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Exposé oral

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

**Mémoire du
Bureau des terres et des
ressources de Yà'thi Néné**

**Regulatory Oversight Report for
Uranium Mines and Mills in
Canada: 2021**

**Rapport de surveillance
réglementaire des mines et usines
de concentration d'uranium au
Canada : 2021**

Commission Meeting

Réunion de la Commission

December 15, 2022

Le 15 décembre 2022

**Written Submission from
Ya'thi Néné Lands and Resources Office
In the matter of:**



**Annual Program Report
Regulatory Oversight Report for Uranium Mines and Mills in
Canada: 2021
Canadian Nuclear Safety Commission**

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1.0 Introduction

The Regulatory Oversight Report (ROR) is completed annually and presented by the Canadian Nuclear Safety Commission (CNSC). The document reports on the operating performance of uranium mines and mills licensees and licensed facilities, license changes and major developments, and describes CNSC's regulatory efforts, engagement, and the Independent Environmental Monitoring Program (IEMP).

The facilities included in the 2021 report are Cameco Corporation's operations at Cigar Lake, McArthur River, Rabbit Lake, and Key Lake, and Orano Canada's operation at McClean Lake.

The ROR provided an in-depth review and report of the performance at each facility, including radiation and environmental protection, conventional health and safety, spills and incidents, water treatment, and updates to licensing and future operations. Detailed information was provided in appendices.

1.1 Ya'thi Néné Lands and Resources Office

The Ya'thi Néné Lands and Resources Office (YNLR) works to protect the lands and waters of the Athabasca Basin for the long-term benefits of its Denesų́liné First Nations and Athabasca communities, guided by their knowledge, traditions, and ambitions. YNLR is governed by an independent Board of Directors appointed by elected community leaders and currently operate five offices (Saskatoon, Fond du Lac, Black Lake, Hatchet Lake, Uranium City). In addition to many land- and resource-related initiatives, YNLR oversees, on behalf of the Basin communities, the implementation of the Collaboration Agreement. The Collaboration Agreement is a partnership established in 2016 between the seven Athabasca Basin communities and Cameco and Orano.

YNLR participates on all committees of the Collaboration Agreement that supports operation of Cameco and Orano's mines, mills, and exploration sites throughout portions of Nuhenéné (Traditional Territory of the Athabasca Denesų́liné) in return for benefits to the communities.

Through the Collaboration Agreement, YNLR participates in the Athabasca Joint Environmental Subcommittee (AJES) alongside four community representatives and other observers. As a member of AJES, YNLR participates in quarterly meetings and various activities with Cameco and Orano, ranging from exploration to decommissioning.

1.2 Document Timeline and Submission

YNLR received confirmation on 15 August 2022 that funding was available from the Participant Funding Program Contribution Agreement through the CNSC.

YNLR staff, together with representatives from the Athabasca Land Protection Committee (ALPC), attended the in-person and virtual engagement session hosted by the CNSC on 15 September 2022 in Saskatoon. This meeting was beneficial in providing insight about CNSC-regulated activities in Nuhenéné in 2021 including the decommissioned sites of Beaverlodge, Lorado, Gunnar and Cluff Lake and status of new initiatives of NexGen's Rook-I and Denison's Wheeler River.

After receiving and reviewing the ROR document and participating in the 15 September 2022 meeting, YNLR is providing this submission on behalf of its Directors and Members.

2.0 Identified Concerns

The following captures YNLR's concerns regarding several topics of importance that were discussed during the ROR meeting in Saskatoon. Many of these concerns were also shared and discussed by other rights holders present on 15 September.

2.1 Indefinite Licensing

YNLR representatives, along with other rights holders, have concerns about proposed indefinitely licensing of CNSC-regulated facilities in Nuhenéné. Open-ended licensing without set renewal dates decreases the opportunity for engagement and input on renewal of licensing of uranium mines and mills in Traditional Territories. We require further engagement on this topic.

2.2 Status of Beaverlodge

YNLR has significant concerns with decommissioned Beaverlodge properties deemed as "safe and secure" given that advisories on fish and water consumption exist in many parts of Nuhenéné surrounding Beaverlodge. We understand that designations of "safe and secure" and "stable and improving" refer to performance indicators such as boreholes plugged, stable mine openings and crown pillars, sites free of debris, and water quality and gamma levels. However, from the perspective of land users, any limitation on consumption of country foods is absolutely not an indication of "safe and secure".

2.3 Reporting of Spills and Incidents

YNLR appreciates the reporting of spills and incidents at CNSC-regulated facilities. However, communities require comprehensive communication that extends beyond dissemination of information via websites which are often not accessible to many community members in Nuhenéné. As well, interpretation of environmental impacts of spills and incidents beyond reporting with technical language would be appreciated; for example, what are the real-world

implications to wildlife, water, vegetation, and country foods? Improved communication of spills and incidents at CNSC-regulated facilities is necessary.

2.4 Suggestions for Improvements to Future Meetings

CNSC received ample feedback from rights holders during the ROR meeting that resulted in fruitful discussions on several topics. In consideration of time limitations of this one-day meeting, such discussions were truncated. As such, we recommend that future meetings allow sufficient time for discussion so that all concerns from rights holders are voiced. As well, opportunity for communities to formally present to CNSC and to other rights holders would allow a formal venue to communicate concerns and discuss issues of mutual interest. This, along with inclusion of translational services to better facilitate Elders' understanding, may require a two-day meeting. This idea was discussed and supported by many attendees of the 2022 meeting, as community members from across northern Saskatchewan often travel long distances to attend this important engagement.

2.5 Summary

Athabasca Denesųliné and Basin residents are intrinsically and deeply connected to their land in all aspects of their lives. They have firsthand experience about impacts of mining and exploration on their land and how this influences their ability to practice treaty rights to hunt, trap, fish, and gather. Individual and cumulative impacts of exploration and mining are all too familiar to generations of Basin residents, and they understand that reclamation and remediation does not adequately address all issues. The Athabasca Denesųliné and Basin residents have concerns for how the land will continue to be impacted for future generations to come. Robust consultation and engagement are required to support community understanding and communication of concerns.

3.0 Closing Remarks

We appreciate the progress and collaboration between YNLR and the CNSC to date; for example, our newly-established Terms of Reference, Commission visit to Hatchet Lake this autumn, and YNLR staff involvement in IEMP field research. YNLR acknowledges these initiatives by CNSC staff and Commissioners and how they have contributed to improved relationship and engagement with the Basin communities. YNLR recommends that the CNSC continue to support the establishment of robust and inclusive processes for both itself and license holders to enable more effective consultation and engagement with Nuhenéné communities.

YNLR looks forward to further collaboration with the CNSC to assist in identifying solutions to these concerns and to continue the dialogue to improve the regulatory process by which licensees and licensed facilities abide.