



**Written submission from the  
Saskatchewan Mining Association**

**Mémoire de la  
Saskatchewan Mining Association**

In the Matter of the

À l'égard de

**Orano Canada Inc., Cluff Lake Project**

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**Orano Canada Inc., Projet de Cluff Lake**

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Request to Revoke the Current Licence and  
Release the Cluff Lake Project to the  
Institutional Control Program

Demande visant à révoquer le permis pour le  
projet de Cluff Lake et à transférer la propriété  
au Programme de contrôle institutionnel

**Commission Public Hearing**

**Audience publique de la Commission**

**March 1, 2023**

**1<sup>er</sup> mars 2023**

January 3, 2023

Senior Tribunal Officer, Registry  
Canadian Nuclear Safety Commission  
280 Slater Street  
P.O. Box 1046, Station B  
Ottawa, Ontario K1P 5S9  
via e-mail: [cnscc.interventions.ccsn@canada.ca](mailto:cnscc.interventions.ccsn@canada.ca)

**RE: SMA Written Intervention – Orano Canada Inc. Cluff Lake Project - Request to Revoke the Current Licence and Release the Cluff Lake Project to the Institutional Control Program: 2023 CMD-23-H8**

The SMA is the voice of the exploration and mining industry that operates in Saskatchewan and has the role of liaison and advocacy agent with provincial and federal governments and the public to advance the sustainable development of the mineral resources of the province. Environmental, Social and Governance performance are integral to the activities of SMA members and for decades our members have been Canadian and international leaders in including Indigenous peoples, businesses, and communities in their operations.

The SMA represents over 35 member companies including producers and exploration companies. Our mission is to advance a safe, sustainable and globally competitive exploration and mining industry in Saskatchewan that benefits all residents of the province.

The SMA is providing this intervention in support of Orano Canada Inc.'s (Orano) request to revoke the current licence and release the Cluff Lake Project to the Institutional Control Program.

Orano's Cluff Lake Project is a modern example of how a Company can operate a mine for 20+ years, while planning for successful decommissioning, returning the property back to a state that is similar to pre-mining, will pose no unreasonable risk to humans or the environment and allow for completely unrestricted access to the land for traditional activities.

With the decommissioning activities complete, and nearly 20 years of post-decommissioning monitoring, both federal and provincial regulators have acknowledged that decommissioning objectives have been met and the Province of Saskatchewan is prepared to accept the property into the provincial Institutional Control Program (ICP).

In 2005, Saskatchewan began development of an institutional control framework for the long-term management of decommissioned mine and mill sites on provincial Crown lands. The framework established a formal regulatory process for the long-term monitoring and maintenance of industrial sites when mining or milling activities have ended, remediation has been completed, and the sites are ready to be transferred to provincial responsibility. The process is designed to:

- ensure the health, safety and well-being of future generations;
- protect the environment;
- provide closure for the mining industry; and
- meet national and international standards and requirements.

In 2007, the Institutional Control Program (ICP) was established pursuant to *The Reclaimed Industrial Sites Act* and *The Reclaimed Industrial Sites Regulations*. The ICP's purpose is to:

- support the safe, environmentally-sound decommissioning of mining and mill sites;
- ensure the ongoing monitoring and maintenance of reclaimed sites;
- provide a funding mechanism to cover costs associated with long-term monitoring and maintenance of reclaimed sites; and
- ensure that records and information on the reclaimed sites are preserved through the establishment of a registry.

The two primary components of the ICP are:

- the Institutional Control Registry, which will maintain a formal record of closed sites, manage the funding and perform any required monitoring and maintenance work; and
- the Institutional Control Funds:
  1. the Monitoring and Maintenance Fund: to pay for long-term monitoring and maintenance of a reclaimed site after it is accepted into the ICP; and,
  2. the Unforeseen Events Fund: to pay for any unforeseen future events that are not covered by the Monitoring and Maintenance Fund

The approach and care taken by mining companies in the modern planning, operation and execution of decommissioning is obvious with the Cluff Lake property, with the ability to reduce the surface lease area from 4,083.36 hectares (1992 to 2008) to the 336.39 hectares that will be transferred into the ICP. Upon transfer to the ICP, the property is not abandoned, but will be overseen by a responsible authority, the Province of Saskatchewan, through legislation created to meet provincial, national and international obligations for the oversight of decommissioning of radioactive waste. The Government of Saskatchewan's ICP is a world-leading approach to ensuring that mines on Crown lands, that have been decommissioned and reclaimed with adequate post-reclamation monitoring, will be monitored and maintained in the long-term by a responsible government.

With respect to the Monitoring and Maintenance Fund, and the Unforeseen Events Fund, Orano has accepted responsibility for providing adequate funds to the province to carry out the long-term monitoring and maintenance plan; as well for unforeseen events.

As the Province of Saskatchewan, through their respective ministries, have indicated its intent to release the Cluff Lake Project from further decommissioning and reclamation requirements and accept the property into the ICP upon the revocation of the licence by the CNSC, the SMA fully supports the CNSC staff recommendations to the Commission to:

- Revoke the CNSC issued licence UML-MINEMILL-CLUFF.00/2024; and
- Exempt the Government of Saskatchewan from licensing under the *Nuclear Safety and Control Act* for the properties currently covered by CNSC- issued licence UML-MINEMILL-CLUFF.00/2024 that are proposed for transfer to Saskatchewan's Institutional Control Program

We would like to thank you for the opportunity to share our views in this written intervention to indicate our support for Orano Canada Inc.'s request to revoke the current licence and release the Cluff Lake Project to the provincial Institutional Control Program.

Yours sincerely,



Brad Sigurdson  
Vice President – Environment, Safety and Regulatory Affairs

cc Colin Braithwaite – Vice President, Safety, Health, Environment and Regulatory (Orano)  
Tina Searcy – Manager, Regulatory and Environmental Science (Orano)  
Pam Schwann – President (SMA)