

Summary Record of Proceedings and Decision

In the Matter of

Applicants Cameco Corporation and
AREVA Resources Canada Incorporated

Subject Environmental Assessment Screening Report
for the Proposed Rabbit Lake Solution
Processing Project

Hearing Date June 11, 2008

RECORD OF PROCEEDINGS

Applicants: Cameco Corporation and AREVA Resources Canada Incorporated

Address/Location: Cameco Corporation: 2121 – 11th Street West
Saskatoon, SK S7M 1J3

AREVA Resources Canada Inc.: 817 - 45th Street West,
P.O. Box 9204, Saskatoon, SK S7K 3X5

Purpose: Environmental Assessment Screening Report for the Proposed
Rabbit Lake Solution Processing Project

Application received: January 19, 2005

Date(s) of hearing: June 11, 2008

Location: Canadian Nuclear Safety Commission (CNSC), 280 Slater St.,
14th. Floor, Ottawa, Ontario

Members present: M. Binder, Chair
A. Graham A. Harvey
M. McDill R. Barriault
D. Tolgyesi C. Barnes

Secretary: M.A. Leblanc
Recording Secretary: S. Dimitrijevic
General Counsel: J. Lavoie

Applicant Represented By	Document Number
<ul style="list-style-type: none"> • T. Gitzel, Senior Vice President and Chief Operating Officer • J. Jarrell, Vice President, Safety, Health, Environment and Quality • G. White, Program Manager, Environmental Assessment • B. Esford, Senior Hydrogeologist • J. Rowsen, Vice President, Environment, Science and Technology, AREVA • B. Halbert, SENES Consultants 	CMD 08-H13.1 CMD 08-H13.1A
CNSC staff	
<ul style="list-style-type: none"> <li style="width: 50%;">• P. Thompson <li style="width: 50%;">• K. Scissons <li style="width: 50%;">• M. Rinker <li style="width: 50%;">• B. Torrie 	CMD 08-H13
Intervenor	
<ul style="list-style-type: none"> • Northern Saskatchewan Environmental Quality Committee, represented by B. Hutchinson 	CMD 08-H13.2

Date of Release of Decision: June 19, 2008

Table of Contents

INTRODUCTION	1
DECISION	3
ISSUES AND COMMISSION FINDINGS	3
CONCLUSION	3

Introduction

1. Cameco Corporation (Cameco) and AREVA Resources Canada Incorporated (AREVA) have applied to the Canadian Nuclear Safety Commission¹ (CNSC) to seek authorisation to send uranium-rich solution from McClean Lake Operation to the Rabbit Lake Operation for further processing.
2. Cameco and AREVA proposed to Saskatchewan Environment (now Saskatchewan Ministry of the Environment (SMOE)) and CNSC, on behalf of their Cigar Lake Joint Venture, to send up to 4.6 million kilograms of uranium per year as a uranium-rich solution (URS) from AREVA's McClean Lake operation to Cameco's Rabbit Lake operation for subsequent treatment to produce uranium concentrate. The proposed project includes transfer of URS from the McClean Lake mill to the Rabbit Lake mill in special haul trucks, construction of portions of a dedicated haul road, construction of a clear-span bridge over Collins Creek, and changes required at the Rabbit Lake mill to receive and process the URS, including an expansion of the existing Rabbit Lake tailings management facility (TMF).
3. Pursuant to subsection 24(2) of the *Nuclear Safety and Control Act*² (NSCA), the activities included in the proposed project require the amendment of the operating licences at both sites, UMOL-MINEMILL-RABBIT.01/2008 which expires on October 31, 2008 and UMOL-MINEMILL-McClean.04/2009 which expires on May 31, 2009. Such an amendment is a 'trigger' under the *Law List Regulations*³ of the *Canadian Environmental Assessment Act*⁴ (CEAA). Since the proposal involves undertakings in relation to a physical work, there is a project as defined in section 2 of the CEAA. The project is not of a type identified in the *Comprehensive Study List Regulations*⁵ of the CEAA.
4. Under the CEAA, CNSC is a "Responsible Authority" (RA)⁶. Transport Canada is also a RA for the project, since the bridge construction over Collins Creek will require its approval.
5. Pursuant to the *Regulations Respecting the Coordination by Federal Authorities of Environmental Assessment Procedures and Requirements*⁷ the following federal departments/agencies are considered FAs in relation to the project: Environment Canada (EC); Fisheries and Oceans Canada (DFO), Natural Resources Canada (NRCan); Indian and Northern Affairs Canada (INAC); and Health Canada (HC).

¹ The *Canadian Nuclear Safety Commission* is referred to as the "CNSC" when referring to the organization and its staff in general and as the "Commission" when referring to the tribunal component.

² S.C. 1997, c.9.

³ S.O.R./94-636.

⁴ S.C. 1992, c.37.

⁵ S.O.R./94-638.

⁶ Responsible Authority in relation to an environmental assessment is determined in accordance with subsection 11(1) of the CEAA.

⁷ S.O.R./97-181.

6. The project triggers the *Saskatchewan Environmental Assessment Act*⁸ for the three existing uranium developments: the Cigar Lake mine, the McClean Lake operation and the Rabbit Lake operation. Because this EA is being conducted under both federal and provincial jurisdiction, the Canadian Environmental Assessment Agency is the Federal Environmental Assessment Coordinator (FEAC).
7. Before making a licensing decision on the request for authorization, the Commission, in accordance with the requirements of the CEAA, must make a decision on the results of an environmental assessment (EA) screening of the proposed project. In this regard, the Commission considered the Screening Report⁹ submitted by CNSC staff.

Issues

8. In considering the Screening Report, the Commission was required to decide:
 - a) whether the Screening Report is complete; that is, whether the scope of the project, all of the assessment factors and instructions set out in the approved EA Guidelines and subsection 16(1) of the CEAA have been adequately addressed;
 - b) whether the project, taking into account the mitigation measures identified in the Screening Report, is likely to cause significant adverse environmental effects;
 - c) whether the project must be referred to the federal Minister of the Environment for referral to a review panel or mediator, pursuant to paragraph 20(1)(c) of the CEAA; and
 - d) whether the Commission will proceed with its consideration of an application for a licence under the NSCA, consistent with paragraph 20(1)(a) of the CEAA;

Hearing

9. Pursuant to section 22 of the NSCA, the President of the Commission established a Panel of the Commission to hear this matter.
10. The Panel of the Commission (hereafter referred to as the Commission), in making its decision, considered information presented for a public hearing held on June 11, 2008 in Ottawa, Ontario. During the hearing, the Commission received written submissions and heard oral presentations from CNSC staff (CMD 08-H13) and from proponents (CMD 08-H13.1 and CMD 08-H13.1A). The Commission also considered an oral intervention and written submission from the Northern Saskatchewan Environmental Quality Committee (CMD 08-H13.2).

⁸ S.S. 1979-80, c.E-10.1.

⁹ The proposed *Screening Report for the Environmental Assessment of the Proposed Rabbit Lake Solution Processing Project, McClean Lake Operation/Rabbit Lake Operation* is attached as an appendix to CMD 08-H13.

11. The public hearing was conducted in accordance with the *Canadian Nuclear Safety Commission Rules of Procedure*¹⁰.

Decision

12. Based on its consideration of the matter, the Commission decides that:

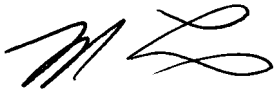
- a) the Environmental Assessment Screening Report appended to CMD 08-H13 is complete; that is, the scope of the project and assessment were appropriately determined in accordance with section 15 and 16 of the *Canadian Environmental Assessment Act*, and all of the required assessment factors were addressed during the assessment;
- b) the project, taking into account the mitigation measures identified in the Environmental Assessment Screening Report, is not likely to cause significant adverse environmental effects;
- c) it will not refer the project to the federal Minister of the Environment for his referral to a federal Environment Assessment review panel or mediator;
- d) it will proceed to consider the application for licence amendment under the provisions of the *Nuclear Safety and Control Act*, consistent with paragraph 20(1)(a) of the *Canadian Environmental Assessment Act*.

Issues and Commission Findings

13. In making its decision, the Commission addressed the four issues identified in paragraph 8. The findings of the Commission, based on consideration of all the information and submission available for reference on the record for the hearing, will be presented in a *Record of Proceeding, Including Reasons for Decision*, to be published at a later date.

Conclusion

14. The Commission accepts the conclusions of the Environmental Assessment Screening Report and decides that it will proceed with consideration of the application for licence amendment under the provisions of the *Nuclear Safety and Control Act*, consistent with paragraph 20(1)(a) of the *Canadian Environmental Assessment Act*.



for Michael Binder
President,
Canadian Nuclear Safety Commission

Date of release of decision: June 19, 2008

¹⁰ SOR/2000-211.