. **Page xvii; 2nd paragraph; 1st sentence:**

- ***"During the past decade, Canada's search for an acceptable site …, defined as an incorporated municipality located primarily in Northern Ontario."***

  This is not accurate. The siting process was not limited to municipalities nor was it focussed on Northern Ontario. As noted on page 17 of the siting process, communities in all provinces involved in the nuclear fuel cycle were invited to express interest.

  And as noted on page 19 of the siting process and described above, the definition of community was broad, and could include Indigenous governments as well as municipal entities.

  The communities that entered the process came from Saskatchewan and across Ontario. In fact, one Indigenous community (English River First Nation) and one Metis community (Pinehouse) formally entered the process. Both of these were in Saskatchewan.

3. Page xvii; 3rd paragraph; 2nd sentence:

- ***"In early 2023 the Nuclear Waste Management organization quietly and substantially changed its own representation of the siting process, for the first time putting relationship with a potential Indigenous community partner to the forefront of this process…"***

  This is inaccurate. Working in partnership with communities, and the importance of Indigenous communities, has been a strong focus from the early stages of the siting process.

  As described in the siting document, the process started with the understanding that there are three important entities which need to be considered in the siting decision: municipal communities, Indigenous communities and groups, and communities in the surrounding area.

  In working with communities that expressed interest in the project, the NWMO and communities came to understand that the project could not proceed without a partnership with Indigenous and municipal communities and a supportive region.

  Unsurprisingly in a dialogue-driven approach, learning and understanding evolved over the course of the study. This was reflected as learnings from the early assessments (such as this one from 2013 – see page 4) which concluded that "…broader partnerships involving surrounding communities and Aboriginal peoples will be needed for the project to proceed."

  Indeed, over many years the NWMO has provided resources and expertise to municipal and Indigenous communities that entered the process and to Indigenous communities and regional organizations in the vicinity of these communities to ensure they had the support needed to learn about the project, reflect on interest, encourage local discussion and dialogue, and participate in studies.

4. Page xvii; 4th paragraph; 1st and 2nd sentences:

- ***"Throughout chapter 3, ...there are only a few references to interactions with Indigenous communities in various instances. This is because …….. for obvious reasons to do with the sensitivity of the matter."***

  This is not fully accurate. NWMO has provided information on interactions with Indigenous communities and organizations in wide range of documents (here's one example, published in tandem with the Triennial Report released last year).

5. **Page 23; 2nd paragraph; 2nd sentence :**

   - ***"As a result, …. , they will not have any reliable idea of what could go wrong (i.e., what the risks are), how likely it is, and what would the consequences be."***

     This is inaccurate. The e NWMO and the communities themselves have done significant work over the last decade through both technical study and social engagement to learn about safety.

     Here are a few of the more recent examples – all of which were published on the website and discussed at length in potential host communities:

     - On the safety front, NWMO developed and published illustrative case studies, initially using generic data and later site-specific data for both crystalline and sedimentary sites.
     - The NWMO also recently published confidence in safety reports that summarize years of study. The 2023 reports were updated following their initial publication in 2022.
     - Some communities also hired independent consultants (example here) to support their learning about both technical and social aspects of the project.

     In addition, communities have been actively building their capacity to independently learn about various aspects of the project to make informed decisions. Communities have had many opportunities to learn – not just from the NWMO, but also from the regulator and others who are both in favour and against the project, to ensure they could consider all perspectives.

     There are many examples that have occurred over many years, here are just a few recent ones:

     - South Bruce Nuclear Exploration Forum 2024 and 2023
     - Ignace Northwest Nuclear Exploration Event 2024 and 2023
     - Breakfast with the Regulators
     - Decision 2024 Webinar (hosted by We the Nuclear Free North, which included participation from both critics of the project and the NWMO)

6. **Page 23; last paragraph:**

   - ***"When the NWMO was compelled by the Nuclear Fuel waste Act ……. It implied by omission that the study should be qualitative, not quantitative, in nature, involving a comparison among three "approaches"."***

This statement is misleading as it doesn't relate it to the context that led to the establishment of the NWFWA, and conclusions of the Seaborn panel (i.e., that the sound technical basis for a deep geological repository has been demonstrated and the issue was social acceptance).

In addition to safety, the main driver for the initial study was to engage Canadians and collaboratively develop a socially acceptable approach for the long-term management io used nuclear fuel, an approach that responds to people's values, priorities and expectations.

7. **Page 24; 3rd paragraph; first bullet:**

   - ***"2010 Siting process announced"***

     This is accurate, however the omission of the important step of the collaborative development of the siting process over two years of dialogues risks reinforcing the misperception emerging in the book that the NWMO unilaterally decided how a site would be selected. The process always was and continues to be shaped by communities.

8. **Page 35; 3rd paragraph; 1st sentence:**

   - ***"Once the final result ……. since it appeared simply to reiterate the conclusion that had been first drawn almost thirty years previously."***

     This is incomplete. While the technical outcome remained almost the same, the assessment considered a great deal of social and ethical aspects that were not considered in the previous programme (pre-Seaborn).

     Of note, the plan also considered a sensitivity analysis which explored outcomes under different weighting schemes for different objectives, since different people can attach different relative weights to individual objectives. That analysis was not sensitive to different weighting schemes. You can read more about this analysis in Section 6.2, page 99 here: Assessing the Options: Future Management of Used Nuclear Fuel in Canada (nwmo.ca)

9. **Page 37; last paragraph:**

   - ***"Only technical feasibility, based on site geology and engineering, really matters in regulatory review for the construction of a DGR……, it could undermine the legitimacy of the NWMO's entire site selection process."***

     We are unclear about what is meant by "only technical feasibility, based on site geology and engineering, really matters in regulatory review for the construction of a DGR".

     Canada has holistic, comprehensive and stepwise regulatory processes that consider all phases of projects like a deep geological repository and a wide range of socio-economic, cultural and technical aspects for all phases of the project from site preparation and construction through operation to decommissioning.

10. **Page 38; 1st paragraph; 1st sentence:**

- ***"By 2010 the Nuclear Waste Management Organization has developed a set of guiding principles for the process of selecting a site…"***

  While this is not inaccurate, it omits that these guiding principles also emerged from many years of dialogue with Canadians and Indigenous peoples.

11. Page 39; 1st bullet:

- ***"2025-203: the Canadian Nuclear safety Commission……., issuance of a construction licence, and facility design follow."***

  The sequence of activities is not accurate. Site Characterization does not occur after the Impact Assessment, it occurs prior to and concurrent with the Impact Assessment

12. Page 39; 3rd bullet:

- ***"2040-2045: Operations begin….."***

  There is a step missing. A Licence to Operate is required after construction is completed. A series of commissioning tests will need to be undertaken before approval is granted to begin the fuel transfer, packaging, and emplacement process.

13. Page 41; bullet list under 1st paragraph- same comments on Table 3.1

- ***"On the other hand, the inclusion of the province of Saskatchewan….. But the inclusion of Saskatchewan seems to have been, quite frankly, a waste of time."***

  Rationale for including Saskatchewan is inaccurately described. The approach to focus the siting process on the four nuclear provinces (see page 17 of siting process and the fourth of the guiding principles) emerged from three years of dialogue with Canadian and Indigenous people (2002-2005). Canadians wanted this out of fairness as these are the provinces that have been benefiting the most from nuclear energy.

- ***1st bullet: Excluded* for location (Province of Saskatchewan) 3**

  This is incorrect. This report, this report and this correspondence along with reports here, here and here summarize rationale against the assessment criteria. Beyond being in a province that is part of nuclear fuel cycle, location is not one of those criteria.

- ***4th bullet: No clear reason given in NWMO documentation 4***

  This is not accurate. Reports on the NWMO website outline rationale against the assessment criteria for each community that was screened out. These reports were shared with communities and made available to the pubic.

14. Page 41; end of 2nd paragraph:

- ***"….. is based on inferences by the author since the NWMO documentation is never explicit about this issue."***

  This is not accurate. As noted above, reports on the NWMO website outline rationale against the assessment criteria that were published in advance and evenly applied to all

areas through the assessment. There are published reports and correspondence supporting the decisions for each community that was screened out.

15. Page 44; site evaluations:

- ***Entire section on site evaluations***

  This section is lacking context and as a result may leave the reader with the inaccurate impression that the NWMO applied a random site evaluation process to assess potential suitability of candidate areas.

  Some of the missing context includes:

  - The site selection process outlined a rigorous site evaluation process and steps with clear decision points, along with a series of clear site technical and social site evaluation criteria;
  - Site evaluations were designed to be conducted with the involvement of municipal communities and Indigenous communities;
  - The results from both technical and social assessments were documented in multiple reports and made publicly available. Results were also presented to communities in public meetings in the communities;
  - Social assessments were conducted by independent consultants who spent a lot of time in the communities;
  - Results from social assessments were shared with communities for fact checking prior to finalization; and
  - The implementation and results of site investigations were regularly reviewed by an independent international group of experts (the Geoscientific Review Group). All review reports of the GRG are publicly available.

  These examples illustrate the extent to which NWMO went to ensure the fairness, traceability and transparency of its site evaluation process and outcomes. Reports on assessment activities and the decisions that resulted are available for each community that was screened out as well as the remaining potential sites, here and here.

16. Page 49; 2nd paragraph

- ***"One other very significant issue had a bearing on the "candidacy" of the Blind River and Elliot Lake area……"***

  This is inaccurate. No other considerations had an impact on how the NWMO considered the candidacy of this area other than the technical and social criteria outlined in the site selection process. Studies completed in this area are available here.

17. Page 59; 3rd paragraph; 2nd sentence:

- ***"So far I have been able to ascertain, the nature of those "inherent uncertainties" has not been further clarified …….since the June 2014 document was published."***

As noted above, the NWMO followed and still follows a very rigorous site evaluation process based on well established evaluation criteria.

The nature of the uncertainties has been explicitly described in the initial assessment reports and further assessed for sites that continued in the site selection process.

A comprehensive series of more detailed site investigations has been conducted in South Bruce including advanced site investigation techniques such as geophysical studies and deep borehole drilling to address uncertainties highlighted in earlier assessments.

You can find many reports related to activities completed in South Bruce here. Much of our research is summarised in Confidence in Safety Reports like this one completed for South Bruce.

18. Page 60; 2nd paragraph; 4th sentence:

- ***"To facilitate these field investigations, the NWMO has entered….What that most curious phrase "other site investigation work such as Aboriginal Knowledge and cultural verifications," could mean is a bit of mystery….."***

The NWMO would be happy to discuss how it involved Indigenous communities in its site investigations and field activities to ensure all field activities are conducted in a manner that is respectful of the land. For example, ceremonies were held prior to the beginning of field work; Elders and knowledge holders were involved in the planning of field activities; and community members and guides accompanied NWMO consultants during field work to conduct cultural verifications to ensure field work doesn't impact areas considered by the community as culturally sensitive.

19. Page 60; 3rd paragraph; last sentence:

- ***"The bottom line is that, according to review of relevant documentation on the NWMO website…….there has been no "site selection update for the South Bruce site since may 2020"."***

This is inaccurate. The NWMO provided regular updates to the community through public meetings at council meetings and at the meetings of the Community Liaison Committee (CLC) which hold monthly public meetings. Open houses were also held in the communities, including site visits. Many community studies have been released, a Memorandum of Understanding was agreed outlining a list of commitments to address South Bruce's guiding principles to support decision-making, Confidence in Safety reports summarizing studies to date were released, a property value protection program reflecting community input was developed, and borehole drilling and testing was completed. These and other activities are reflected in documentation here.

In addition the community of South Bruce announced and made public the hosting agreement that would take effect if the site in their community is selected, and details for their referendum to decide whether or not they want to host the project. However we understand these latest developments may have happened after the book was written.

20. Page 62; 3rd paragraph; second sentence:

- ***"This is true so far as it goes, but the explicit language of section 12(2)(a) of the Nuclear Fuel waste Act……..it nowhere mentions an alternative of sedimentary rock with respect to a DGR."***

  This is an inaccurate interpretation of the NFWA.

  The act also requires taking into account the views of the Seaborn panel: "…geological disposal in the Canadian Shield, based on the concept described by Atomic Energy of Canada Limited in the Environmental Impact Statement on the Concept for Disposal of Canada's Nuclear Fuel Waste *and taking into account the views of the environmental assessment panel set out in the Report of the Nuclear Fuel Waste Management and Disposal Concept Environmental Assessment Panel dated February 1998*."

  The Seaborn panel recommendations included the possibility of considering a range of potential sites in Canada. See NWMO Background document "Incorporation of Seaborn Panel Recommendations and insights in the work of NWMO; 2005." It is mentioned on page 29: It could be demonstrated even more clearly by showing that the combination of features and processes contributing to safety actually exists at a range of potential sites in Canada".

21. Page 62; 3rd paragraph; last sentence

- **"The *NWMO's* technical report, Conceptual Design …… that the repository would be located in the Canadian Shield set at a depth of 1000 meters (CTECH 2002)."**

  The report referenced is taken out of context and does not support the statement made by the author. It is just one of the many early reports commissioned by the NWMO. The NWMO subsequently published other documents also considering sedimentary rocks as an alternative geological setting for siting a repository. For example, this is one of the earlier ones and the illustrative safety assessment referenced earlier is one of the more comprehensive.

  The NWMO was clear in the early stages of our work that in choosing which options to examine, our work would include the options identified in the Nuclear Fuel Waste Act but would not be limited to them. The NWMO said it would look at what is being done around the world and include those in the study of options.

  In fact, one of the early discussion documents was designed to collaboratively, with citizens, develop the list of options to be studied. See page 97 in the discussion document NWMO Discission Document 2: Understanding the Choices – "Different Geologic Media: In our next phase of work, we will be examining the different types of geologic media that might provide alternatives for hosting a repository or centralized storage option. The Nuclear Fuel Waste Act requires that we include in our study the method of deep geological disposal in the Canadian Shield. We recognize, however, that in recent years different types of geologic

media have been studied and are under consideration in different countries. For example, France, Switzerland, Germany, Belgium and the U.S. are all studying the potential of media other than crystalline rock. We need to understand the feasible options available to us in Canada that would safely and securely host a long-term management facility for used nuclear fuel."

22. Page 63; 1st paragraph; 2nd and 3rd sentences

- ***"A good guess is that this new focus arose when its principal waste owner decided to propose a sedimentary site……"***

  This is inaccurate. As noted above, the NWMO considered the inclusion of sedimentary rocks based on international experience and the availability of these types of these rock types in Canada. This concept was explored very early on, as demonstrated in this background paper developed in 2004.

  Sedimentary rocks, as potential host for a deep geological repository, have been considered in many countries around the world. Their suitability has been demonstrated through a great deal of site investigations and safety assessments. Numerous safety reports are publicly available around the world.

- ***"But the best to my knowledge, sedimentary rocks has never been subjected to a rigorous, independent risk or safety assessment for deep geological disposal of high-level waste in the Canadian context."***

  This is not accurate. As mentioned above, the suitability of sedimentary rock has been proven around the world. In the Canadian context, NWMO published illustrative case studies and safety assessments demonstrating the suitability of sedimentary rock, such as this one.

  As noted in this paper from 2004 on page 29: "Feasibility of host geology has been explored and demonstrated for the purposes of this study of concepts. The feasibility of granitic rock has been investigated through design of the AECL Disposal Concept. This work was further built upon in the work by Ontario Power Generation in its subsequent work as documented on the NWMO website. The feasibility of sedimentary rock has been explored in the NWMO study process though a number of background papers which build upon work conducted within Canada and internationally. It is designed to be further explored, in a site specific context, in the phased decision-making process suggested by NWMO in its recommendation."

23. Page 64; 1st paragraph:

- ***"This is seriously misleading. No community in Canada, ……, is going to have a deep geological repository built within the habitable boundaries where its existing citizens now live and work. The NWMO phrase" local geographic community" clearly means the***

incorporated, non-indigenous municipal entity situated somewhere in the general area ….. distance from the community itself."

The paragraph includes inaccurate statements taken in isolation of the full set of definitions and clarifications included in the siting process regarding the definition of interested community and who can be considered as interested community. As noted on page 19 of this process and in reference to earlier mischaracterizations, the NWMO made clear there are a wide range of possibilities regarding where the repository could be located.

24. Page 73; 2nd paragraph:

- ***"The Ignace area, on the other hand, ……: every increment of added distance inevitably increases the transportation risk……"***

  This is potentially misleading in that it is not made clear that the incremental risk is a conventional transportation risk and not a radiological transportation risk because of the robustness of the containers and protective systems in place.

25. Page 88; 3rd paragraph; 1st sentence

- ***"So why cannot we consider moving used fuel waste by water…."***

  This is missing context. In fact, the NWMO understands that moving radioactive waste through the fresh water of the Great Lakes was not considered acceptable, despite the fact this option is being practiced in other countries although over salt water. This input from the public is documented in 'What We Heard' reports such as this one and this one.

26. Page 115; 3rd paragraph

- ***"The process of quantitative risk assessment involves defining the system being analyzed….., and interpreting the results to guide the risk management process."***

  It is not clear how this is different from the thorough safety assessments that are required by regulators around the world, including Canada, and recommended by the International Atomic Energy Agency (IAEA).

27. Page 117-118 ; last 2cparagraphs

- ***"This approach certainly does seem at off with the terms of NWMO's legislative authorization……"***

  This was addressed above. The NFWA required NWMO to take into account the Seaborn Panel recommendations which included looking at a range of potential sites in Canada.

- ***"It seems to me to be a serious mistake if sedimentary rock alternative were to go forward to a licensing hearing conducted by the CNSC in the absence of a prior full and comparative quantitative assessment…."***

As noted above, the licensing process, will be based on a robust safety case supported by detailed safety assessments. The ultimate objective of the licensing process is to determine whether the selected site meets all safety regulatory requirements regardless of the geological media considered.

28. Page 142; 1st paragraph; 2nd sentence :

- ***"First and foremost, it is obvious that any agreement with a willing host community may not be worth the paper it is written on without an accompanying consent from an Indigenous community whose traditional territory will be affected by the project."***

  The statement implies that a willing host community is a by default a municipal community which is incorrect as noted above.

  One of the fundamental principles in the siting process is to seek informed and willing hosts, which for both of the remaining sites must include the municipality and the First Nation in whose territory the site is located. The NWMO has made it abundantly clear over many years that it will not proceed without the consent of Indigenous and municipal potential host communities.

  To provide just one example, this past July when the community of Ignace confirmed it is a willing host, the NWMO clearly reiterated this point: "The NWMO continues to collaborate with the three other communities involved in the site selection process to understand community willingness to move forward. Discussions are ongoing with Wabigoon Lake Ojibway Nation in the northwest, Saugeen Ojibway Nation (comprised of the Chippewas of Nawash Unceded First Nation and the Chippewas of Saugeen First Nation) and the Municipality of South Bruce in the southwest, which will hold a municipal referendum in October 2024."

29. Page 154; 3rd paragraph; 3rd sentence

- ***"(I have not seen in the NWMO documentation any studies of potential impacts on Indigenous communities similar to the ones listed in the precedent paragraph.)"***

  This is missing context that we would have been happy to share if contacted. Indigenous communities have been undertaking significant work to assess the impact of the project on their well-being. For example, WLON have been conducting their own work for the last few years with the help of advisors independent from the NWMO.

  For context, it may help to understand that the NWMO began its work with the understanding that communities are best positioned to assess their well-being. It is not up to NWMO to decide whether the project is good for them or not. The NWMO has included well-being criteria in the siting process (beginning on page 36) as a starting point and worked with both Indigenous communities and municipal communities to develop an

assessment framework encouraging communities to look at their well-being considering the many lenses of the sustainable livelihood framework.

30. Page 155; 1st paragraph; second last sentence:

- ***"They might also have encountered "Moving Forward Together: Process for Selecting a Site for Canada's Used Nuclear Fuel"(May 2010), although it does not appear to have been in the package."***

  This is an incorrect representation of the NWMO's initial interactions and information sharing with interested communities. The document you referenced was widely distributed prior to communities expressing interest during the awareness building phase and made available on NWMO website. Very early on, the NWMO provided detailed briefings to interested communities. Briefing included detailed presentations on the project, objectives, principles and steps of the site selection process. Briefings also included visits to used nuclear fuel interim storage facilities. The site selection process document and other relevant publications were also made available in the communities.

31. Page 157; 2nd paragraph:

- ***Definition of interested community***

  As mentioned earlier, the definition of interested community is not specific to municipalities.

32. Page 162; 2nd paragraph

- ***"Some aspects of the NWMO's public engagement, for most of the first decade after 2010, appear to show that the organization was simply out of its depth during this period."***

  This opinion doesn't reflect awareness of what NWMO has done, and we would have been happy to provide context if contacted. For example:

  - The NWMO has sought to engage Indigenous communities and groups from its inception to develop the conditions for shared decision-making at every key decision point in the process. Along with Indigenous communities and groups we have learned together about what this requires and have together adapted the process in light of learning.

  - The NWMO has implemented learning agreements with a long list of Indigenous communities and groups which are designed to provide resources and funding to support communities and groups directing their own dialogues in their communities and reporting on those dialogues as they see fit. These agreements cover, for instance, the community or group conducting their own visioning exercise and as part of that developing their own framework for assessing the factors that are meaningful to them as well as working with NWMO to together conduct that assessment.

- NWMO Indigenous engagement staff include people who have successfully negotiated large agreements on other projects. They themselves are also Indigenous.

33. Page 174; 2nd and 3rd paragraphs:

- ***Assertion there is an absence of quantitative risk assessment***

  As noted above, the NWMO published a series of case studies about long-term and operational safety for both crystalline and sedimentary rocks, in addition to Confidence in Safety reports that summarize findings for each of the two potential sites.

  This work will continue after a site is selected. A robust safety case supported by safety assessments will be required and evaluated as part of the regulatory process. The safety case and supporting assessments will be regularly updated at each licensing phase.

34. Page 175; 2nd paragraph; 2nd sentence :

- ***"As a result, at the time when a pair of specific Indigenous and non-Indigenous communities are both asked to sign their initial assent to hosting……."***

  This assumption is incorrect.

  Firstly, the initial consent is subject to obtaining regulatory approvals, and host communities will actively participate in that process. This is similar to the process followed by other countries.

  Secondly, as mentioned above, the communities have invested years and significant effort learning about safety from all perspectives as part of their work to prepare to make informed decisions.

35. Page 179; 1st paragraph:

- ***"They felt that it was not possible to guarantee that it could be contained for the entire tie that it was hazardous to future generations…As we have seen, since 2023 the NWMO has given first rank to the Indigenous community partner in the lats two remaining candidates for siting a DGR… is the NWMO taking them into account?"***

  Inaccurate. As already noted, the date 2023 is factually incorrect, and there is significant lack of context with respect to Indigenous participation in the process, from learning about the project to exploring its potential impacts and preparing to make an informed decision.

36. Page 179; 2nd paragraph:

- ***"In attempting to finally get all relevant parties …….. The NWMO compiled a report entitled Assessing the Options (NWMO 2004……."***

In fact, this report was the basis of a broad engagement program to assess and confirm that the report is aligned with public values, priorities and concerns. It was not simply on the basis of the expert report that this decision was made. Documentation related to the process is available here.

37. Page 180; 1st paragraph; 2nd sentence:

- ***"The stipulation … This might have seemed to be a clever solution at the time, but perhaps too cleaver by half."***

  It is incorrect to stating that the "social acceptability for a DGR somewhere in Canada was transmuted into the express willingness of a single small municipality in Ontario to host it."

  As noted above, the NWMO has been clear over many years that in addition to a safe site, willingness of an interested municipality alone is not sufficient to site the project in the area. The First Nation in whose territory the site is located must also confirm willingness.

38. Page 180; last paragraph; last sentence:

- ***"And yet as of March 2024 NWMO continues to sign "willingness agreements with Ignace alone for hosting a DGR, to the consternation of nearby communities……"***

  The process is not completed yet and agreements are being negotiated with other communities. Also, there have been Learn More agreements with other communities in the area to support their learning and engagement. The nature of resources available to communities during different phases is described here.

39. Page 182; 2nd paragraph; 1st sentence:

- ***"What about…., even a possible pact with the WLON remains outstanding."***

  Incorrect as it implies the NWMO could proceed without having confirmation of willingness from WLON. As noted previously, the NWMO has been clear that it will only proceed with informed and willing hosts, including both the municipality and the First Nation in whose territory the site would be located. WLON has developed their own process for determining willingness among their members.