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Citizens' groups ask Federal Court to review the decision to license a giant aboveground radioactive waste facility beside the Ottawa River

(Ottawa, February 8, 2024) – Concerned Citizens of Renfrew County and Area, Ralliement contre la pollution radioactive and the Canadian Coalition for Nuclear Responsibility have launched a legal challenge to the [recent decision](#) by the Canadian Nuclear Safety Commission (CNSC) to license the construction of a giant radioactive waste mound beside the Ottawa River, 180 km north-west of Ottawa. The giant mound is known as the “Near Surface Disposal Facility” or “NSDF.”

The three groups are asking the Federal Court to review the Commission’s failure to adequately consider the following evidence:

- Radiation doses from the NSDF (as estimated by the proponent) would exceed some limits prescribed by Canadian regulations and international standards;
- The proponent, Canadian Nuclear Laboratories (CNL), did not provide sufficient information about the waste that would go into the NSDF thereby rendering its Safety Case unreliable;
- A key document submitted by CNL, the “Waste Acceptance Criteria,” includes an override section that would allow CNL to dispose of waste in the NSDF that does not meet the acceptance criteria. The override section nullifies any guarantees that only acceptable waste would be put in the mound and it makes the Safety Case a fiction;
- Waste verification processes are inadequate to ensure that waste going into the NSDF meets Waste Acceptance Criteria;
- CNL failed to provide information about many other projects it is undertaking on the same property that are likely to contribute to cumulative environmental impacts of the radioactive waste mound;
- CNL proposed as a mitigation measure* to run a pipeline into Perch Lake, which would actually increase the flow of radioactive tritium into the Ottawa River, rather than decreasing it; and
- Habitat and residences of protected species would be destroyed by site preparation and construction of the NSDF.

The application for judicial review submitted to Federal Court on Wednesday, February 7, also submits that the CNSC decision is unreasonable because the Commission did not issue a licence to prepare a site, or conduct the necessary assessment in relation to site preparation.

“In our view, the Commission’s decision to license the giant radioactive waste mound, one kilometer from the Ottawa River, is a serious mistake,” said Lynn Jones of the Concerned Citizens of Renfrew County and Area. “The mound is designed to last only 550 years, while much of the waste that would go into it will remain hazardous and radioactive for thousands of years.”

Represented by Nicholas Pope of Hameed Law, the applicants are seeking an order quashing the decision to amend the license to allow for construction of the NSDF.

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* Mitigation measures are supposed to eliminate, reduce or control an adverse effect that the project would cause.

For more information contact:

Nicholas Pope, Legal Counsel, Hameed Law
npope@hameedlaw.ca
613-656-6917

Lynn Jones, Concerned Citizens of Renfrew County and Area
hendrickson.jones@gmail.com
613-293-6065

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**Background**

[Ten Things Canadians need to know about the giant radioactive waste mound coming to the Ottawa River](#)

*Concerned Citizens of Renfrew County and Area is a citizens’ group that advocates for prevention and clean-up of radioactive pollution from nuclear facilities in the Ottawa Valley.*

*The Canadian Coalition for Nuclear Responsibility is a non-profit organization that conducts education and research on issues related to nuclear energy.*

*Ralliement contre la pollution radioactive is an association that promotes responsible solutions for managing radioactive waste to reduce risks to the environment and to public health.*