



Ottawa, Canada K1A 0E4

CNSC CCSN



3188556

PROTECTED B - SENSITIVE
PERSONAL INFORMATION

Ms. Linda Keen
President and Chief Executive Officer
Canadian Nuclear Safety Commission
Standard Life Centre
12th Floor, 280 Slater Street
P.O. Box 1046 Postal Station "B"
Ottawa, Ontario
K1P 5S9

DEC 27 2007

FILE DOSSIER	2.14 26-1-54-0-0
REFERRED TO RÉFÉRÉ À	Cameron, J.K.

Dear Ms. Keen:

Re: Shut down of National Research Universal (NRU) reactor at Chalk River

I am writing to convey to you my deep concern with respect to the actions of the Canadian Nuclear Safety Commission (the "Commission"), of which you are President, that resulted in the continued shutdown of the NRU reactor at Chalk River, Ontario. My concern extends to the failure of the Commission to facilitate the return to operation of the NRU reactor in a timely manner, considering that it is the primary source of medical isotopes necessary for the critical health care of Canadians.

Health Minister Clement and I raised this issue in our letter to you of December 10, 2007, which references our prior conversations on this matter.

Under your leadership, the Commission did not initiate the process to permit the return to operation of the NRU reactor, despite the issuance on December 10, 2007 of the *Directive to the Canadian Nuclear Safety Commission Regarding the Health of Canadians*. The failure of the Commission to modify its approach in light of the Directive led all parties in Parliament to take the extraordinary measure of adopting Bill C-38 to allow for the resumption of operations of the NRU reactor so that the production of medical isotopes could resume.

27DEC07 11:37

These events have cast doubt on whether you possess the fundamental good judgement required by the incumbent of the office of President of the Commission, and whether you are duly executing the requirements of the office. Serious questions have arisen about whether the Commission, under your leadership, could have dealt more appropriately with the risk management of the situation.

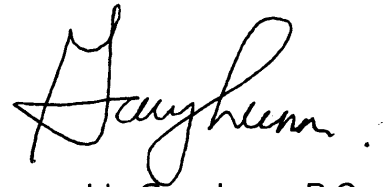
I am concerned that the Commission, in the exercise of its statutory mandate, may not have appropriately considered relevant evidence regarding the impact of the continuing shutdown of the NRU reactor on the health of Canadians. Further, I require an explanation of why the Commission, under your leadership, persisted in its refusal to consider this relevant evidence even after it was brought to your attention, including by the letter sent by Minister Clement and myself and by the December 10th Directive. The continuing refusal of the Commission, under your leadership, to prevent unreasonable risk to the health of Canadians potentially undermines public confidence in the regulation of the nuclear industry in Canada.

These doubts have led me to question whether you should continue to serve as President of the Commission. The measure taken by Parliament to adopt Bill C-38 also suggests a lack of confidence by all parties in your judgement.

The purpose of this letter is to provide you with an opportunity to make any submissions that you believe should be taken into account before a decision is made regarding your continued role as President of the Commission. Please ensure that I receive your written submissions by the close of business on January 10, 2008.

You should be aware that I am considering making a recommendation to the Governor in Council that your designation as President of the Commission be terminated while maintaining your status as a full-time member of the Commission. However, before I decide whether or not to make that recommendation, I am prepared to hear from you as indicated above. If the matter of your continued designation as President proceeds to the Governor in Council, your submissions will be considered in order to assist in making a final determination.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Gary Lunn". The signature is fluid and cursive, with a large initial "G" and "L".

Honourable Gary Lunn, P.C., M.P.
Minister of Natural Resources