



Supplementary Information

**Written submission from
CNSC Staff on the Request for
Ruling filed by the Ya'thi Néné
Land and Resource Office**

In the Matter of the

Cameco Corporation, Beaverlodge Project

**Application to amend its licence to allow
release of 18 Beaverlodge Project
properties from CNSC licensing**

Commission Public Hearing

March 24, 2022

Renseignements supplémentaires

**Mémoire du personnel de la CCSN
au sujet de la demande de décision
déposée par le Bureau des terres et
des ressources de Ya'thi Néné**

À l'égard de

Cameco Corporation, Projet Beaverlodge

**Demande de modification du permis de
Cameco visant à retirer 18 propriétés du
projet Beaverlodge du contrôle de la CCSN**

Audience publique de la Commission

24 mars 2022



To	Denis Saumure Commission Registrar c.c. Commission Registry	Security Classification – Classification de sécurité UNCLASSIFIED	
		e-Doc number / ccm number 2.05	
From De	Kavita Murthy Director General Directorate of Nuclear Cycle and Facilities Regulation	Your File – Votre référence e-Doc 6747933/6751722	
		Date March 8, 2022	Tel. No. – N° de tél. (613) 222-1703



Digitally signed by Murthy, Kavita
 DN: C=CA, O=GC, OU=CNSC-CCSN, CN="Murthy, Kavita"
 Reason: I am approving this document
 Location: Ottawa, Ontario
 Date: 2022-03-08 11:49:26
 Foxit PhantomPDF Version: 9.7.1

Subject / Objet CNSC Staff Submission: Request for Ruling in Matter of the Application by Cameco Corporation for a Licensing Decision to Amend the Beaverlodge Waste Facility Operating Licence

ISSUE

On February 28, 2022 the Commission Registrar informed CNSC staff of a Request for Ruling (the Request) [1] by counsel for Ya’thi Néné Land and Resource Office (YNLRO). In its communication, the Registrar sought CNSC staff views and comments specifically on the request for an adjournment of the March 24, 2022 public hearing where the Commission is scheduled to consider Cameco Corporation’s request for release of 18 Beaverlodge properties from requiring licensing under the *Nuclear Safety and Control Act*.

CNSC STAFF SUBMISSION

CNSC staff have reviewed the additional information provided by YNLRO. This submission is in addition to CNSC staff’s CMD 22-H5 [2]. CNSC staff appreciate YNLRO’s provision of interventions in this matter. CNSC staff offer the following information for the Commission’s consideration:

- A summary table of CNSC staff’s engagement activities with YNLRO related to the Beaverlodge Project is attached (Table 1). It contains details from engagement leading up to the 2019 hearing for the release of 20 properties from CNSC licensing, until YNLRO’s submissions in the Request.

- More specifically, related to the current request, YNLRO was advised of Cameco's pending application by CNSC staff on September 28, 2020, as part of CNSC staff's fall outreach session with Indigenous leadership and representatives in Northern Saskatchewan, prior to August 5, 2021 as stated in the Request.
- All 18 properties proposed for release from CNSC licensing meet the applicable performance indicators and regulatory acceptance criteria.
- These criteria were established to determine when the properties meet Section 11 of the *General Nuclear Safety and Control Regulations* and are therefore suitable for release from CNSC licensing and acceptance into Saskatchewan's Institutional Control Program (ICP).
- There will be no physical changes to these 18 properties associated with the proposed release from licensing. As part of our consideration of Cameco's request, CNSC staff determined that the proposed licensing actions will not have an adverse impact on the exercise of Indigenous and/or Treaty rights.
- These properties are already publicly accessible and safe to use for traditional activities.
- CNSC staff have verified that the properties under consideration are passively safe and will remain so for the long term.
- Should the Commission choose to release these 18 properties from CNSC licensing, Saskatchewan's ICP would provide ongoing regulatory oversight by the government of Saskatchewan, who are a competent authority for those properties that require long-term monitoring.
- CNSC staff are committed to a positive and collaborative relationship with YNLRO and the Indigenous Nations and communities it represents, and will continue to disseminate objective scientific, technical and regulatory information in relation to the CNSC's activities, including licensed Beaverlodge properties. CNSC staff and YNLRO are in the process of developing a long-term engagement Terms of Reference that will help guide the relationship and collaboration moving forward.

CONCLUSION

This memo has provided a summary of relevant CNSC staff views and comments in response to the request from the Commission Registrar. Staff are of the opinion that the hearing for the proposed licence amendment could proceed as scheduled on March 24, 2022.

References:

- 1 Request for ruling filed by the Ya'thi Néné Land and Resource Office, in the Matter of the *Cameco Corporation, Beaverlodge Project, Application to amend its licence to allow release of 18 Beaverlodge Project properties from CNSC licensing*, Commission Public Hearing, March 24, 2022 (e-Doc 6744358).
- 2 CMD 22-H5, Cameco Corporation, *Request for release of 18 Beaverlodge properties form requiring licensing under the Nuclear Safety and Control Act*, Commission public hearing, March 24, 2022 (e-Doc 6540868).



Table 1 – Beaverlodge Project Related Engagement with YNLRO

Date	Outreach/ Engagement/ Correspondence	Content
April 18, 2019	Letter: CNSC staff to Executive Director YNLRO: Notice of Request for release of 20 Beaverlodge Properties	Information on 2019 hearing including PFP opportunity.
May 21, 2019	Email: CNSC staff to Executive Director YNLRO: Information in response to request	Provided a copy of CMD14-M60 and information on the request; offered to provide additional information. Subsequent additional reports and information provided on separate occasions (May 14 & 23, 2019)
June 4, 2019	Meeting: In person Community meeting - Uranium City	CNSC provided a presentation on current request, hearing, etc. and offered to answer any questions to the attendees. A copy of the presentation was provided for distribution to the attendees.
July 9, 2019	Meeting: In person Northern Saskatchewan Environmental Quality Committee (La Ronge, SK)	CNSC provided a presentation on Cameco's current request, hearing, etc., offered to answer any questions and provided a copy of the presentation for distribution to the attendees. YNLRO members were in attendance at this meeting.
August 20, 2019	Conference call	Conference call arranged between CNSC and YNLRO members to answer questions on CMD 19-H6 (request for release of 20 properties).
August 21, 2019	Meeting: In person CNSC Saskatoon, SK office. Meeting with CNSC staff and YNLRO representative(s).	Meeting to answer questions on CMD 19-H6, process, etc. related to the request for the release of 20 properties. CNSC staff offered to meet again should any more information requests or questions arise. YNLRO representative indicated that all of their questions were responded to and they expressed their appreciation over the willingness of staff to meet and provide information to help them better understand what is being requested.
October 2, 2019	Hearing: YNLRO staff intervention at the Beaverlodge Commission Hearing	YNLRO supported the request to release the 20 properties from the CNSC licence and amend the Waste Facility Operating Licence - WFOL-W5-2120.0/2023; intervention included 5 recommendations.

Date	Outreach/ Engagement/ Correspondence	Content
September 28, 2020	Outreach: Virtual Meeting CNSC annual outreach as part of the 2019 Uranium Mines and Mills Regulatory Oversight Report (ROR)	Note: although Beaverlodge was not included in the ROR, this outreach specifically included the Beaverlodge Project to provide an update to interested Indigenous Nations and communities. YNLRO staff were in attendance of this meeting. CNSC staff included 6 slides on Beaverlodge - information on 2019 hearing and proposed new submission from Cameco for the release of additional properties (19 at the time) and when a hearing could potentially be.
November 18, 2020	Outreach: Virtual Meeting Cameco virtual outreach session on Beaverlodge Project	CNSC staff provided a presentation on Cameco’s current request, likely hearing, etc. to attendees including YNLRO and offered to answer any questions. No tour or site visit with community members due to COVID-19 pandemic.
June 4, 2021 45 mins	Virtual meeting: Teams (CNSC staff and YNLRO Executive Director)	CNSC staff met and discussed several ongoing projects with YNLRO Executive Director. CNSC staff let YNLRO staff know that there is a possibility to take part in a “boots-on-the-ground” site visit with Cameco and CNSC staff in the fall (if COVID-19 public health restrictions allow) and enquired if leadership from the YNLRO would be interested. CNSC let YNLRO staff know that the participant funding program (PFP) funding notification would be out soon and would advise them as soon as it opens.
August 5, 2021	Letter: CNSC staff to Executive Director YNLRO and leadership: Notice of Request for release of 18 Beaverlodge Properties	Information on 2022 hearing for the Beaverlodge Properties, included PFP opportunity. Sent out to all interested Indigenous Nations and communities – confirmation of receipt of letter received from YNLRO Executive Director.
August 17, 2021	Email: CNSC staff to YNLRO staff and leadership	Follow-up information sent that participant funding is available to assist Indigenous peoples, members of the public, and stakeholders in reviewing Cameco’s application and associated documents, and in participating in the Commission hearing process.
September 2, 2021 45 mins	Virtual meeting: Teams (CNSC staff and YNLRO Executive Director)	CNSC staff discussed several ongoing projects with YNLRO Executive Director. CNSC staff let YNLRO staff know that due to COVID-19 a “boots-on-the-ground tour” would not be taking place but Cameco, CNSC and Province of Saskatchewan would be presenting at the Cameco Outreach session on November 4, 2021. CNSC also offered to set up a meeting with YNLRO to directly discuss any concerns they had with respect to the Beaverlodge Properties.

Date	Outreach/ Engagement/ Correspondence	Content
October 1, 2021	Email: CNSC staff to Executive Director YNLRO	Acknowledgement that the CNSC received the YNLRO PFP application for the Beaverlodge hearing.
October 8, 2021	Outreach: Virtual Meeting CNSC annual Indigenous outreach as part of ROR (YNLRO staff and leadership, community land technicians attended this virtual meeting)	CNSC staff presentation included slides on the Beaverlodge Project including information on request from Cameco for the release of properties, CMD availability, hearing date, PFP. Update also provided in written CMD which YNLRO received PFP to review and comment on. Questions were asked on Beaverlodge Properties at this meeting and answered by CNSC staff.
October 27, 2021	Email: CNSC staff to Executive Director YNLRO, staff, leadership and board Follow-up to August 5, 2021 letter	CNSC staff provided an update on the new hearing date (change), intervention deadline, link to Beaverlodge site, and offered to set up a meeting with YNLRO to hear any concerns on the proposed Beaverlodge licence amendment.
November 2, 2021	Outreach: Virtual Meeting Cameco virtual outreach session on Beaverlodge Project	CNSC staff provided a presentation on current request, hearing, etc. to attendees and offered to answer any questions. YNLRO staff were in attendance for this meeting.
November 25, 2021	Email: CNSC staff to YNLRO Executive Director	Contribution Agreement for PFP awarded to YNLRO, provided confirmation that they were awarded \$35,000 in funding to participate in the Beaverlodge hearing.
December 9, 2021	Email: CNSC staff to YNLRO Executive Director and leadership	CNSC staff sent notification via email to YNLRO with a link to the both the CNSC and the Cameco CMD documents. Offered to meet to hear and discuss any concerns or questions that they may have on the proposed licence amendment for the Beaverlodge Properties or with the links.
December 10 2021	Email: YNLRO Executive Director to CNSC staff and email follow-up responses from CNSC staff.	YNLRO response that YNLRO had received the documents and would like to setup a virtual call in January with their Athabasca Land Protection Committee to further discuss the proposed amendment to discuss the project. CNSC staff responded that they would be available to meet when worked best for YNLRO.
December 15, 2021	Commission Meeting	CNSC staff presented an annual Regulatory Oversight Report (CMD 21-M34) which provided information on uranium mines and mills including the Beaverlodge Project. This included a summary of engagement activities by staff and Cameco associated with the project. YNLRO received funding to review the CMD and participate in the hearing process.
December 16, 2021	Email: CNSC staff to YNLRO Executive Director	Final contribution agreement sent to the YNLRO and offer by CNSC to provide an advance payment for the Beaverlodge Licence Amendment PFP to support payment to YNLRO staff and to conduct interviews with impacted land users.

Date	Outreach/ Engagement/ Correspondence	Content
January 3, 2022	Email: YNLRO staff to CNSC staff Email and follow-up response from CNSC staff.	CNSC staff responded to an information request by the YNLRO for a number of documents including GIS shapefiles of the proposed Beaverlodge properties.
January 13, 2022	Outreach: Virtual Meeting (120 mins) - Outreach in advance of March 2022 Beaverlodge hearing to YNLRO staff, leadership, board, Elders and community land technicians (19 YNLRO members in attendance)	CNSC presentation on proposed request, hearing process, and the CNSC's regulatory process. CNSC staff (5) answered a number of questions on the proposed sites, environmental monitoring that takes place, risks to human health and environment among others. CNSC followed up with an email to YNLRO with 7 questions that YNLRO asked and wanted more information on.
January 19, 2022	Email: Follow-up to January 13, 2022 outreach session	CNSC staff reached out YNLRO to confirm CNSC captured the follow-up question correctly.
January 21, 2022	Email: YNLRO Executive Director to CNSC staff	YNLRO thanked CNSC for capturing the questions and provided the healthy fish consumption guideline and let CNSC staff know that additional questions may be coming.
January 26, 2022	Email: CNSC staff to YNLRO Executive Director	CNSC provided responses to 7 questions from the January 13 Outreach session and provided a figure showing drainage areas for Beaverlodge project and surrounding area.
January 27, 2022	Email: YNLRO Executive Director to CNSC staff	Additional questions provided to CNSC by YNLRO regarding the Beaverlodge Project.
February 3, 2022	Email: Olthuis Kler Townsend – LLP (OKT) to CNSC staff	Request for CMD 14-M60 and CNSC's response to 4 questions; request to the CNSC to delay the Beaverlodge Commission hearing 1 year.
February 3, 2022	Letter: OKT Law to CNSC staff cc Interventions	Correspondence sent on behalf of client (YNLRO), regarding Cameco's application to release certain Beaverlodge properties from licensing.
February 3, 2022	Email: CNSC staff to YNLRO Executive Director Response sent February 7, 2022	In response to letter received from OKT Law on February 3, 2021, CNSC staff asked if YNLRO was ok with CNSC staff responding to the 4 additional questions in CNSC staff's response letter to OKT was appropriate. YNLRO confirmed that this was acceptable.
February 14, 2022	Email: CNSC staff to YNLRO Executive Director	Response to 3 of 7 questions YNLRO sent to CNSC staff on January 27, 2022.
February 15, 2022	Letter: CNSC staff to OKT	CNSC staff response to YNLRO/OKT Law February 3, 2022 letter.

Date	Outreach/ Engagement/ Correspondence	Content
February 15, 2022	Email: YNLRO Executive Director to CNSC staff	YNLRO asks CNSC staff for the report referencing the completed assessment of the potential human health risks of a visitor to the HAB area.
February 15, 2022	Email: CNSC staff to YNLRO Executive Director	CNSC staff provided a copy of the requested report on behalf of the Commission Registry. Staff noted that portions (uptake factors, etc.) of the document were redacted by Cameco due to the confidential/proprietary information. Also noted that Cameco had offered to meet with requestor to answer any questions related to the redacted information.
February 15-16, 2022	Email: CNSC staff to OKT	CNSC staff respond to email from OKT on questions in their February 15, 2022 letter and OKT's request for additional PFP.