

# **Operational Protocol for the Gunnar Project**

Revision 1.0

# OPERATIONAL PROTOCOL FOR THE GUNNAR PROJECT

## PREAMBLE

WHEREAS the Saskatchewan Ministry of the Economy (ECON) is responsible, on behalf of the Province of Saskatchewan, for the remediation of the legacy Gunnar uranium mine site (Gunnar);

AND WHEREAS the Saskatchewan Research Council (SRC) is the licensee on behalf of the Provincial Crown;

AND WHEREAS the Canadian Nuclear Safety Commission (CNSC) has regulatory and statutory responsibilities under the *Nuclear Safety and Control Act* (NSCA) and its regulations and is responsible for assessing licence applications and for accepting documents to allow the project to proceed;

AND WHEREAS the Commission Tribunal (the Commission) is a quasi-judicial administrative tribunal;

AND WHEREAS nothing in this Protocol fetters the powers of designated officers, inspectors or the Commission when it comes to making regulatory decisions or taking regulatory action in the public interest, transparently and independent of any undue influence;

AND WHEREAS nothing in this Protocol is to be construed or interpreted as affecting the jurisdiction and discretion of the Commission in any assessment of any application for licensing purposes under the NSCA;

AND WHEREAS all participants to the Protocol understand that there will be no compromise in the protection of the health, safety and security of Canadians, as well as the environment. The participants also recognize the independence of the Commission, as Canada's federal nuclear regulator, will be maintained.

## 1.0 PURPOSE OF THIS PROTOCOL

The purpose of the Protocol for the Gunnar Project is to establish the administrative framework and service standards for the remaining activities of the federal regulatory process in relation to the Gunnar Project. These activities include the submission of the documents referred to in provision 3.1 of the licence conditions handbook (LCH) associated with the Gunnar Remediation Site Waste Nuclear Substance Licence No. WNSL-W5-3151.00/2024 and the regulatory review of these documents.

The Protocol and the attached Annex establish the milestones and the service standards for each milestone remaining in the licensing of the Gunnar Project. These have been established on the basis of a number of assumptions, some of which relate to activities of participants in this project that are not signatories to this Protocol.

Should events unfold in a manner that is different from what has been assumed, the milestones will have to be revised following the processes outlined in this Protocol.

## **2.0 CONTEXT**

Following a public hearing held on November 6, 2014, in Ottawa, Ontario, the Canadian Nuclear Safety Commission (CNSC) issued a 10-year Waste Nuclear Substance Licence to the Saskatchewan Research Council (SRC), valid from January 14, 2015, to November 30, 2024.

The work at the site will be divided into three phases with hold points for the authorization of Phases 2 and 3:

Phase 1: Activities including continued monitoring and maintenance of the site, additional site investigation and remediation design, construction of infrastructure, and mobilization of heavy equipment

Phase 2: Activities related to the remediation of the site (i.e., covering of tailings areas, waste rock management, and demolition debris management)

Phase 3: Long-term monitoring and surveillance of the site

The licence includes a regulatory hold point for phase 2 of the project. The Commission will consider SRC's request to remove this hold point in a Commission proceeding tentatively scheduled for September 30, 2015, with public participation.

This Protocol focuses on the licence document submission and regulatory review for Phase 2 of the Gunnar Project.

## **3.0 PARTICIPANTS AND CHAMPIONS**

The participants to the Protocol have the following roles and responsibilities with respect to the licensing and environmental assessment follow-up program activities of the Gunnar Project:

- The CNSC has regulatory and statutory responsibilities under the *Nuclear Safety and Control Act* (NSCA) and its regulations and, to allow the project to proceed, is responsible for assessing the documents referred to in provision 3.1 of the LCH associated with the Gunnar Remediation Site Waste Nuclear Substance Licence No. WNSL-W5-3151.00/2024.
- ECON, on behalf of the provincial Government, is responsible for the Gunnar Remediation Project and provides policy direction and funding for it.
- SRC, a provincial Crown corporation, is the licensee for the Gunnar Project.

Champions of this Protocol representing each participant are as follows:

Karine Glenn

Director, Wastes and Decommissioning Division  
CNSC

Cory Hughes

Executive Director, Minerals, Lands and Resource Policy Division  
ECON

Ian Wilson

Business Unit Manager  
SRC

Each participant will identify alternates in the event that the primary Champion is unavailable.

#### **4.0 EFFECTIVE LIFE OF THE PROTOCOL**

This Protocol will come into effect upon the date of the signing of the Protocol by all participants to the Protocol. This Protocol will terminate on the date that all of the milestones defined in the Annex are achieved.

#### **5.0 TIMELINES**

The Annex details the service standards for the submission, review and revision of the documents to support Commission acceptance of the documents referred to in provision 3.1 of the LCH associated with the Gunnar Remediation Site Waste Nuclear Substance Licence No. WNSL-W5-3151.00/2024. Specific timelines for the submission of the documents are indicated; however, timelines will be updated as applicable through the dashboard reports. The service standards are initiated upon receipt of the documents from the proponent.

The participants agree to encourage, to the extent possible, the exchange of information on the documents listed in the Annex and on the review of advanced drafts.

In addition to the exchange of submission and response correspondence described in the Annex, the participants agree to meet, as necessary, to clarify intentions and facilitate common understandings, with the aim of achieving the service standards.

#### **6.0 REPORTING**

The Champions will jointly produce a monthly dashboard-style report that demonstrates progress, the status of activities and items of concern/risk to completion. The report shall be submitted to the Executive Management Committee (section 9.0) within five working days of the end of each month that falls within the life of this Protocol.

## **7.0 EXTERNAL COMMUNICATIONS**

Throughout the duration of this Protocol, all participants agree that external communications will be open and transparent and that information destined for public release will be coordinated through the designated Champions (or alternates, where designated) with support from each participant's communications division. Further, these communications will be done in coordination with, and in consideration of, each participant's communications protocols.

## **8.0 ISSUES RESOLUTION**

The participants to this Protocol will use their best efforts to resolve any differences of opinion in the interpretation or application of this Protocol in an effective and timely manner.

There may be issues related to the submission or regulatory review of the documents to support Commission acceptance of the documents referred to in provision 3.1 of the LCH associated with the Gunnar Remediation Site Waste Nuclear Substance Licence No. WNSL-W5-3151.00/2024. These issues will be resolved through direct discussions and collaboration between the Champions. Those that cannot be resolved will be jointly referred to the Executive Management Committee.

The actions and decisions of the Executive Management Committee, as well as the champions, does in no way fetter the discretion of those who otherwise have the statutory obligations to consider matters.

## **9.0 EXECUTIVE MANAGEMENT COMMITTEE**

The participants to the Protocol have formed an Executive Management Committee comprised of senior management representatives from the CNSC and the Saskatchewan Ministry of the Economy. The Executive Management Committee will continue to receive and review the dashboard reports and will also continue to resolve issues. Where an issue cannot be resolved through the Champions, the Executive Management Committee agrees to meet within three working days of notification of the dispute with the intention of expeditiously resolving the impasse.

The members of the Executive Management Committee are set out as follows:

Ramzi Jammal

Executive Vice-President and Chief Regulatory Operations Officer  
Regulatory Operations Branch  
Canadian Nuclear Safety Commission

Hal Sanders

Assistant Deputy Minister  
Saskatchewan Ministry of the Economy

Each participant will identify alternates in the event that the primary committee member is unavailable.

## 10.0 FUTURE REVISIONS OF THE PROTOCOL

Revisions of this Protocol will be coordinated by the Champions. Substantive revisions affecting the main terms of this Protocol must be approved by the participants who have signed the Protocol. Other revisions may be approved with the joint agreement of the members of the Executive Management Committee.

## 11.0 PROTOCOL AGREEMENT


The participants hereto have signed the Protocol, in counterpart, on the dates indicated below.



Ramzi Jammal  
Executive Vice-President and Chief Regulatory Operations Officer  
Regulatory Operations Branch  
Canadian Nuclear Safety Commission



Hal Sanders  
Assistant Deputy Minister  
Saskatchewan Ministry of the Economy



Joe Muldoon  
Vice-President, Environment  
Saskatchewan Research Council

## Annex

**Key Milestones, Descriptions/Activity, and Service Standards  
for the Release of Hold Points for Phase 2 of the Gunnar Project**

<b>Milestone</b>	<b>Description/activity</b>	<b>Lead</b>	<b>Target date</b>
Submission of completed Management System / revised Phase I documents (as required)	Gunnar Site Licence Manual	SRC	May 15, 2015
	Gunnar Site Environmental Protection Program	SRC	
	Gunnar Site Communication Program	SRC	
	Gunnar Site Quality Program	SRC	
	Gunnar Site Training Program	SRC	
Submission of documents in support of the release of hold points for Phase 2	Gunnar Site Tailings Management Areas Plan	SRC	July 1, 2015
	Gunnar Site Waste Rock Remediation Plan	SRC	August 15, 2015
	Gunnar Site Pit and Shaft Remediation Plan	SRC	August 15, 2015
Review process for documents submitted in support of the release of hold points for Phase 2	Conformity review of Gunnar Site Tailings Management Areas Plan	CNSC	July 8, 2015
	Posting of Gunnar Site Tailings Management Areas Plan for public comments	CNSC	Following conformity review
	Review of submission (Gunnar Site Tailings Management Areas Plan) and response issued to SRC	CNSC	July 31, 2015
	Conformity review of Gunnar Site Waste Rock Remediation Plan and Gunnar Site Pit and Shaft Remediation Plan	CNSC	August 21, 2015
	Posting of Gunnar Site Waste Rock Remediation Plan and Gunnar Site Pit and Shaft Remediation Plan for public comments	CNSC	Following conformity review

Milestone	Description/activity	Lead	Target date
	Acknowledgment of receipt of CNSC comments on review of Gunnar Site Tailings Management Areas Plan	SRC	August 6, 2015
		SRC	August 17, 2015
	Response or submission of revision to CNSC comments on review of Gunnar Site Tailings Management Areas Plan	SRC	August 28, 2015
	Acknowledgment of receipt of CNSC comments on review of Gunnar Site Waste Rock Remediation Plan and Gunnar Site Pit and Shaft Remediation Plan	SRC	September 11, 2015
	Response or submission of revision to CNSC comments on review of Gunnar Site Waste Rock Remediation Plan and Gunnar Site Pit and Shaft Remediation Plan		
	Review of resubmission or response received on review of Gunnar Site Tailings Management Areas Plan and response issued to SRC	CNSC	August 25, 2015
	Review of resubmission or response received on the review Gunnar Site Waste Rock Remediation Plan and Gunnar Site Pit and Shaft Remediation Plan and response issued to SRC	CNSC	September 18, 2015
Submission of CNSC staff Commission member document (CMD)	CNSC staff CMD	CNSC	September 2, 2015
Commission Proceedings for release of hold point	Seeking approval to allow SRC to proceed with tailings remediation activities	CNSC	September 30 to October 1, 2015
	Commission decision on request to allow SRC to proceed with tailings remediation activities	CNSC	Approximately six weeks following the Commission proceedings <sup>1</sup>
	Seeking approval to proceed with remainder of Phase 2 activities	CNSC	Spring 2016



<b>Milestone</b>	<b>Description/activity</b>	<b>Lead</b>	<b>Target date</b>
Process for issues resolution	Review of outstanding issues by Champions	CNSC SRC	Three working days
	Joint referral to Executive Management Committee of unresolved issues	CNSC SRC	End of third working day <sup>2</sup> following start of review by Champions
	Executive Management Committee	CNSC SRC	Convened within three working days of notification of dispute with intent to resolve

<sup>1</sup> The time estimated for the Commission to render a decision is an approximation and in no way is it binding nor does it fetter the decision-making of the Commission.

<sup>2</sup> All working days are intended to be consecutive.