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Supplementary Information

Renseignements supplémentaires

Presentation from the Manitoba Metis Federation

Présentation de la Fédération des Métis du Manitoba

Regulatory Oversight Report for Canadian Nuclear Laboratories Sites: 2021

Rapport de surveillance réglementaire pour les sites des Laboratoires Nucléaires Canadiens : 2021

Commission Meeting

Réunion de la Commission

November 2, 2022

Le 2 novembre 2022



MANITOBA MÉTIS FEDERATION

Canadian Nuclear Safety Commission

Regulatory Oversight Report for Canadian Nuclear
Laboratories (CNL) Sites: 2021

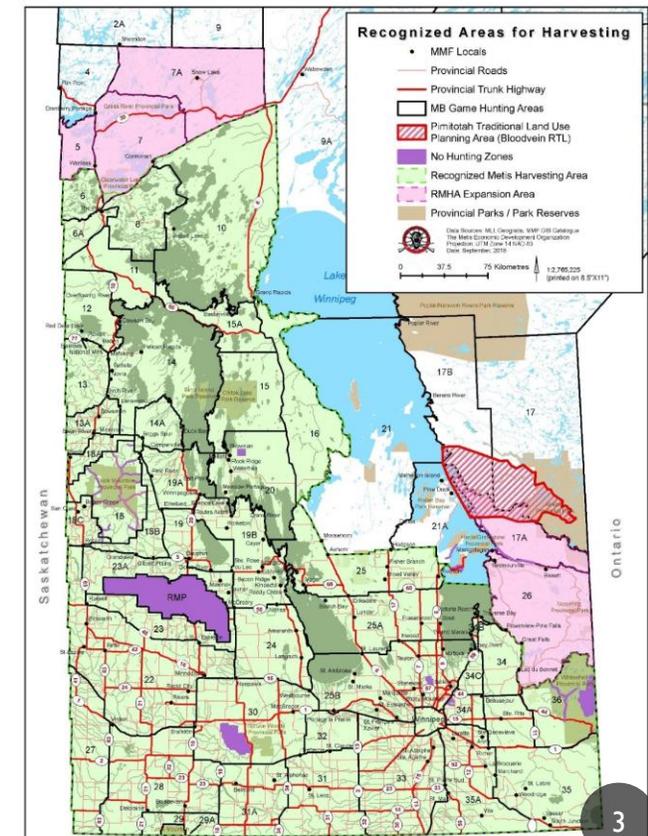
OVERVIEW

- General Comments
- Review Approach
- 2021 Regulatory Oversight Report - Whiteshell Laboratories Compliance Evaluation
 - Concerns with Security SCA at the Whiteshell Laboratories Facility
 - Concerns Regarding Monitoring at the Whiteshell Laboratories Facility
- Lack of Meaningful Issue Resolution on Concerns Raised through the ROR Process
- Conclusion



GENERAL COMMENTS

- Whiteshell Laboratories (WL) site is located on Métis Recognized Harvesting Area
- The Red River Métis use the lands and waters surrounding the WL site for harvest and exercise of rights
- The Red River Métis were not adequately consulted prior to the development of the WL site
- The Manitoba Métis Federation (MMF) have great interest in long-term stewardship of the WL site, transitioning the site for future beneficial use by the Red River Métis



REVIEW APPROACH

- The MMF with support from Shared Value Solutions (SVS) reviewed the 2021 Regulatory Oversight Report (ROR) to identify:
 - where the Red River Métis' rights, claims and interests may be impacted by the information and findings in the Report;
 - environmental, technical, or regulatory issues with the ROR, and provide recommendations on how Red River Métis' rights and interests may need to be better accommodated;
- Additional analysis was conducted on concerns and recommendations raised in review of the 2018 – 2020 RORs to identify outstanding issues



LACK OF MEANINGFUL ISSUES RESOLUTION

- Many of the issues raised by the MMF through the ROR process remain unaddressed or only partially addressed

2018 ROR	2019 ROR	2020 ROR
<ul style="list-style-type: none"> • 0/18 Addressed • 11/18 Partially Addressed • 7/18 Not Addressed 	<ul style="list-style-type: none"> • 0/9 Addressed; • 6/9 Partially Addressed • 3/9 Not Addressed 	<ul style="list-style-type: none"> • 2/26 Addressed • 11/26 Partially Addressed • 13/26 Not Addressed

- The ROR process lacks meaningful issued resolution tracking, and does not promote dialogue for the development of collaborative solutions
- As evidenced by review of the 2021 ROR, there is a lack of commitment from CNL to resolve issues, and insufficient oversight powers from CNSC to compel resolution.



RECOMMENDATIONS

1. CNSC and CNL must commit to an issue tracking and resolution mechanism for comments/recommendations raised during the ROR process
2. CNSC and CNL must commit to meaningful dialogue and collaborative solution development with the MMF, implementing corrective measures or providing additional information to resolve concerns



2021 ROR REVIEW - WHITESHELL LABORATORIES SECURITY

- Security SCA was identified in 2018, 2019 and 2021 as “below expectations”
- The MMF continues to raise concerns that this has not been rectified:
 - Specific issue is not disclosed – however, security at a facility that houses radioactive material is not trivial, and represents a potential concern to public health and safety
 - Lack of resolution of an issue that was first identified in 2018 report demonstrates that either CNL is unable to respond to this issue or CNSC is unable compel CNL to resolve the issue.
 - Suggests that remote inspection approaches enabled in 2020 did not collect sufficient information to fully inform the evaluation of all SCAs.



RECOMMENDATIONS

3. CNL commit to a timeline for the completion of the implementation of corrective action. CNSC and CNL as part of the 2022 ROR provide a detailed description of:
 - Actions Taken
 - Effectiveness, of Actions Taken
 - Next Steps
 - Analysis of Why This Issue Was Not Corrected in a Timely Manner
4. CNSC commit to an independent audit or assessment of the remote inspections conducted in 2020, to evaluate the quality of information collected during these inspections



2021 ROR REVIEW - WHITESHELL LABORATORIES INDEPENDENT MONITORING

- The Independent Environmental Monitoring Program (IEMP), again did not collect information from the WL facility in 2021.
- Last IEMP data collection for WL facility was in 2017 and contained several flaws including a lack of input from the MMF into the experimental design



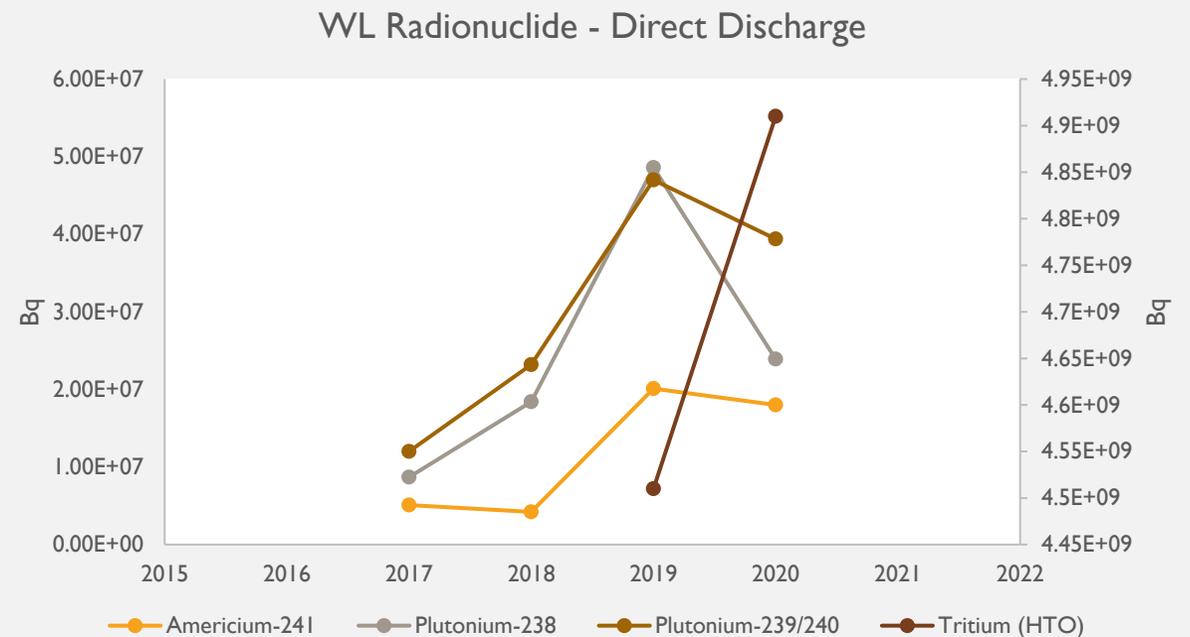
RECOMMENDATIONS

5. CNSC to work with the MMF to identify mechanisms in which the MMF can play a greater role in supporting the IEMP, including but not limited to increasing program data collection frequency and collecting culturally relevant end points
6. CNSC to continue to work with the MMF establish a meaningful relationship agreement that reflects the values and needs of the Red River Métis in providing appropriate monitoring and oversight for WL



2021 ROR REVIEW - WHITESHELL LABORATORIES RADIONUCLIDE EMISSIONS MONITORING

- Emissions of radioactive material related to fission reactions was identified as elevated in 2019 and 2020
- Measurements of these emissions are not available for 2021
- ROR or supporting documentation must provide context to these increases



Source: 2013 – 2021 Radionuclide Releases – Canadian Nuclear Laboratories. Available from: <https://open.canada.ca/data/en/dataset/6ed50cd9-0d8c-471b-a5f6-26088298870e>



RECOMMENDATIONS

7. CNSC to provide justification for why the monitoring of the emission of key radionuclides was not conducted in 2021, given emissions were observed to be increasing.
8. CNSC and CNL commit to identifying an appropriate communication mechanisms to provide relevant context to observed emissions, including the discussion of changes in operations, activities or environmental conditions, which may result in observed increases or decreases in radioactive emissions.



CONCLUSIONS

- The MMF continues to raise concern that issues raised through the ROR process have remained unresolved. Mechanisms are necessary to track concerns, promote dialogue, and collaboratively resolve issues
- Resolving issues regarding security at the VWL facility must be a priority for CNL and CNSC
- Independent and Proponent-led monitoring must be conducted transparently, and provide sufficient information to allow for appropriate decision making.
- MMF continues its interest in having a more active role in the independent assessment and post-decommissioning decision-making at the VWL site.

