



Is OPG's Claim of Broad Support for the Nuclear Waste Burial Plan at Kincardine Justified?

Was there a thorough and honest effort on the part of the Regulated Party and the Regulators in carrying out their respective responsibilities relating to the issue of Community Acceptance? Or, were we deceived?

Early 2000s

1 OPG/NWMO's Misleading the Public re Preferred DGR Locations

- When the idea of low and intermediate level waste in a Kincardine DGR was first floated, the Canadian Nuclear Waste Industry and its Regulators were telling the public that the high-level nuclear waste (used fuel) was going to go in granite in Northern Canada.
- Great Lakes Basin residents and politicians were thereby assured that they need not worry about the high level stuff near the Great Lakes.
- While this public mindset in Bruce and Huron Counties near Lake Huron was in place, OPG bought the support of not only the Mayor of Kincardine, a former OPG employee, but the adjacent municipality Mayors with a draconian “Cash for Support” deal providing for payment of previously unheard-of \$ for promised public support by these municipalities for OPG’s plan including JRP testimony by each Mayor.
- The deal was draconian because any default in support for OPG by one municipality meant forfeit of the money owed and future payments to all.

- Once the deal was in place and the Mayors were already spending the money on new road graders etc., the Owners of the Nuclear Waste and NWMO were free to start the process of reversing themselves and get on with their real plan for the high-level waste: saving money by disposing of it near the place of its creation, Lake Huron.

2 2003 Biased and Misleading Poll Intellipulse Tendered by OPG at the Kincardine Hearing

- A close analysis of the OPG's 2003 Intellipulse survey shows:
 - it was on the topic of the Western Waste Management Facility, not the proposed DGR;
 - 445 of the 751 respondents were connected to the Nuclear Energy Industry;
 - no reference was made to intermediate waste or decommissioning waste;
 - it contained a question with an assertive conclusion that all sites were safe.

3 January 2005 Strategic Council Poll: OPG/Mayor Sutton Breach Promise to Kincardine Council

- The preamble to the telephone questions said council had both to support the DGR; not so
- The CEO of Bruce Power was quoted in a Kincardine newspaper, shortly before the telephone poll as saying, in effect, the entire nuclear energy industry in the region would suffer if people voted no
- Kincardine Council voted to conduct a referendum of residents before signing the Cash for Support deal.
- The Mayor and OPG decided to do a telephone poll rather than a referendum in order to meet OPG timing needs.
- The telephone poll was neither confidential nor permissive of more than one opinion per household.

- It was done in the winter when all the seasonal residents were absent.
- It did not mention the words “radioactive or “nuclear.”
- The results were wrongly manipulated by excluding the “I don’t know, neutrals and refusals” to increase the approval percentage.

4 Failure to Do the Science Before Acting on the Willing Host Offer

- At the same time, OPG and the Regulators moved quickly to jump on the Kincardine Mayor’s offer to host the dump by skipping the International Best Standard for Step 1 in any DGR proposal: an Underground Research Laboratory to scientifically test the suitability of the geology methodology, before any other step is taken.

5 More Secret Financial Benefit for Bruce County

- When the rest of the Bruce County Mayors learned of the windfalls received by Kincardine and the adjacent municipalities, they sought and received from OPG an additional financial advantage for the County in an in-camera session of Council in November 2004.

2004-2013: The Community Consultation Advisory Group (CCAG) (14 meetings) including Dr. Binder’s Appearance September 30, 2009

6 OPG’s and the Mayors’ Secret Unlawful Strategy Meetings Which They Tried to Hide By Calling Them Community Consultations

- Under the guise of “consulting” the community, OPG formed the CCAG to meet with Mayors and CAO's, as needed, to further the effort to achieve approval at the expected JRP hearings.
- These secret meetings, which were found later by a Provincial Investigator to be unlawful meetings of Bruce County Council, were anything but community consultation.

- OPG notes taken at these unlawful meetings suggest their agendas included: 1) OPG policing the “Cash for Support” Deal, and 2) OPG preparing and polishing the Mayors’ upcoming testimony.
- The notes also show: 3) OPG/NWMO consulting the Mayors on the timing of the Industry’s announcement of the reversal of its position of where it wanted to locate the high level waste DGR. (The OPG notes on this issue suggest OPG wanted to ensure that such an announcement was timed so as to maximize the re-election of these supporting Mayors in the 2010 municipal election.)

7 Dr. Binder’s Folly

- If this wasn’t enough, OPG also used one of the meetings, September 30, 2009, to further secure the Mayors’ support for their proposal by having Michael Binder, President of the Canadian Nuclear Safety Commission (CNSC), one of the Regulators, present to show his support.

2013-14 Joint Review Panel Hearings

8 OPG Announces Major Change in Plans at the Hearing

- It was only at the Hearings that OPG revealed that it had doubled the size of the proposed repository.

9 Other Dubious “Community Acceptance” Evidence

- OPG tendered evidence of the support of local charities and not-for-profits. Neither the OPG evidence nor the JRP report included reference to the fact that in many cases this support was also bought with donations.
- Obviously such donations were likely useful and laudable but one wonders if the supporting opinions, for example, from a local shelter, would have been forthcoming without the money.

10 Cover up of the Ivey Business School Stigma Report

- A citizen tendered oral evidence at the Hearings about the Ivey Business School Study and Report including its \$700,000,000 negative forecast referred to above in the Apparent Partiality Section at page 6.
- The citizen was not cross-examined on this testimony by OPG or CNSC nor questioned by the JRP.
- Despite numerous references in the JRP Report to the evidence tendered by OPG about the community support it claimed, there is no reference to the Ivey Report by the JRP and therefore no apparent consideration by the JRP of what the community would have thought if it had been advised of the Report.

11 Last Word: Why Was “Community” Restricted to Kincardine when 40 Million Canadians and Americans Get Their Drinking Water From the Great Lakes?

Conclusion

- **OPG’s claim, and the JRP’s findings of broad community support are unsupportable by any measure!**