

Bruce C Nuclear Project

IAA Reference # 88771

Comment on the Draft Integrated Tailored Impact Statement Guidelines



July 11, 2025

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Introduction

On June 12, 2025 the Impact Assessment Agency of Canada and the Canadian Nuclear Safety Commission announced a 30 day comment period closing July 11, 2025 and invited comments on the [draft Integrated Tailored Impact Statement Guidelines](#) and the [draft public participation plan](#) for the Bruce C Nuclear Project.

In total there are four plans – the [Draft Indigenous Engagement and Partnership Plan](#), [Draft Permitting Plan](#), [Draft Cooperation Plan](#), and a [Draft Public Participation Plan](#) – but the invitation for public comment was limited to the draft public participation plan. In response to Northwatch’s request that the Agency confirm that there is also a public comment period on the [Draft Indigenous Engagement and Partnership Plan](#), the [Draft Permitting Plan](#) and the [Draft Cooperation Plan](#) the Agency replied “*The public comment period is officially on the draft Integrated Tailored Impact Statement Guidelines and the draft Public Participation Plan. The other draft plans are developed and posted to promote transparency and seek targeted comments from specific participants.*”¹ Further clarification was requested and a partial explanation received.

On July 10th – the day before the comment deadline – the Agency posted “[Plain Language Draft Integrated Guidelines](#)” on the registry. [Presentation slides](#) from online information sessions held on June 23 and July 8th were also posted on July 10th. Notice was given via the project email distribution list the day before the deadline for comments.

The Agency also posted a [Summary of Potential Federal Incidental Activities](#) on the registry on June 16th. By Northwatch’s assessment this document was directly related to the review of the draft guidelines but no notice was given via the project email distribution list and a link to this document was not added to the ‘[front page](#)’ of the Project registry.

This is the second comment period for the Bruce C Nuclear Project. On August 12, 2024 the Impact Assessment Agency (the Agency) posted a notice on the project registry for the Bruce C Nuclear Project of a comment period on the Initial Project Description for Bruce C. Comments were initially required by September 12th, but the deadline was later extended until October 28th, following Bruce Power requesting a suspension of time.²

According to the IAA project home page, Bruce Power is proposing the site preparation, construction, operation and decommissioning of a new nuclear generating station within its existing Bruce Power nuclear power site, located in the Municipality of Kincardine, Ontario. As

¹ Email from Bruce@iaac-aeic.gc.ca received Fri, 13 Jun 2025 14:47:29 +0000 with the subject line “RE: Re. Have your say on the Bruce C Nuclear Project! Comments invited on the draft Integrated Tailored Impact Statement Guidelines and the draft Public Participation Plan by July 11, 2025”

² Reference Document #1, as posted at <https://iaac-aeic.gc.ca/050/evaluations/document/158989>

proposed, the Bruce C Nuclear Project would provide up to 4,800 megawatt-electric of new nuclear generating capacity in Ontario and operate for 60 to 100 years.

Northwatch's Interests

Northwatch's interest in the project is two-fold:

- 1) Northwatch is a regional coalition in northeastern Ontario, with membership that resides in the six federal districts, including Manitoulin and Algoma, which in turn include the island and mainland of the North Shore and North Channel of Lake Huron and so are potentially affected by nuclear operations on the east coast of Lake Huron (i.e. at Bruce Nuclear Generating station, and
- 2) the nuclear industry has selected a location in northern Ontario as their preferred location for the processing, burial and abandonment of all of Canada's high level nuclear waste in a single location with northeastern Ontario transected by transportation routes.

The addition of four large reactors at Bruce NGS would expand the inventory and extend operations significantly, thus increasing the risk to northeastern Ontario as a result of transportation and the burden on northern Ontario from the deposition of the increased inventory of irradiated fuel waste, should the NWMO ever achieve their goal of transporting, processing, burying and abandoning all of Canada's high-level nuclear waste in the heart of Treaty 3 territory in northwestern Ontario. The operations will also increase the impacts and loadings on Lake Huron, a body of water which the northeast shares with southwestern Ontario.

Northwatch brings decades of experience and expertise related to high-level nuclear waste and its management (on site and proposed off-site) and transportation risks. Northwatch was an intervenor in the previously proposed deep geological repository for low and intermediate level radioactive wastes at the same location as the Bruce C project (the Bruce Nuclear Waste Generation Station) and has intervened on nuclear waste matters during licencing reviews for the Bruce Nuclear Generating station.

Comments on the Draft Integrated Tailored Impact Statement Guidelines

The [draft Integrated Tailored Impact Statement Guidelines](#) document was posted on the public registry for the Bruce C Nuclear Project on June 12, 2025 for a 30 day comment period closing July 11, 2025.

The public notice described the role of the draft Integrated Guidelines as being to “outline the specific factors to be considered in the assessment of the project and provide direction to the proponent, Bruce Power, on the studies and information required in its Impact Statement, as well in the licence application for a licence to prepare site” and indicated that comments should be submitted via the project web site (reference number 88771). It also announced a number of local information session and two online information sessions.³ Northwatch participated in both of the online sessions, with our attention focused on the guidelines in the first session and the public participation plan in the second session.

Northwatch’s comments on the draft guidelines follow, but we wish to preface them with some general comments on the review process for the draft guidelines:

- The comment period of 30 days is too short
 - the 189 page document is in some areas quite technical, and it has been prepared for the review of a very large project of potentially great consequences, and on both these counts it warrants – and demands – careful attention and response; 30 days is insufficient to this task
 - The 30 day comment period was concurrent with the review of four “plans” for the conduct of the impact assessment review of the Bruce C nuclear project; this further exacerbated the challenge of such a limited comment period
 - Earlier documents had indicated that the comment period would be for 40 days, and would be earlier in 2025;⁴ instead, the comment period was reduced by 25% to just 30 days, and was announced 8 months after the comment period on the Initial Project Description rather than after the expected 3 month interval; for many public participants, this required additional effort to become reacquainted with the details of the project after the eight month hiatus caused by Bruce Power’s second request to stop the clock on the review being granted
- There was no dispositioning of public comments on the initial project description which would have provided the traceability of our earlier comments, this would have been of

³ Public notice dated June 12, 2025 as posted at <https://iaac-aeic.gc.ca/050/evaluations/document/161804?culture=en-CA>

⁴ [From the Impact Assessment Agency of Canada to Bruce Power re: Notification that an Impact Assessment is Required and Referral to Review Panel for the Proposed Bruce C Nuclear Project and Next Steps](#), Ref # 144

assistance in preparing comments on the draft guidelines and would potentially have created efficiencies for both the Agency and the review participants

- The document included a listing of abbreviations and short forms, but did not include a glossary or even a link to the CNSC glossary⁵

General Comments

- The word “should” appears 473 times throughout the document; throughout the guidelines, the word “should” should be replaced with “must”, as in Section 1.1 “The proponent must reject any unacceptable or inappropriate site before applying for a LTPS” or in Section 2.1, “the proponent must notify IAAC and the CNSC within 15 days of any changes to this information”

Section by Section Comments on the Draft Guidelines

1. Introduction

The draft erroneously describes the “integrated impact statement” as including “all the information necessary to make a decision”; while we agree with the presumed intent – that the guidelines direct the proponent to provide all the information the proponent can provide on their project (i.e. a full and comprehensive description and supporting documents) there is other information which is necessary to make the decision, including that provided by Indigenous peoples, and through evidence and assessments contributed by all review participants, including the Indigenous peoples, the various publics that will be potentially impacted by the project over the full temporal and spatial range of the project, and by federal and provincial review teams.

On page 5, the draft guidelines state:

As the production of nuclear energy is declared to be to the general advantage of Canada in the Nuclear Energy Act of 2000, this project is considered to be a federal work or undertaking as defined under the Canadian Environmental Protection Act 1999. Therefore, adverse effects within federal jurisdiction, as defined under the IAA, also include changes to the environment, or to health, social and economic conditions and the positive and negative consequences of those changes that are likely to be caused by the carrying out of the Project.

We make the following comments with respect to this reference and assertion:

- There is no *Nuclear Energy Act of 2000* listed on the Justice Laws web site⁶
- There is a “Nuclear Energy Act (R.S.C., 1985) listed and noted to be current to 2025-06-25 and last amended on 2017-09-21⁷

⁵ [REGDOC-3.6, Glossary of CNSC Terminology](#)

⁶ <https://laws-lois.justice.gc.ca/eng/>

⁷ <https://laws-lois.justice.gc.ca/eng/acts/A-16/>

- Many – perhaps the majority – of the sections Nuclear Energy Act cited above have been repealed
- Without the benefit of legal advice, we opine that references in remaining sections of the Act may be being made in reference to a crown corporation; see, for example, Section 15 which states that “All expenses under this Act shall be paid out of moneys appropriated by Parliament for the purpose or received by a company through the conduct of its operations or by bequest, donation or otherwise”
- If the intention of this reference was to establish that the federal government has jurisdiction over nuclear matters, it is our view that there are more compelling arguments to be made; even within the Nuclear Energy Act of 1985 Section 10 is more persuasive than Section 18

We have no argument with the assertion that the federal government has jurisdiction over nuclear matters, that this project is considered to be a federal work or undertaking, or that adverse effects are within federal jurisdiction and are therefore fully within the scope of this review. Our criticisms of the statement are that it is without an endnote or hyperlink to the purported Nuclear Energy Act of 2000 and that an explanation of the division of powers or other legal references would have better served the purpose at hand.

Section 1.1.2 Site Preparation

- The requirements of *REGDOC- 1.1.1, Site Evaluation and Site Preparation for New Reactor Facilities, Version 1.2.* should be listed rather than simply referenced, and should be identified as requirements, rather than as a suggestion that the proponent “review” the REGDOC
- The “other applicable documents and guidance to address the information criteria needed for an LTPS under the NSCA” should be listed rather than very generally referenced

Section 1.4 Preparing the Impact Statement

- The last paragraph in this section appears to have an internal contradiction; it states:
The three-year time limit includes the time required for the review of the Impact Statement and for the proponent to address any deficiencies. At the proponent’s request, IAAC may, considering the proponent’s progress, work plan and other relevant factors, extend the time limit by any period that is necessary for the proponent to provide IAAC with the information or studies. If the proponent does not provide IAAC with the information or studies required by the Integrated Guidelines within the three-year time limit, or within any extension of that time limit, the integrated assessment is terminated.
- The contradiction is between the statement that there is a three-year limit and the statement that there can be time extensions at the proponent’s request; the guidelines should clearly state that the three-year time limit is inclusive of any time extensions granted the proponent; if the requirements are not met within the three-year time limit the assessment is terminated

Section 1.5 Format and Accessibility

- The guidelines must require that the impact statement include a glossary and a list of acronyms and that the impact statement and supporting reports and studies are well-referenced, including using hyper-links to the greatest extent possible

Section 2.1 The Proponent

- Replace the word “should” with the word “must”, as in “the proponent must notify IAAC and the CNSC within 15 days of any changes to this information”

Section 3.1 Project Overview

- Use of a Plant Parameter Envelope approach or bounding exercise may be appropriate and helpful to the proponent in selecting their preferred technology and in presenting their comparison of alternatives to the project or alternative means of carrying out the project but it is not acceptable as an alternative to presenting a detailed description and analysis of the proponent’s selected technology
- An assessment of a nuclear reactor must include an assessment of the nuclear reactor; the reactor design, operation, technologies, supporting infrastructure and its outputs – including radioactive wastes and radioactive and other releases – must be detailed in the impact statement and supporting documents

Section 3.2 Project Location

- The documents must clearly describe in detail the land ownership and leasing arrangements between Bruce Power and the Government of Ontario or its crown corporation, Ontario Power Generation; these details must include roles, responsibilities and liabilities for “normal” operations as well as for emergencies and emergency response, accidents and malevolent acts, from site preparation through to decommissioning and abandonment
- The description of the proposed layouts must also include descriptions and clear labelling of the irradiated fuel bays, short and medium term fuel waste storage, fuel waste processing facilities and fuel handling areas and means
- The descriptions of the radiological waste transfer and storage areas must include detailed descriptions of all waste types, including liquid, low, intermediate and high-level waste
- The descriptions of all areas for nuclear fuel and nuclear waste handling, management and / or storage must include details on all monitoring programs and all filtering and shielding apparatus and technologies to be applied
- The description of site and site area must include a description of all items, areas, values artifacts and features of significance and value to Indigenous peoples; in the case of those values and features which are of a sensitive nature and so it might not be appropriate to disclose them, the proponent must demonstrate that they have gained the confidence of Indigenous peoples that the values are respected and are to be protected

Section 3.4 Project Components and Activities

- The proponent's stated preference is to proceed with the assessment without having selected a reactor design must be rejected; an assessment of a nuclear reactor must include an assessment of the nuclear reactor; the reactor design, operation, technologies, supporting infrastructure and its outputs – including radioactive wastes and radioactive and other releases – must be detailed in the impact assessment and supporting documents
- Ontario Power Generation was permitted to take the PPE approach in the assessment of the Darlington New Build in 2011; twelve years later they went to licensing with a reactor design that had not been included in the list of reactors included in the PPE approach in 2009-2011; this same mistake must not be repeated with the Bruce C nuclear project
- The listing of project components on pages 19 and 20 must be expanded to include the irradiated fuel bay, fuel handling facilities, waste storage and management for liquid, low, intermediate and high-level waste in the short, medium and long-term, including all monitoring and filtering technologies to be applied and in place
- The volume and constituents of radioactive and non-radioactive releases for each project component where there is expectation of potential for releases should be described in detail, as well as the method for managing and mitigating these releases

3.4.1 Plant Parameter Approach

The draft guidelines state that “in the Initial Project Description and the Response to the Summary of Issues, the proponent indicated that the Impact Statement will present potential reactor technologies as part of a Plant Parameter Envelope (PPE) approach”

In Section 1.0 of the Ontario Power Generation's 2022 PPE report⁸ prepared to support OPG's contention that the 2009 bounding approach was still acceptable despite OPG having selected a reactor design that was not included in the 2009 PPE, OPG introduces the concept of the PPE as an approach to resolve issues before a reactor design had been chosen. Later in the same paragraph OPG states that "high level design information is required for the environmental assessment that precedes the licensing decision for a License to Prepare the site".

In summary, OPG explained that the purpose of the PPE is to act as a surrogate in the absence of a selected reactor design, for the purpose of supporting an application for a license to prepare a site. Those arguments were made by OPG after a reactor design had been selected.

Bruce Power is similarly promoting this notion of taking a “technology-neutral approach”:

Bruce Power has not selected a reactor technology at this time, and the Impact Assessment for the Bruce C Project will be technology neutral. This approach involves the consideration of multiple technologies to provide optionality to the province in long-term electricity system planning. This approach has been used previously in regulatory

⁸ Use of Plant Parameters Envelope to Encompass the Reactor Designs being considered for the Darlington Site, N-REP-01200-10000 R005, October 4, 2022

decision-making processes for new nuclear power projects in both Canada and in the U.S.⁹

The approach having been taken in Canada is a reference to the Darlington New Nuclear Project, described above, illustrating again how the nuclear sector seeks to make use of a precedent as if it were normative. However, the flaws of the Darlington New Nuclear Project experience should inform the review of the Bruce C project. In short, Bruce C nuclear project assessment should not proceed until Bruce Power has selected their reactor design.

In not proceeding to the assessment until after a reactor design has been selected and the design work and studies completed, Bruce Power would position themselves to potentially succeed in meeting the three-year time limit for the review. Completing the review within the three-year time frame would make better use of public resources, including the resources of the involved agencies and departments, and would respect the time and effort being demanded of review participants, including Indigenous peoples and public intervenors.

Sections of the draft guidelines read as if written by the proponent making the case for not having to present information that is core to the performance of the impact assessment, than as an actual draft of guidelines for the preparation of the impact assessment documents. For example:

Licensing decisions on an application for a LTPS under the NSCA for a nuclear reactor project may be made with high-level facility design information from a range of reactor designs without specifying the technology to be constructed.

If the proponent chooses to pursue a LTPS without choosing a final technology for the site, the activities permitted under the issued licence will be limited to site preparation activities that are independent of any specific reactor technology (e.g. clearing and grading the site, building site support infrastructure such as roads, site power, water and sewer services). A LTPS may be issued with conditions that restrict activities to those that are not technology-dependent, until the proponent selects a facility technology.

The design that is eventually selected for construction need not be specifically referenced in the Impact Statement for the LTPS, but the design must fit within the bounding envelope in the approved integrated assessment and licensing process. The evaluation of the design would be performed once a reactor technology is selected.

These paragraphs provoke several questions:

- What is the basis in the Impact Assessment Act or its supporting regulations for these assertions?
- The second of these paragraphs seem to indicate that the Impact Assessment is being carried out for the purpose of the License to Prepare the Site (the first in a series of licenses by the

⁹ *Bruce C Project. Planning for the Next Generation*, 16 page glossy promotional booklet, CS240394A AUG2024 R000

CNSC); it is not. The Impact Assessment is of the project; the project is to construct nuclear reactors; the reactor technology is the central feature of the project.

The draft guidelines further state that “*the proponent is encouraged to engage with the public on the use of the PPE approach, and to report the results of this engagement in the Impact Statement as required under section 5.2 Analysis and response to questions, comments and issues raised*” which is circular instruction at best and nonsensical at its core. If the proponent engages with the public on the use of the PPE approach the proponent will learn from the public that a PPE approach is not acceptable. Directing the proponent to engage with the public on the PPE approach and then report back on the impacts of this engagement is a circuitous route to arrive at the instructions which should be provided directly in the impact statement guidelines, those being to select a reactor technology and describe it and its consequences – design, layout, outputs, releases, etc. – in the impact statement.

It is unclear in the last paragraph of this section who is to be carrying out the “engagement ... on the use of the PPE approach”. The draft guidelines state that “*To facilitate meaningful engagement with Indigenous Nations and communities and the public on the use of the PPE approach, a clear understanding of the PPE, the bounding parameters, and the pathways of effects for each technology and potential site location, is required. The proponent must submit a summary of the information required in the bulleted list above to IAAC no later than six months in advance of the submission of the Impact Statement to provide the occasion for review by Indigenous Nations and communities and participants.*”

- It's unclear which “bulleted list” is being referred to; the three bullets on the previous page of the bulleted list on pages 20-22
- It's unclear who is to be carrying out the “engagement”, given that the guidelines are requiring that Bruce Power provide the Agency with the information rather than Bruce Power providing the public and Indigenous people with that information
- It's unclear what is to take place in the six months between the information being provided and the Impact Statement being submitted; is the Agency intending to carry out a consultation, provide Bruce Power with the results, direct Bruce Power to adjust accordingly, and then submit the impact statement all within six months?
- It's unclear whether the Agency is contemplating that Bruce Power might possibly allow the results of their engagement on the PPE approach to affect their project proposal which is to be outlined in the impact statement; for example, if Bruce Power hears from the public and Indigenous people that a PPE approach is not acceptable, how will the shift from a technology-neutral approach to a technology-specific approach affect the timeline? Does the Agency expect that the review could be completed within the three-year time frame if Bruce Power was to make that shift in approaches within six months of submitting their impact statement

The scenario suggested in the last paragraph of Section 3.4.1 is not realistic. Bruce Power should be advised in the very near term that a technology-neutral approach is not acceptable and the Impact Statement must be based on a selected reactor design or the Agency should give up the pretense that there is going to be any meaningful consultation with the public and Indigenous peoples in the last six months before submission on the Impact Statement on the PPE approach.

3.4.2 Incidental Activities

The draft guidelines set out the following in the section on incidental activities:

In the Summary of Issues, IAAC required information on the physical activities that could be incidental to and part of the Project. Information on the following components and activities was provided in the proponent's Response to the Summary of Issues to support tailoring of the Integrated Guidelines:

- *the transportation of construction material to site by boat, rail or other means;*
- *the need for a new switchyard and transmission line upgrades;*
- *the transportation of new fuel to site;*
- *the potential for new long-term and interim radioactive waste storage facility; and*
- *the transportation of radioactive waste*

Northwatch strongly supports the categorization of the transportation of new fuel to the site, the long-term and interim management of radioactive waste, and the transportation of radioactive waste as activities which are incidental to the project.

The categorization of these activities as incidental to the project is strongly supported by the following definitions and descriptions:

An incidental activity is an activity that is likely to happen in conjunction with a project proposed by a proponent, meaning that it becomes part of the designated project and must be assessed. Incidental activities are considered in the federal decisionmaking phase, including the federal public interest determination, and if a project is allowed to proceed, incidental activities can be subject to conditions in a decision statement.

[Summary of Federal Incidental Activities and Provincial Required Assessment Matters Analysis GCT DELTAPORT EXPANSION – BERTH FOUR PROJECT June 30, 2022](#)

IAA (2019)

designated project means one or more physical activities that

- (a) are carried out in Canada or on federal lands; and
- (b) are designated by regulations made under paragraph 109(b) or designated in an order made by the Minister under subsection 9(1).

It includes any physical activity that is incidental to those physical activities, but it does not include a physical activity designated by regulations made under paragraph

112(1)(a.2). (*projet désigné*)

112 (1) The Minister may make regulations

112(1) (a.2) designating, for the purposes of section 112.1, a physical activity or class of physical activities from among those specified by the Governor in Council under paragraph 109(b), establishing the conditions that must be met for the purposes of the designation and setting out the information that a person or entity — federal authority, government or body — that is referred to in subsection (3) must provide the Agency in respect of the physical activity that they propose to carry out;

direct or incidental adverse effects means non-negligible adverse effects that are directly linked or necessarily incidental to a federal authority's exercise of a power or performance of a duty or function that would permit the carrying out, in whole or in part, of a physical activity or designated project, or to a federal authority's provision of financial assistance to a person for the purpose of enabling that activity or project to be carried out, in whole or in part. (*effets directs ou accessoires négatifs*)

In the discussion of “Additional Issues” in a later section of this submission, Northwatch sets out concerns with a *Summary of Potential Federal Incidental Activities - BRUCE C NUCLEAR PROJECT* posted by the Agency on July 16th, and our assessment that it is without substance and is in conflict with the draft guidelines. For the reasons set out in that section, and for the reasons set out above, we request that the summary be set aside and excluded from consideration in the review of the draft guidelines for the Bruce C nuclear project.

4.1 Purpose of the Project, 4.2 Need for the Project and 4.3 Alternatives to the Project

The Impact Assessment Act sets out the “Factors to be considered” in an impact assessment as follows:

22 (1) The impact assessment of a designated project, whether it is conducted by the Agency or a review panel, must take into account the following factors:
(d) the purpose of and need for the designated project;

Fundamentally, the purpose of the project is to meet the need for electricity. The guidelines should direct the proponent to discuss the purpose of the project at that fundamental level, as per Impact Assessment Act.

4.4 Alternatives Means of Carrying Out the Project

The examination of alternatives means of carrying out the project should include not only alternative sites as set out in the draft guidelines but also alternative technologies. Should the proponent - after establishing the need for the project and examining alternative to the project - determine that a nuclear reactor is the means to meet that need, the alternative means to carrying out the project could be examined through the proponent's PPE approach and bounding exercise, used to determine that all alternative under consideration were within the bounding envelope.

We support the direction in the current draft guidelines that the five bounding technologies of the Plant-Parameter Envelope must be considered in the alternative means assessment, but given that these technologies are listed in the Initial Project Description we are of the definite view that they should also be listed in the guidelines:

- Atkins Réalis – MONARK;
- Électricité de France – European Pressurized Water Reactor (EPR);
- Hitachi-GE Nuclear Energy – Advanced Boiling Water Reactor (ABWR);
- GE Hitachi Nuclear Energy – BWRX-300; and
- Westinghouse – AP1000 Pressurized Water Reactor

The guidelines should further direct Bruce Power to describe the criteria used by which they shortlisted to these five technologies, and to provide an evaluation of each of these technologies against the five selected and others which were not selected on the basis of key criteria, including but not limited to levels of enrichment, criticality risk, proliferation risk, the relative longevity of key radionuclides, waste generated per energy unit, construction cost per energy unit, operating cost per energy unit, and decommissioning costs per energy unit.

5.2 Analysis and responses to questions, comments and issues raised

The guidelines must direct Bruce Power to include in their impact statement discussion and analysis of input received from impacted and potentially impacted communities up and downstream from their reactor operations, including uranium mining, milling, refining, conversion and fuel production (upstream) and waste management activities over short, medium and long time-frames, including any anticipated off-site transportation or long-term dispositioning (downstream).

7.4.1 Spatial Boundaries

The spatial boundaries must extend to encompass activities and impacts which are up and downstream from the reactor operations, including uranium mining, milling, refining, conversion and fuel production (upstream) and waste management activities over short, medium and long time-frames, including any anticipated off-site transportation or long-term dispositioning (downstream).

7.4.2 Temporal Boundaries

The temporal boundaries must extend to encompass activities and impacts which are up and downstream from the reactor operations, including the pre and post operational impacts of uranium mining, milling, refining, conversion and fuel production (upstream) including decommissioning of those facilities and the perpetual care of those sites, and waste management activities over short, medium and long time-frames, including at any off-site locations, including any that sites or areas that may have been adversely impacted by transportation accidents incidental the project and the dispositioning of radioactive wastes (downstream) including decommissioning of those facilities and the perpetual care of those sites.

7.6 Mitigation and enhancement measures

This section is problematic in three areas.

The first problematic area is the limitation set that “the Impact Statement must identify mitigation measures that are technically and economically feasible and that would eliminate, reduce, control or offset adverse effects within federal jurisdiction”. This is problematic in that it introduces the concept of “economically feasible”, which is a subjective and undefined term, and may be approached very differently by a for-profit company such as Bruce Power than it would be by an impacted community identifying which mitigation measures were necessary. The words “economically feasible” should be removed.

The second problematic area is the unnecessary insertion of the qualifier “within federal jurisdiction” in the discussion of adverse effects. On page 5, the draft guidelines establish that adverse effects are within federal jurisdiction, as defined under the IAA, including changes to the environment, or to health, social and economic conditions and the positive and negative consequences of those changes that are likely to be caused by the carrying out of the Project. It seems unnecessary to insert it in this section, and doing so risks being misinterpreted to mean that not all adverse effects are within federal jurisdiction.

The third problematic area is the requirement that the impact statement must “propose differentiated mitigation”.

The only other context in which we are familiar with the term “differentiated mitigation” is in global climate negotiations, in which it refers to the concept that countries should have varying levels of responsibility and action when it comes to addressing climate change, based on their historical contributions to the problem and their current capabilities.

While we certainly agree that adverse effects should not fall disproportionately on “diverse population groups” (which we would take to be polite terminology for disadvantaged and marginalized communities) the use of the term in this context is disturbing, in that it suggests that there could be different levels of mitigation applied. In contrast, mitigation should be optimized in all circumstances for all communities and the guidelines should set that out firmly and clearly.

7.7 Cumulative effects assessment

The approach of valued components (VCs) is common in environmental and impact assessment processes, including in cumulative effects assessment (CEA), but this approach and the reliance on valued components (previously referred to as valued ecosystem components) is itself problematic, for a variety of reasons, including:

- the approach is generally the proponent rather than the impacted community and the land users who identify the “valued components”
- the approach often prioritizes technical aspects over broader social and cultural values.

- the VCs are often project-specific rather than reflective of broader ecosystem or social values
- The focus on the individual project negates or understates the broader context of cumulative effects, including the potential for synergistic or cascading impacts from multiple stressors, as would be the case with the Bruce C project
- The VC approach is generally poor at capturing the non-linear and complex interactions between different stressors and their effects, including cumulative and synergistic effects and outcomes of those effects

We value cumulative effects assessment, but are concerned that this section of the guidelines does not provide the direction necessary to achieve a dynamic, comprehensive and wholistic cumulative effects assessment, largely because of the reliance on the “valued components” approach.

8. Biophysical Environment

The following clarifications or additions must be added to the guidelines:

- The north channel and the north shore of Lake Huron, including but not limited to Manitoulin Island, must be included in the regional study area in section 8.4.1
- Radionuclides in the soil and groundwater must be added to Section 8.4.2
- Emissions from the Western Waste Management Facility, including from the incinerator, must be included and specifically identified in section 8.6.1
- Emissions from any diesel operated back up power operated, including for test runs, must be included in section 8.6.1
- Any and all leaks and plumes from waste storage areas, including and particularly from the irradiate fuel bays must be included in section 8.7.2

Additional Issues

Incidental Activities

On June 16 the Agency posted the *Summary of Potential Federal Incidental Activities - BRUCE C NUCLEAR PROJECT* on the project registry.¹⁰ That summary appears to exclude long-term management of nuclear waste, and transportation of nuclear materials. Northwatch disagrees with this determination, finds it without basis, and in conflict with the draft guidelines. We are concerned about any influence this document might have on the outcomes of the current review and comment period on the the draft integrated tailored impact statement guidelines.

On June 19th Northwatch participated in an information session about the Bruce C project and the current comment period on the draft integrated tailored impact statement guidelines and the process more generally and how to submit comments on the draft documents.

In the Q and A period we posed questions about the basis for IAAC's conclusions, as set out in the *Summary of Potential Federal Incidental Activities - BRUCE C NUCLEAR PROJECT, June 16, 2025* – that “Permanent storage of nuclear waste is not incidental to the Project” as set out at the bottom of page 2.

We noted that what the summary provides as “the key reasons why the permanent storage of waste is not considered to be incidental to the Project” are descriptions of the project or project-related activities as described by the proponent, but do not provide any insight into the IAAC/CNSC reasons for deeming that the “Permanent storage of nuclear waste is not incidental to the Project”.

We also noted our observation that the Act provides no direction in determining what project components or project related activities are deemed to be “incidental” to the project, and asked where we could find the guidance the Agency had relied on to make the determination in the case of the Bruce C project, i.e. regulations, guidelines, guidance documents, policy, etc. and indicated that we have a similar question with respect to the determination set out in the Summary that the “Transportation of nuclear materials is not incidental to the Project” (top of page 5).

During the session the Agency initially responded that descriptions of the project and descriptions of the number of uncertainties and aspects of the project that had not yet been determined and were not yet known by the IAAC and/or CNSC.

A later response provided was that the direction for the determination of what was ‘incidental’ to the project as set out in the *Summary of Potential Federal Incidental Activities* was the five factors included in the “Guide to Preparing an Initial Project Description and a Detailed Project

¹⁰ [Summary of Federal Incidental Activities and Provincial Required Assessment Matters Analysis GCT DELTAPORT EXPANSION – BERTH FOUR PROJECT June 30, 2022](#)

Description”; initially the five factors were read out, and upon request the title of the document was provided. The five factors, as read out and later found in the Guide, are:

- nature of the proposed activities and whether they are subordinate or complementary to the designated project;
- whether the activity is within the care and control of the proponent;
- if the activity is to be undertaken by a third party, the nature of the relationship between the proponent and the third party and whether the proponent has the ability to “direct or influence” the carrying out of the activity;
- whether the activity is solely for the benefit of the proponent or is available for other proponents as well; and
- the federal and/or provincial regulatory requirements for the activity.

These five factors are the list found in Annex I of this Guide describing the “Contents of an Initial Project Description” and are provided to proponents as direction as to what to include in the Project Description, and that they are not direction for the Agency making a determination as to what is – or is not – “incidental” to the project.

In a followup email, the Agency restated that the criteria they consider in determining the scope of activities that are incidental to the designated project are found in [Guide to Preparing an Initial Project Description and a Detailed Project Description](#) – Annex 1 – Part B: Project Information (row 9).¹¹

In our review, we found only one other instance of a similar summary of federal incidental activities have been posted on a project registry, and that in the instance of the *GCT Deltaport Expansion – Berth Four Project*, as published on June 30, 2022¹²

That document describes incidental activities as follows:

An incidental activity is an activity that is likely to happen in conjunction with a project proposed by a proponent, meaning that it becomes part of the designated project and must be assessed. Incidental activities are considered in the federal decision-making phase, including the federal public interest determination, and if a project is allowed to proceed, incidental activities can be subject to conditions in a decision statement. (underlining added for emphasis)

¹¹ Email from: Bruce C Nuclear Integrated Assessment / Évaluation Intégrée Bruce C Nucléaire (IAAC/AEIC) Bruce@iaac-aeic.gc.ca, Dated Mon, 23 Jun 2025 at 11:58 with the Subject “RE: Re. Have your say on the Bruce C Nuclear Project! Comments invited on the draft Integrated Tailored Impact Statement Guidelines and the draft Public Participation Plan by July 11, 2025”

¹² [Summary of Federal Incidental Activities and Provincial Required Assessment Matters Analysis GCT DELTAPORT EXPANSION – BERTH FOUR PROJECT June 30, 2022](#)

The Impact Assessment Act similarly sets out the following:

designated project means one or more physical activities that

(a) are carried out in Canada or on federal lands; and

(b) are designated by regulations made under paragraph 109(b) or designated in an order made by the Minister under subsection 9(1).

It includes any physical activity that is incidental to those physical activities, but it does not include a physical activity designated by regulations made under paragraph 112(1)(a.2). (underlining added for emphasis).

The problem the *Summary of Potential Federal Incidental Activities for the Bruce C project* presents is that it a) it is conflict with the draft guidelines, b) it excludes activities, namely the management and transport of radioactive wastes, which are most definitely “incidental” to the project. In plain language, these activities would not be happening or be required in the absence of the project. Based on the definitions presented earlier in this section, that determines that the activities are in fact “incidental” to the project.

The draft guidelines indicate that radioactive wastes are included. For example, Section 3.4 of the draft guidelines states that “*The Impact Statement must ...describe nuclear facilities-related activities and components (e.g., reactor design, cooling water system, water intake and discharge structures, waste management strategies for low, intermediate and high- level radioactive waste (e.g., spent fuel) for the facility's lifecycle).* Also, Section 4.4 Alternative means of carrying out the Project states that “*The Impact Statement must: describe the methodology and criteria that were used to compare the alternative means, to determine the preferred means of carrying out the Project, and to justify the exclusions of other solutions, based on the trade-offs associated with the preferred and other alternative means including... waste management strategies, including: non-radioactive waste, temporary storage options for low, intermediate, and high-level radioactive waste, both on and offsite estimation of waste generated; and description of the life-cycle of generated waste.*”

The *Summary of Potential Federal Incidental Activities - BRUCE C NUCLEAR PROJECT* appears to exclude long-term management of nuclear waste, and transportation of nuclear materials (although that not wholly clear and internally contradictory, with the summary saying its not incidental but that “In order to undertake the Project, nuclear material must be transported to and from the site”).

The *Summary of Potential Federal Incidental Activities - BRUCE C NUCLEAR PROJECT* states that “Permanent storage of nuclear waste is not incidental to the Project” on the bottom of page 2, but the “key reasons why the permanent storage of waste is not considered to be incidental to the Project” are descriptions of the project or project-related activities as described by the proponent. They are not a rationale for the Agency’s determination that “Permanent storage of nuclear waste is not incidental to the Project”.

Released four days into the comment period on the draft guidelines, no explanation has been provided by the Agency as to the role this summary document plays in the planning process, and no public or Indigenous comments were invited on the summary.

Northwatch requests that the *Summary of Potential Federal Incidental Activities - BRUCE C NUCLEAR PROJECT* be set aside and excluded from consideration in the review of the draft guidelines for the Bruce C nuclear project. We further request that in future reviews the Agency clearly establish the role and function of such summaries, the criteria by which their conclusions are guided, and invite public and Indigenous comments on a draft summary if the summary is to be of any influence or import in the planning stage, including in the review and finalizing of the guidelines.

Comments on the Draft Indigenous Engagement and Partnership Plan, Draft Permitting Plan, and Draft Cooperation Plan

In the Agency's June 12th announcement of the 30 day comment period on the draft Integrated Tailored Impact Statement Guidelines (draft Integrated Guidelines) and the draft Public Participation Plan, the public was invited to comment on those two draft documents.

On the same day, the Agency posted three additional documents to the registry - a [Draft Indigenous Engagement and Partnership Plan](#), [Draft Permitting Plan](#), and a [Draft Cooperation Plan](#) – but comment was not invited on these draft plans, despite the important role they will play in the review process.

In an email exchange Northwatch asked the Agency to confirm that there is also a public comment period on the [Draft Indigenous Engagement and Partnership Plan](#), the [Draft Permitting Plan](#) and the [Draft Cooperation Plan](#); the Agency response was that “The public comment period is officially on the draft Integrated Tailored Impact Statement Guidelines and the draft Public Participation Plan. The other draft plans are developed and posted to promote transparency and seek targeted comments from specific participants.”¹³

Northwatch sought further clarification with the following questions:

- will the Agency consider comments from the public and Indigenous people on the "other plans"?
- how does the agency seek "targeted comments" on each of the "other plans"?
- who are the "specific participants" from whom the Agency seeks comments on the "other plans"?

¹³ Email sent 2025-06-13 9:47 a.m., by Bruce C Nuclear Integrated Assessment / Évaluation Intégrée Bruce C Nucléaire (IAAC/AEIC)

- what are the criteria for being identified as a "specific participant" from whom "targeted comments" are sought?
- who develops and applies those criteria, and what is the basis for the development of the criteria?

The Agency responded that “Participants can comment on the Registry on any matters related to the Project and the integrated assessment” and “We (sic) invite certain participants to comment on documents and plans which are particularly relevant to them. See as an example our invitation to the Federal Review Team (i.e. permitting authorities) soliciting comments on the draft Permitting Plan (CIAR# [165](#)).”

Our search of the registry we identified two such invitations – CIAR# [165](#) as identified in the Agency response above and CIAR # [164](#) which was an invitation to the Provincial Review Team to provide comments invited on the Draft Cooperation Plan and the Draft Integrated Tailored Impact Statement Guidelines. We remain uncertain if this is the full extent of the Agency’s “invitations” to comment; if so, why not simply state that in the response to our question, rather than using one of the only two invitations as “an example”?

Northwatch is dissatisfied with this response and dissatisfied with this approach by the Agency. While we acknowledge that the very short commenting period – thirty days – is already a handicap against public comment on these important documents, the public is further disadvantaged by not being provided notice and an invitation to comment.

Further, we find that this is one of several areas where the conduct of the planning stage of the impact assessment review appears to be highly discretionary, subject to the interpretation and so to inconsistencies between and within review processes.

We are under no illusion that our comments at this point would result in a second comment period on these plans which the public and Indigenous peoples would be invited to provide comment, but going forward we strongly recommend:

- the public and Indigenous peoples are invited to comment on all planning documents, including the Draft Indigenous Engagement and Partnership Plan , Draft Permitting Plan, and Draft Cooperation Plan
- the Agency is clear and transparent in its issue of invitations to comment and confirm that all such invitations are posted on the public registry

Detailed Project Description

Northwatch inquired of the Agency as to why a Detailed Project Description had not been posted prior to the comment period on the draft guidelines and the various plans. We had carefully

reviewed the Agency's [step by step description](#)¹⁴ which included the posting of the detailed project description as one of the steps of early planning.

We appreciated the Agency's response in an email received on June 23:¹⁵

- *The Impact Assessment Act was amended in June 2024 in response to a Supreme Court opinion on the constitutionality of the Act. One of the changes was on the optionality of requiring a Detailed Project Description from proponents, see clause 15(1.1) (emphasis mine).*

- *Detailed project description*

(1.1) The Agency may require the proponent to include in the notice a detailed description of the designated project that includes the information prescribed by regulations made under [paragraph 112\(1\)\(a\)](#) if it is of the opinion that a decision cannot be made under [subsection 16\(1\)](#) without that description and information.

- *A detailed project description was not requested for the Bruce C Nuclear Project.*

We agree that a detailed project description was not needed to make the Section 16 (1) decision that an impact assessment of the Bruce C Nuclear project is required. That said, h we are of the view that it would have been helpful to state explicitly in the December 20 2024 *Notice of Impact Assessment Decision with Reasons* (CEAR# 136)¹⁶ that a detailed project description would not be requested of Bruce Power. Perhaps it was expected that the public would understand that based on the Notice, but our expectations had been formed by reading the Agency's Step-by-Step description, and we expected to have the more detailed project description upon which to rely in making our comments on the draft guidelines. Having it clearly stated would have saved our time and that of the Agency.

Further, going forward, we strongly recommend:

- The Agency update their website to align it with the most current version of the Act and regulations
- For added clarity, include in the Notice of Commencement the conclusion that a detailed project description will not be required of the proponent, with reasons

Public Registry

Northwatch will provide additional comment on the public registry in our submission on the Public Participation Plan but given the importance of the public registry to the review process –

¹⁴ As posted at <https://www.canada.ca/en/impact-assessment-agency/services/policy-guidance/impact-assessment-process-overview/phase1.html>

¹⁵ Email received Mon, 23 Jun 2025 16:58:01 +0000 from Bruce C Nuclear Integrated Assessment / Évaluation Intégrée Bruce C Nucléaire (IAAC/AEIC) <Bruce@iaac-aeic.gc.ca>

¹⁶ CEAR#136, as found at <https://iaac-aeic.gc.ca/050/evaluations/document/160141>

including the current planning stage – summary comments are included here, given their relevance to the review of the draft guidelines.

The Impact Assessment Act¹⁷ provides specific guidance and direction with respect to the public registry and its function and operation, as follows:

Establishment of Registry

Canadian Impact Assessment Registry

104 (1) There is to be a registry called the Canadian Impact Assessment Registry, consisting of an Internet site and project files.

Right of access

(2) The Registry must be operated in a manner that ensures convenient public access to it. That right of access to the Registry is in addition to any right of access provided under any other Act of Parliament.

(3) For the purpose of facilitating public access to records included in the Registry, the Agency must ensure that a copy of any of those records is provided in a timely manner on request.

For purpose of these comments we point to the direction in the Act that “The Registry must be operated in a manner that ensures convenient public access to it” (emphasis added) and set out below the several ways in which the registry fails to meet that direction to “ensure convenient public access”.

Those include:

- There is no means by which a table can be generated by registry users of postings to the registry; previous versions of the registry allowed this, which enabled registry users to generate a table to use for note taking and tracking of registry postings
- There is no means to preview a document before opening it as a pdf file
- All documents are three layers deep, i.e. a user must open the registry page, then select the group of documents to review (e.g. “view comments” or “all records”), then select the record to view, then open the pdf version of the record; the first two steps are reasonable, but the last two steps do not constitute “convenient access”
- The registry section on “Information sessions” includes information only about those sessions which are upcoming and does not identify which sessions have already taken place and does not include posts of presentation slides from past sessions (which users would reasonably expect to find there)
- In recent weeks, on some or most occasions, users moving through the registry and reviewing multiple documents are moved back to the starting point after each document has been opened; this is not the case today, but has been on past occasions

¹⁷ Impact Assessment Act, as found at https://www.canlii.org/en/ca/laws/stat/sc-2019-c-28-s-1/latest/sc-2019-c-28-s-1.html?searchUrlHash=AAAAAQAlcmVnaXN0cnkAAAAAQ&offset=7800&highlightEdited=true#sec28subsec2_smooth

Going forward, Northwatch requests that the Agency address the issues identify above in terms of the Registry function.

In particular, it is very important that the barriers to being able to create a table of registry postings be addressed prior to the review of the draft impact statement and prior to the submission of comments on the impact statement and the commencement of the hearing. To create efficiencies in the review process and to effectively draw on the expertise and submissions being made by all parties, review participants must be able to effectively and efficiently track and notate registry postings. In its current state, particularly with the inability to generate a table of registry items, the Registry is not amenable to these necessary tasks.

Conclusions

The purposes of this Impact Assessment Act include fostering sustainability, projecting the environment, having fair and predictable impact assessment processes, insuring assessments take all effects into account, ensuring meaningful participation opportunities, relying on scientific information, and the assessment of cumulative effects.

In the instance of the assessment of the Bruce C Nuclear Project, these purposes can only be achieved if the [draft Integrated Tailored Impact Statement Guidelines](#) and the [draft public participation plan](#), the [Draft Indigenous Engagement and Partnership Plan](#), [Draft Permitting Plan](#), and [Draft Cooperation Plan](#) singly and in combination establish an assessment process that will be based on comprehensive and factual information about the Project and its potential effects and a is carried out in a manner that supports public participation and is carried out in a manner which meets the standards set out in the United Nations Declaration on the Rights of Indigenous People and recognizes the authority of Indigenous Nations over their territories and the requires that the Project not move forward without the free, prior and informed consent of those who have since time immemorial occupied the lands and waters that will be impacted by the full nuclear fuel chain.

We request that the Agency provide a detailed dispositioning of Northwatch's and other comments as part of carrying out an assessment process that is transparent and one in which decisions are traceable and accountable.