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Oral Presentation

Exposé oral

Submission from the Ya'thi Néné Land and Resource Office

Mémoire de Ya'thi Néné Land and Resource Office

In the Matter of the

À l'égard de

Beaverlodge Project

Site Beaverlodge

Application to amend the Waste Facility
Operating Licence to allow for the removal
of 20 properties at the Beaverlodge Project
from its licence

Demande pour modifier le permis
d'exploitation d'une installation de gestion
des déchets pour permettre le retrait de
20 propriétés du site Beaverlodge de son permis

Commission Public Hearing

Audience publique de la Commission

October 2, 2019

Le 2 octobre 2019

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**Written Submission from
Ya'thi Néné Land and Resource Office
In the Matter of the;**

A License Amendment

**Cameco Corporation's Request of 20 Beaverlodge Properties
from Requiring Licensing under the Nuclear Safety Control Act**



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Executive Summary

Cameco has submitted closure reports requesting the release of 20 properties at the Beaverlodge site from CNSC licensing. Cameco has requested its properties, or portions of the properties, be transferred to the Institutional Control Program (ICP). CNSC staff performed a technical review and evaluation of Cameco's request, and supports the request to release properties at the Beaverlodge site. All properties meet the applicable performance indicators and regulatory acceptance criteria.

Ya'thi Néné Land and Resource Office completed a technical and legal review of Cameco's request. Ya'thi Néné also conducted engagement sessions with leadership from Uranium City, Camsell Portage, Wollaston Lake, and Stony Rapids and the Chiefs from Fond du Lac, Hatchet Lake, and Black Lake. Ya'thi Néné agrees with the request to release the 20 properties from the CNSC licence and amend the Waste Facility Operating License - WFOL-W5-2120.0/2023. Ya'thi Néné has the following five recommendations.

Recommendations:

1. Provide more than a 30-day period for the submission review from when the CMD is issued to when intervenors have to submit.
2. All First Nations and communities of the Athabasca Basin are to be included in discussion and consultation concerning the properties at Beaverlodge.
3. Keep all Athabasca Basin communities informed of future monitoring results from sites transferred to the ICP.
4. Conduct a human health study on the rates of cancer and health issues related to the mining industry in the Athabasca Basin.
5. Remediate the legacy buildings in Uranium City that were constructed and abandoned by Eldorado Nuclear Limited, now Canada Eldor Inc. (under the federal Crown).

1.0 Introduction

1.1 Beaverlodge Properties

Cameco Corporation (Cameco) has submitted closure reports requesting the release of properties at the Beaverlodge site from the Canadian Nuclear Safety Commission (CNSC) Licensing. Cameco has requested the removal of 20 property sites from the Waste Facility Operating Licence, WFOL-W5-2120.0/2023. Cameco has requested that 19 of the 20 properties, or portions of, be transferred to the Saskatchewan Institutional Control Program (ICP). One of the properties meets clearance levels and therefore, does not require any long-term monitoring or regulatory oversight. This property will not be placed into the ICP. CNSC staff have confirmed that this property poses no risk to the environment or public as a result of its past usage.

If these properties enter the program, the Government of Saskatchewan will manage any monitoring and maintenance and respond to any unforeseen events. Staff from both the CNSC and the Government of Saskatchewan have confirmed the performance objectives and criteria established for the 20 Beaverlodge properties have been achieved. According to the CNSC through their review, the sites are safe now and will remain so in the long-term under the ICP. All properties meet the applicable performance indicators and regulatory acceptance criteria.

1.2 Ya'thi Néné Land and Resource Office

The Ya'thi Néné Land and Resource Office (Ya'thi Néné) works to enhance the environmental, social, cultural, and economic health and well-being of the Black Lake, Fond du Lac, and Hatchet Lake Denesuline First Nations and the municipalities of Camsell Portage, Uranium City, Wollaston Lake, and Stony Rapids. Ya'thi Néné has an independent board of directors that are elected by the community leaders. Ya'thi Néné is tasked with overseeing the implementation of the collaboration agreement with Cameco and Orano on behalf of the seven Athabasca Basin communities. Ya'thi Néné also works on other sustainable development initiatives in the region, focusing on environmental management and socio-economic development.

1.3 Document Timeline

Ya'thi Néné received confirmation on July 22nd, 2019 that they would receive funding from the Participant Funding Program Contribution Agreement through the CNSC. Following this, the Commission Member Documents were sent on August 6th, 2019. Ya'thi Néné scheduled both a phone meeting and in person engagement sessions with the community leaders to provide a summary of the CMD's and allow for questions and concerns to be voiced. Any questions from the meetings and review were then sent to CNSC and a conference call was scheduled with Ya'thi Néné and Cameco by the CNSC. During this call, questions that were identified through our technical review were addressed. The CNSC provided Ya'thi Néné with additional studies, reports and data to review.

The original deadline for submission intervention was September 3rd, 2019 which provided less than a month to be able to complete both a technical and legal review of the documents, along with conducting community engagement through the elected leaders. Ya'thi Néné was granted a three-day extension till September 6th, 2019 to accommodate for a meeting with leadership on September 4th and 5th, 2019. The timeframe allotted did not provide an adequate amount of time to collaborate and engage with all stakeholders involved. Ya'thi Néné is fortunate to have leveraged the CNSC Leadership meetings in Prince Albert on September 5th, 2019 to have collected additional insights from leadership.

1.4 Document Submission

Ya'thi Nene is providing this submission on the behalf of its member communities. A technical and legal review of Cameco's request for property release and license amendment was completed. Ya'thi Néné also conducted engagement sessions with leadership from the seven Athabasca Basin communities.

2.0 Community Engagement

Ya'thi Néné consulted with community leaders from the seven Athabasca Basin communities on two occasions between August 14th, 2019 to September 5th, 2019. Community leaders were provided with a summary of the CMD document from Ya'thi Néné staff as well as Cameco. During the discussion, there were common concerns that were raised.

2.1 Limited Consultation

Some community leaders voiced their concern that not all were provided with information concerning the Beaverlodge properties prior to the submission report, while other community leaders identified that they have been very well informed of the project. Specifically, Fond du Lac feels they have not been involved or consulted enough. This is specific to the remediation activities that are occurring on their traditional lands. Moving forward, it is recommended that all concerned communities be consulted on activities on the land.

2.2 Health Concerns

The concern of health risks, due to the surrounding environment, was another issue that was voiced during the engagement sessions. Some leaders shared their concern that members of their communities are at risk due to exposure from the mining and mill properties. To address these concerns, a scheduled meeting on health status reporting in northern Saskatchewan occurred prior to submission of this document. Following this meeting, leaders stated that an independent and up to date health study needs to be conducted on cancer rates and health issues within the Athabasca region concerning the mining industry.

2.3 Legacy Buildings

Community concerns about the legacy buildings that still exist in Uranium City today that were constructed by Eldorado Nuclear Limited were mentioned during discussions. Community leaders have stated that the buildings are a public health risk and need to be remediated. These buildings were constructed in Uranium City, as part of the support for the Beaverlodge mine and mill. The remediation of these buildings is now the responsibility of Canada Eldor Inc. (formerly Eldorado Nuclear Limited), a subsidiary of the federal Crown, to remediate.

3.0 Environmental Technical Review

The 20 decommissioned properties proposed for release from the CNSC licensing, consist of properties that required little to no remediation once operations at Beaverlodge ended in 1982. Of the 20 properties, property EXC 2 meets clearance levels and does not require any long-term monitoring or regulatory oversight and will not be transferred into ICP.

After review, Ya'thi Néné confirms that the 19 decommissioned properties meet all established performance objectives and pose minimal risk to public safety or the environment. Staff from both the CNSC and the Government of Saskatchewan have confirmed the performance objectives and criteria established for these Beaverlodge properties have been achieved. The sites are reported to be safe by the CNSC and will remain so in the long term under the ICP.

It should be mentioned, that there was significant concern from community leaders about the environmental impacts and the plan for the remaining 45 properties at Beaverlodge that are up for review in 2023 when the current license will be up for renewal.

4.0 Legal Review

The legal review examined the regulations during mining and decommissioning, as well the process of the transfer of the properties to ICP. These actions were also evaluated in ordinance with the Nuclear Safety and Control Act through the CNSC. The most obvious implication of the transfer noted in the legal review is that monitoring and maintenance, will no longer be the responsibility of Cameco, but will be the responsibility of the provincial government. This also includes the frequency of monitoring to move from once a year to a schedule of inspections in 2024, 2029, 2039, 2049, 2059, 2069, 2079, 2094, and every 25 years after 2094. Under this schedule, there will be no compliance reviews or independent environmental monitoring programs required through the CNSC. Ya'thi Néné expects that the provincial government will keep Ya'thi Néné and all Athabasca Basin communities informed of future monitoring results.

5.0 Duty to Consult

In order to fully exercise the crown's obligation for duty to consult and accommodate, all seven Athabasca Basin communities need to be consulted, and their concerns addressed regarding all

properties at Beaverlodge. This includes not only the 19 properties being transferred to ICP, but the remaining 45 properties under the WFOL-W5-2120.0/2023 license.

To ensure that the seven Athabasca Basin communities maintain confidence in this transfer and license renewal process, all communities need to be informed, consulted and their concerns addressed.

6.0 Recommendations

Ya'thi Néné recommends that the Commission accept Cameco's request to amend the Waste Facility Operating License - WFOL-W5-2120.0/2023 to allow for the removal of 20 properties at the Beaverlodge Project, 19 of which will be placed under the ICP. The acceptance of this amendment is based on the following five recommendations:

1. Provide more than a 30-day period for the submission review from when the CMD is issued to when intervenors have to submit.
2. All First Nations and communities of the Athabasca Basin are to be included in discussion and consultation concerning the properties at Beaverlodge.
3. Keep all Athabasca Basin communities informed of future monitoring results from sites transferred to the ICP.
4. Conduct a human health study on the rates of cancer and health issues related to the mining industry in the Athabasca Basin.
5. Remediate the legacy buildings in Uranium City that were constructed and abandoned by Eldorado Nuclear Limited, now Canada Eldor Inc. (under the federal Crown).

7.0 Closing Remarks

Ya'thi Néné has been pleased with the level of communication between the CNSC, Cameco and our office. We appreciate the opportunity to participate in these important processes. However, all communities and community members within the Athabasca Basin need to be better consulted and their concerns addressed regarding activities in their traditional territory.