



THE HARPER RECORD

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Putting Commerce Before Safety in the Nuclear Industry

Marita Moll

BREAKING NEWS: AN ageing nuclear reactor is ordered closed by a safety regulator against the wishes of the government. The regulator disappears and is replaced by a loyal servant. The reactor is restarted without the safety upgrades. This doesn't happen in Canada, right? Wrong!

This, unfortunately, is a snapshot of the Harper government's "nuclear meltdown" that occurred in late 2007. A 50-year-old nuclear reactor in Chalk River, Ontario, which produces medical isotopes used for diagnostic purposes, was not in compliance with safety upgrades requested by the Canadian Nuclear Safety Commission (CNSC). The CNSC ordered the facility to close despite pressure from the Harper government.

In the circus that ensued, Prime Minister Stephen Harper accused Linda Keen, President of the CNSC, of being a Liberal partisan. Harper, Health Minister Tony Clement, and Environment Minister Gary Lunn all became instant experts on nuclear safety, assuring parliamentarians that there would be no nuclear accident as a result of their passing an emergency bill to override the decision of the Commission and restart the reactor.

Ms. Keen testified later at a parliamentary committee hearing that, without the requested upgrades, the safety risk at the reactor was 1,000 times higher than accepted international standards. For her efforts, she

was summarily fired from her position as president (she remains a commissioner for the time being) via a late night telephone call just before her scheduled appearance before the Commons committee.

At the hearing, Gary Lunn was clear about the reason for his actions: Ms. Keen refused to comply with a government request to keep the reactor open to maintain the supply of medical isotopes. She insisted that the CNSC was mandated to ensure safety, not the production of isotopes. To observers, it was clear that the government was reacting to industry pressure over potential damage to the very lucrative medical isotope business — Canada produces an estimated 45% of the world supply.

The firing of Linda Keen raised eyebrows around the world. This government has bullied other regulatory bodies, including the CRTC, without any public backlash, but firing (they called it a “rescinding of her designation”) the nuclear safety regulator for doing her job was denounced across the country, by citizens through open-line radio programs and letters to the editor, by editors of major newspapers, and by the international nuclear safety community of which Keen is a respected member. Shawn Patrick Stensil, energy campaigner for Greenpeace, called the firing “a frightening lesson in an industry where safety is paramount. It’s very unlikely that the regulator will have the courage to stand up to the industry again.”¹

Harper quickly replaced Keen with Michael Binder, who has an unblemished record as a “no nonsense, don’t waste my time with arguments that don’t reflect the current political reality” bureaucrat. Binder served for years under Kevin Lynch — recently named Clerk of the Privy Council, the most powerful non-elected position in the country — when Lynch was deputy minister at Industry Canada. So who’s partisan now? You might be tempted to ask.

In its handling of this issue, the Harper government made it clear that, with respect to the nuclear industry, it takes a risk management approach: basically, they guess how much risk Canadians are prepared to accept to keep the lights on or keep the isotopes flowing and proceed accordingly. If the international standards are “too high,” they adopt their own standards.

Here's the present danger. For some time, the nuclear industry has been lobbying for lower standards at the CNSC in order to continue operating aging reactors in Ontario and Québec, as well as build new ones with as yet unproven technologies. With CNSC now effectively "politicized," many observers fear that the fastest way to give the industry an economic boost will be to tinker with the safety margins. This is the kind of thinking that led Ontario, under the Harris government, to the Walkerton tainted-water crisis.

The alternative approach is to respect the precautionary principle: "If an action or policy might cause severe or irreversible harm to the public or to the environment, in the absence of a scientific consensus that harm would not ensue, the burden of proof falls on those who would advocate taking the action."² But chances of getting there from here under the current regime are pretty slim.

There are many other issues brewing in the nuclear arena which implicate the federal government:

- the shelving of the Maple 1 and 2 reactors which were supposed to replace the aging Chalk River reactor;
- a decision by MDS Nordion, which markets and distributes Chalk River's nuclear isotopes, to sue Atomic Energy of Canada Ltd. (AECL), a Crown corporation that designs CANDU-style reactors, and the federal government for \$1.6 billion for failing to live up to its commitment to secure a 40-year supply of isotopes;
- the possible privatization of AECL;
- the safe burial of nuclear waste already accumulated; and
- the proposed new reactors in Alberta and Saskatchewan.

The industry, backed by the government, likes to say it is experiencing a renaissance. Critics say it's a carefully constructed illusion and a swamp we ought to recognize by now.

In firing Linda Keen, however, this government has tipped its hand and given us a very good idea of what we might expect from them in the future: lower standards, both technical and environmental, for nuclear installations; accelerated processes for approving new reactors; fur-

ther privatization in the nuclear industry; and considerably less attention to public concerns which generally arise from the precautionary principle.

The public trust in our nuclear installations has been seriously damaged by a government which has shown its willingness to trade safety and security for commercial interests. That's a very dangerous situation, indeed.