



Fact Sheet

Federal Environmental Assessments at the CNSC

As the regulator of the Canadian nuclear industry, the Canadian Nuclear Safety Commission (CNSC) continually strives to be an effective regulator while operating in an open and transparent fashion. When considering making certain licensing decisions, the CNSC is subject to environmental assessment obligations and responsibilities under the *Canadian Environmental Assessment Act* (CEAA) – which is the basis for federal environmental assessments (EA) in Canada.

An EA is a planning tool used by federal authorities – ministers, departments, departmental corporations and agencies of the Government of Canada – to ensure that the environmental effects of a proposed initiative are identified and evaluated, as well as to provide the public with an opportunity to participate in the process. CNSC staff is responsible for the functional implementation of the CEAA, which states that an EA is triggered when a federal authority “enables a project to be carried out” by:

- proposing a project
- providing financial assistance to a proponent
- selling, leasing or otherwise transferring the control or administration of federal land
- providing a licence, permit or an approval

In terms of the life cycles of new nuclear power plants in Canada, the CNSC must issue five licences to a proponent. They are:

- a licence to prepare a site
- a licence to construct
- a licence to operate
- a licence to decommission
- a licence to abandon a site

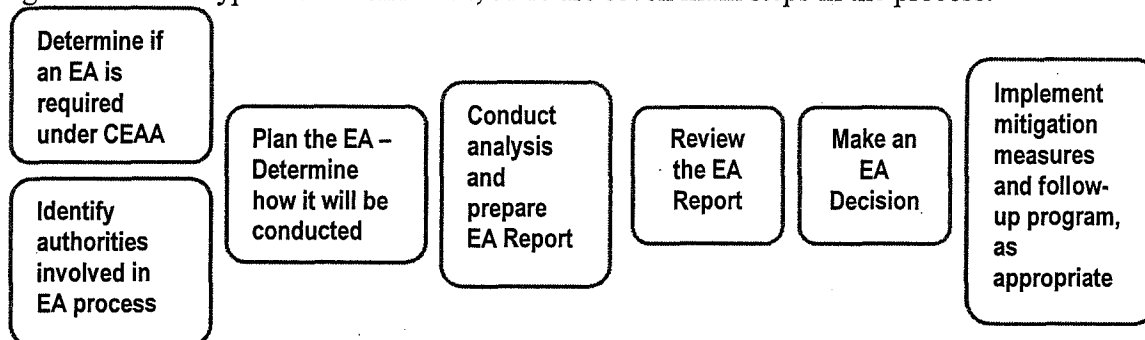
An EA would have to be completed prior to the issuance of the first license. In some instances, both federal and provincial/territorial EA processes can apply to a project, so given the potential for overlapping EAs, the CEAA allows the Minister of the Environment to enter into agreements with provincial and territorial governments. In fact, such agreements already exist with most provinces and territories. These cooperative agreements provide guidelines for the roles and responsibilities of each government and enable projects that are subject to both pieces of legislation to be assessed under one environmental assessment.

Under CEAA, there are two different types of environmental assessments: screenings (including class screenings) and comprehensive studies. Both of these can be referred to a mediator or to a review panel if public concerns warrant it or if it is determined that the project will have significant adverse environmental effects.

Even though the majority of federal projects are assessed through screenings, others require a comprehensive study. As identified under CEAA regulation, these tend to be large projects that generate public concerns and have the potential for significant adverse environmental effects.

Examples of such projects include large-scale oil and natural gas developments, electrical-generation projects, nuclear power developments and others.

Regardless of the type of EA conducted, there are seven main steps in the process.



First, the federal authority determines whether it has the responsibility to conduct an environmental assessment. If it does, it is referred to as a responsible authority who then identifies other parties that may have EA responsibilities or expert information to contribute. All parties involved then determine how the environmental assessment will be conducted. For example, they identify the scope of the proposed project as well as the scope of the factors that must be considered in the EA. They also establish timelines.

Once the plan is in place, a team of qualified environmental assessment practitioners conduct the EA to ensure that the potential environmental effects of the proposed project are identified along with the appropriate measures to mitigate those effects. The findings are presented in a written report which is then reviewed for adequacy and accuracy by all interested parties.

Based on the findings of the report, the responsible authority decides whether adverse environmental effects are likely to be significant – a decision which is taken into account when determining whether the proposed project should proceed or not. If the proposal is to be carried out, the mitigation measures identified in the report are incorporated into the project's design plans and implemented. Where required or appropriate, a follow-up program is also designed and implemented to verify that the predictions of the EA were accurate and the mitigative measures effective. If it is deemed that a project will likely have significant adverse environmental effects, a mediator or a review panel may be appointed by the Minister of the Environment to impartially review and assess the proposal and its projected effects.

Public participation is an essential element of the environmental assessment process. The CNSC's approach to public involvement in the EA process fully meets CEAA requirements. It is also consistent with our public consultation and risk management policies, and with the Commission's expectations for facilitating transparency and openness in decision-making. Public consultation objectives for the CNSC's EA process include:

- encouraging early communication of information on a project
- identifying public support or concerns regarding a project
- promoting transparency and accountability in the CNSC decision-making process
- promoting confidence in the credibility and quality of the EAs
- integrating public knowledge into the decision-making process
- assisting the government to fulfill its duty to consult with aboriginal peoples

Environmental assessments are beneficial on many levels. Beyond ensuring government accountability, EAs often result in the increased protection of human health and safety, the sustainable use of natural resources and minimized risks of environmental disasters.

For more information on the CNSC and the Environmental Assessment process, please consult our Web site at www.nuclearsafety.gc.ca.