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Oral Presentation

Exposé oral

**Written submission from the
Ya'thi Néné Land and
Resource Office**

**Mémoire du
Ya'thi Néné Land et
Resource Office**

**Regulatory Oversight Report for
Uranium Mines and Mills in
Canada: 2019**

**Rapport de surveillance
réglementaire pour les mines et
usines de concentration d'uranium
au Canada : 2019**

Commission Meeting

Réunion de la Commission

December 10, 2020

Le 10 décembre 2020

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

Annual Program Report

**Regulatory Oversight Report for Uranium Mines and Mills in
Canada: 2019**



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Executive Summary

Ya'thi Néné Land and Resource Office (YNLR) completed a review of the Canadian Nuclear Safety Commission (CNSC) Regulatory Oversight Report (ROR) for 2019. YNLR conducted a joint engagement session with elected leadership from Nuhenéné (Traditional Territory of the Athabasca Denesųliné) communities as well as the YNLR Board of Directors, YNLR staff and the CNSC Regulatory Staff. YNLR has the following four recommendations for the Commission to consider.

Recommendations:

1. YNLR recommends that an additional section be included within the report that summarizes recommendations identified in previous years from intervenors and for the CNSC to include a status update on each.
2. YNLR recommends that a similar degree of regulation that the CNSC apply to mines and mills also be applied throughout all aspects of the uranium lifecycle (i.e. exploration and transport) with risks and performance issues regularly communicated to impacted communities.
3. YNLR recommends that the CNSC continue to consult with and further incorporate YNLR staff and feedback into subsequent IEMP programs in future years.
4. YNLR recommends that future CNSC hearings (post-pandemic) should be held within one of the seven impacted communities in Nuhenéné to improve communication and trust.

Facility (TMF) at the McClean Lake Mine and Mill to gain a better understanding of the facility, their operations, and planned expansion of the TMF.

1.2 Document Timeline and Submission

YNLR received confirmation on September 18th, 2020 that they would receive funding from the Participant Funding Program Contribution Agreement through the CNSC. YNLR received the ROR on October 5th, 2020. The deadline for submission was November 16th, 2020 but YNLR was granted an extension till November 19th, 2020 due to extenuating circumstances in one of the communities.

YNLR attended the virtual Indigenous engagement session hosted by the CNSC on September 28th, 2020, which provided an overview of each of the mines and mills that are regulated. This meeting was beneficial in providing insight on mining and milling activities.

After receiving and reviewing the ROR document, YNLR conducted a joint virtual meeting with the elected leaders from the seven communities in Nuhenéné, YNLR Board of Directors, YNLR Community Land Technicians, and representatives from the CNSC on November 10th, 2020. YNLR is providing this submission on behalf of its Members and Directors based on applicable questions and concerns noted during this meeting and after it.

2.0 Member Feedback and Recommendations to the Commission

2.1 Status Update on Recommendations from Intervenors

The ROR provides an overview of activities or incidents at the five uranium mines and mills in Nuhenéné. YNLR recommends that an additional section be included within the report that summarizes recommendations identified in previous years from intervenors and for the CNSC to include a status update on each. This section would allow for intervenors to understand how their input has been received and if applicable incorporated into the regulatory system's improvement.

2.2 Environmental Concerns for Uranium Industry Beyond CNSC Jurisdiction

During the joint engagement session, leaders voiced their concern over transport of yellow cake along Highway 905. Leaders explained that transport trucks that are moving yellow cake from the mill to southern locations sometimes drive too fast for the conditions of the road and even the speed limit. If an accident and spill were to happen there could be a significant risk to the environment. CNSC representatives identified that transport of yellow cake falls under the jurisdiction of Transport Canada.

In addition, it was also noted that uranium exploration activities pose risks to communities and land users in Nuhenéné. YNLR understands that exploration activities primarily fall under the

jurisdiction of the Saskatchewan Government. However, minimal to no communication is provided from the provincial government to impacted communities. YNLR recommends that a similar degree of regulation that the CNSC apply to mines and mills also be applied throughout all aspects of the uranium lifecycle (i.e. exploration and transport) with risks and performance issues regularly communicated to impacted communities.

2.3 Community Environmental Monitoring Programs

The CNSC presented a brief overview on their Independent Environmental Monitoring Program (IEMP) during the leadership engagement session and referenced YNLR's successful involvement in the 2020 program at Cigar Lake. CNSC staff also mentioned other environmental monitoring programs in Nuhenéné such as the Eastern Athabasca Regional Monitoring Program (EARMP) and the Community Based Environmental Monitoring Program (CBEMP). YNLR recommends that the CNSC continue to consult with and further incorporate YNLR staff and feedback into subsequent IEMP programs in future years. YNLR's active participation in independent environmental monitoring and sampling activities throughout Nuhenéné aligns with its strategic direction set by community leaders. Sampling and monitoring that is driven by community owned organizations and members is a key aspect in building trust and communication with impacted communities.

2.4 CNSC Hearing to be Held in Nuhenéné

Community leaders expressed a need for future CNSC hearings (post-pandemic) to be held within one of the seven impacted communities in Nuhenéné. YNLR understands that logistical challenges can be significant and costly to overcome. However, community leaders and members would appreciate the effort as it would enhance the communication and trust between the CNSC and impacted communities.

3.0 Closing Remarks

YNLR has been pleased with the level of communication between the CNSC and our office. We appreciate the opportunity to participate in these important regulatory processes. Ya'thi Néné looks forward to further collaboration with the CNSC to assist with the implementation of these recommendations and to continue the dialogue to improve the regulatory process that licensees and licensed facilities abide by.