



Port Hope Community Health
Concerns Committee
P.O. Box 62
Port Hope, ON
L1A 3V6

March 8, 2021

Dear Prime Minister Trudeau:

Re: Issues and Action Requests regarding the AECL/Canadian Nuclear Laboratories (CNL)/ Port Hope Area Initiative (PHAI) remediation of radioactive wastes in Port Hope, Ontario.

The Port Hope Community Health Concerns Committee (PHCHCC) is a non-profit volunteer organization of current and former residents established in 1995 concerned for the health and safety of residents and workers due to the operations of two nuclear facilities within the town and 80 years of exposure to radioactive emissions and wastes. We are writing to identify key issues and action requests regarding the ongoing clean-up of radioactive wastes in Port Hope, Ontario under the authority of AECL agents CNL and PHAI.

Issue A: Canadian Nuclear Laboratories (CNL) submitted a proposal to CNSC in March 2020 to weaken cleanup criteria for radioactive wastes in Port Hope which would result in an increase of the volume of contamination left behind for future generations.

Action request: Require CNL to withdraw their proposal and ensure existing federal commitments to the community are kept and wastes remediated as promised.

Background

PHCHCC strongly objects to a proposal submitted in March 2020 by Canadian Nuclear Laboratories (CNL) to the Canadian Nuclear Safety Commission (CNSC) for approval to substantially weaken the cleanup criteria for the remainder of 1M cubic metres of radioactive waste throughout Port Hope, Ontario. This proposal is apparently based on proponent self-interest, misinformation and lacks any public interest foundation. It is contrary to public health considerations, unacceptable and must be withdrawn.

For generations the people of Port Hope have been exposed daily and via different pathways to the radiation, heavy metals and chemicals of the nuclear industry since the 1930's. We have been required to wait more than 50 years, since contamination of the town became known to the government through the investigations of nuclear engineer [REDACTED], for a proper cleanup from the operations and careless waste disposal practices of Eldorado Nuclear Ltd., a former Crown Corporation.

In 2001 the federal government finally committed \$238M and in 2012 increased that commitment to \$1.2B to clean-up 1.7 million cubic metres of historic radioactive wastes in both Port Hope and nearby Port Granby. Legal agreements were signed in 2001 with the municipalities of Port Hope and Port Granby. The people of Port Hope were assured the wastes would be safely stored in a temporary storage facility in Port Hope and the community would be left with a "pristine environment".

Now CNL seeks regulator approval to arbitrarily establish new criteria and authorize PHAI to leave 50% more uranium (up to 35 ppm) and 450% more arsenic (up to 100 ppm) in the soil than the present criteria which were agreed to years ago after extensive consultations. This proposal would result in more contamination left in Port Hope after the cleanup for future generations than is planned. The current criteria are already a major compromise as post-cleanup will leave soil levels of uranium up to 23 ppm which exceeds the Ontario Ministry of Environment soil standard (2011) of 2.5 ppm of uranium. The Ontario MOE soil standard of 18 ppm would be met for arsenic (*Ref: "Soil, Ground Water and Sediment Standards for Use Under Part XV.1 of the Environmental Protection Act", Ontario MOEE, April, 2011*).

CNL's proposal is happening in the midst of a pandemic lacking evidence for their reassuring claims and with no opportunity for meaningful public consultations. It is also happening while a federal process is underway to establish a federal strategy for management of radioactive wastes in Canada where the cleanup of Port Hope and such AECL/CNL actions should be a topic of discussion and review.

To change criteria now, when private property and municipal roadway remediations in Port Hope are finally underway, will deliberately leave substantial contamination throughout the town in unidentified and unmonitored locations. Why? This is clearly intended to save time, effort and money for CNL and the federal government but leaves people at risk into the future. Such incremental changes that weaken cleanup commitments perpetuates what we want fixed, the secrecy and passing on of hidden exposures and risks to future generations.

The federal commitment to our community is described on the website of CNL's Port Hope Area Initiative (PHAI) as follows:

The criteria were developed through a co-operative effort involving the PHAI, scientific specialists, federal and provincial agencies, peer reviewers, the municipalities and members of the public. Developing criteria to direct the cleanup of contaminated sites has been fundamental to the Port Hope Area Initiative. Cleanup criteria establish the levels to which each radioactive and non-radioactive contaminant found in soil, harbour sediments, water and groundwater contaminated with historic low-level radioactive waste will be cleaned up. Criteria also apply to radon levels in houses. Cleanup criteria are important because they address the question, "When is a property clean?"

Principles to guide the clean-up process were built on the statement in the Legal Agreement that:

"Canada shall clean up properties contaminated with historic low-level radioactive waste so that all such properties will be able to be used for all current and foreseeable unrestricted uses."

*Contaminants associated with low-level radioactive waste are mainly radium-226, thorium-230, uranium and arsenic. **Cleanup (excavation) will meet or go beyond the criteria to ensure the long-term safety of the public and the environment.***

Issue B: Property owners can refuse cleanups of contamination under current CNL policies which contravenes the legal agreement. Removal of contaminated material is not mandatory as it should be as a public health issue.

Action request: The federal commitments for a "pristine environment" with unfettered and safe future use must apply to all properties regardless of public or private property owner preferences. Cleanups must proceed as a matter of public health and properties restored at federal cost as all of us are only temporary stewards of the land. Cleanups of radioactive and heavy metal wastes must be mandatory.

Background:

Of serious concern and a contravention of the federal commitments above, is the CNL Special Circumstances Protocol quoted below which grants to Port Hope property owners the choice to leave contamination in place and refuse a cleanup for a variety of reasons including convenience or aesthetics. This is totally unacceptable policy and practice and CNL must be stopped to avoid perpetuating exposures to toxic materials and their inevitable spread to other properties and unsuspecting residents as has been happening for generations. The cleanup must end this. It is federal responsibility to restore properties, compensate for diminished values and minimize inconvenience for the people who are blameless.

Obligations • Per the Legal Agreement that governs the PHAI, if Contaminants of Potential Concern (COPC) are identified at any stage during soil testing on your property, CNL is required to notify you (the property owner), the Municipality of Port Hope and the Ministry of Environment, Conservation and Parks of the type and locations of COPC.

CNL has a Special Circumstances Protocol that may be applied in situations that prevent the complete remediation of low-level radioactive waste. The Special Circumstances Protocol is only used when LLRW removal is not considered safe, practical or reasonably achievable. Situations that might require special circumstances include restricted access and property-specific physical, operational, environmental, or social constraints that may be encountered during the design phase or the cleanup work on the property.

(PHAI Pamphlet: Cleaning Up Residences and Privately Owned Properties

Issue C: No individual or community health monitoring is occurring during the cleanup despite PHCHCC repeated requests over many years. False and misleading information is being given to the public by PHAI with respect to the history and health risks of the wastes..

Action request: That the federal government fund independent health monitoring of the population and studies which focus on individuals and families most exposed to contamination and to update disease incidence and mortality data from 2000 to the present and in future 5 year periods. Inaccurate and misleading claims must be corrected and removed from any presentations by PHAI/CNL.

Background:

There are critical facts that support the need for health investigations during and following the cleanup time period due to latency periods for diseases:

- First, the type of uranium and arsenic in the Port Hope environment is biologically available to individuals through many pathways. Every individual has an individual daily dose, there is no such thing as “average dose” in our reality.
- Second, it is not natural uranium comparable to the soil in other communities, it is residue of mined high grade ore, ceramacized and therefore insoluble uranium and arsenic from industrial processes which continue today in Port Hope under Cameco Corporation. The biological cellular impacts of industrialized uranium, and the synergistic impacts with all of the other toxins are not factored into calculations of “dose” to individuals used by the industry and government.
- Third, there is also scientific confirmation from urine bioassays of ill former Eldorado/Cameco workers (PHCHCC/UMRC, 2007) of transuranic isotopes of uranium (e.g. 236U) which should not even be present in Port Hope, in their bodies many years after employment. One ill former Cameco worker has

repeatedly been refused any compensation for his life-threatening injuries requiring a double lung transplant, resulting from uranium poisoning in the workplace.

- Fourth, It is well documented by federal and provincial bodies over many decades that particles of industrial uranium, arsenic, fluoride and other toxins for humans are present in the wastes, have been in our air, soil, vegetation and water which present great biological risks when inhaled and ingested. The material leaches into waterways including Lake Ontario.
- Fifth, federal health data for Port Hope (CNSC/Health Canada) published in 1997, 2000, 2002 show concerning elevated rates of cancer, circulatory, respiratory, neurological and other diseases in Port Hope deserving of followup investigations. This is prior to the digging and remediation occurring now on a large scale throughout the town.
- Sixth, the Ontario Ministry of Environment has stated that inhaled uranium particles have 200 times more biological impact than ingestion. Our primary exposure pathway is daily inhalation.

It is irresponsible to conduct a mass cleanup of radioactive wastes throughout an active community without also taking every precaution possible and monitoring health impacts on the people living here. To say as officials have over many years that no impacts are expected and therefore no monitoring is necessary is not founded on either common sense or science. The fact that cleanup has been allowed to happen without appropriate independent health monitoring sadly reinforces the lack of public health importance attached to this project and the years of exposures of the people to this industry's wastes by the government and its agents.

The photos below illustrate several open area PHAI cleanup sites occurring in Port Hope right now beside occupied homes, a school, playgrounds, fishing and boating areas, workplaces, sidewalks, recreation etc. etc. There is constant public exposure to dust from activities, vehicles and people entering and leaving the sites, walking by, etc. Absence of evidence is not evidence of absence of cleanup impacts - no claims can truthfully be made, as is happening by officials, that no harm has resulted from cleanup activities or presence of the wastes. Bear in mind we also have daily emissions to air and water from two licensed Cameco facilities within the town so there are many sources and pathways of exposure to toxins.

We are very concerned, in fact, that during a public presentation on November 12, 2020, PHAI communications staff made a number of factually inaccurate statements below for which they did not provide evidence

- the contamination throughout Port Hope does not present health risks;
- the harmful material was taken away in the 1970s and 80's and material remaining is not a risk to people;
- this is a cleanup for the environment not to protect health;
- this cleanup is only happening because of public demands
- there is no evidence of health effects from years of exposure to toxic material

Our members have lived through all of it and know these statements are not true. Information given to the public must be accurate and errors corrected immediately.

Issue D: AECL/CNL/PHAI are seeking the necessary approvals to amend the federal legal agreement with Port Hope which would allow the following to happen:

- a) weaken the cleanup criteria to leave more uranium and arsenic behind in Port Hope;
- b) reduces waste volume so Port Hope cleanup can be completed faster before 2028;
- c) the transfer of 6500 m3 of contaminated sludge over the next 5 years (300 + truckloads) from the Port Granby Wastewater Treatment Plant (now closed Clarington site) to the Port Hope site despite public reassurances for many years that this would not be allowed;
- d) save significant costs for the contractors by reducing transportation to the US or Chalk River.

Important details have not been made public so we are left to ask, what is going on?? The Port Hope storage facility is already too small for the volume of waste known to be in Port Hope with more still to be discovered.. Why was the Port Granby site allowed to be officially capped and closed when work there obviously was not finished?

The community has been told that the highest levels of contaminated wastes were taken to Port Granby in years past. According to a November 2020 report to Port Hope council the alternate destinations for this sludge are to be Chalk River or the US if it does not come to Port Hope. Does the content of this sludge, the types and levels of contamination exceed current criteria for the low level waste acceptable for the Port Hope site? Is this another change Port Hope is being asked to accept?

AECL/CNL/PHAI appear to justify these proposals by saying cost savings from the requests are needed to complete the Port Hope project with the budget they have. They are clearly seeking cheaper, faster methods which puts pressure on the community to go along with changes to get the cleanup we are entitled to. Why is this happening now when much work remains to be done here? How many more accommodations will Port Hope be asked to make year after year before the cleanup is finally and properly done?

Action request: That a comprehensive independent audit and operational review of all aspects of the AECL/CNL/PHAI operations in Port Hope since 2012 be undertaken, and a future work-plan with necessary funds be approved that will meet all current federal cleanup commitments for Port Hope in whatever timeline is necessary..

Prime Minister, we ask for your consideration and intervention on these matters of public importance.

Respectfully submitted,



On behalf of the Port Hope Community Health Concerns Committee

C.c The Honourable Erin O'Toole, Leader, Conservative Party of Canada
Mr. Jagmeet Singh, Leader, New Democratic Party of Canada
Ms. Annamie Paul, Leader, Green Party of Canada
Ms. Elizabeth May, Parliamentary Leader, Green Party of Canada
The Honourable Seamus O'Regan, Minister of Natural Resources
The Honourable Carolyn Bennett, Minister of Indigenous Relations
Mr. Philip Lawrence, MP Northumberland-Peterborough South



*Photo: PHCHCC January 2021
Mill Street South, Port Hope: Open area radioactive waste remediation site,*



*Photo: PHCHCC January, 2021
Alexander Street, Port Hope: Open area radioactive waste remediation site in a
neighborhood.*



*Photo: PHCHCC February 2021
Mill Street South, Port Hope east beach playground on and beside several radioactive waste remediation sites and in area of highest deposition for Cameco emissions.*



Photo: PHCHCC February, 2021

Toronto Road, Port Hope: Open area radioactive waste remediation site across from school, beside busy main road, homes and sidewalk.



*Photo: PHCHCC January 2021:
Mill Street South, Port Hope open area radioactive waste remediation site.*