

**MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENT OF
SASKATCHEWAN AND THE CANADIAN NUCLEAR SAFETY COMMISSION
RESPECTING THE REGULATION
OF URANIUM MINING AND MILLING FACILITIES IN SASKATCHEWAN**

Whereas the Canadian Nuclear Safety Commission (the Commission) and the Government of Saskatchewan are committed to cooperate to harmonize the regulatory regime respecting health, safety and the environment at uranium mining and milling facilities in Saskatchewan;

Whereas Parliament has enacted the *Nuclear Safety and Control Act* which establishes the objects of the Commission to include prevention of unreasonable risk to the environment, the health and safety of persons and national security regarding the production, possession and use of nuclear substances, prescribed equipment and prescribed information;

Whereas the legislature of Saskatchewan has enacted provincial legislation regarding Crown resources, resource development, and environmental protection and worker health and safety in the province; and

Whereas the Commission may enter into arrangements with provincial governments to attain its objects;

Therefore, the Parties agree as follows:

1.0 Definitions

In this Memorandum of Understanding

"**Parties**" - means the Canadian Nuclear Safety Commission, and the Government of Saskatchewan

"**committee**" - means the steering committee described in Part 5.0 of this Memorandum of Understanding

"**Commission**" or "**CNSC**" - means the Canadian Nuclear Safety Commission

"**Ministers**" - means the Ministers of Saskatchewan Environment Resource Management and Saskatchewan Labour

"**Saskatchewan Labour**" - means the department of Saskatchewan Labour

"**SERM**" - means the department of Saskatchewan Environment and Resource Management

"**President**" - means the President of the Canadian Nuclear Safety Commission

"**NSCA**" - means the *Nuclear Safety and Control Act*

"**harmonize**" - means to provide an effective and efficient regulatory regime which

provides for the reduction of overlap and duplication to the fullest extent possible

"overlap and duplication" - means similar regulatory functions being performed by the Parties, or the Parties requiring industry to provide duplicate information to the Parties

"industry" - means the operators/licensees of uranium mining and milling facilities in the province of Saskatchewan

"uranium mining and milling facilities" - means all operations related to the production and processing of uranium in the province of Saskatchewan regardless of their operating status (ie. exploration, development, operation, temporary closure, decommissioning)

2.0 Objective of this Agreement

The objective of this agreement is to ensure collaboration between the CNSC, SERM and Saskatchewan Labour in the development and implementation of a harmonized regulatory regime for uranium mining and milling facilities in the province of Saskatchewan that protects the health, safety and security of Canadians and their environment with minimal overlap and duplication. Where practical, this process should include the development of arrangements for optimizing the participation of SERM and Saskatchewan Labour in the administration of the CNSC's regulatory regime.

3.0 Scope

Within the scope of the NSCA, areas under consideration in this agreement include the protection of workers, the public and the environment from radiological and non-radiological hazards associated with uranium mining and milling facilities in the province of Saskatchewan.

4.0 Principles of Cooperation

Commitment to Action - The Parties recognize they are committed to act on matters within their respective areas of jurisdiction while respecting the jurisdiction of each other.

Collaboration - To maximize efficiency and effectiveness, the Parties are committed to recognizing each other's strengths and capabilities and to cooperate, particularly in the harmonization of regulatory requirements, delivery of regulatory programs and related activities, and development of related standards, objectives and guidelines.

Other Agreements - The Parties will take into account existing arrangements including the AECEB-Saskatchewan Memorandum of Understanding (MOU) as well as other applicable federal-provincial initiatives.

Delivery of Regulatory Program - The Parties undertake to improve delivery of the regulatory program for industry and the public through increased accessibility and responsiveness and by providing access to the regulatory program through a "single window" approach to the fullest

extent possible.

5.0 Steering Committee

- 5.1 The Parties will establish a steering committee to ensure that the activities described in Section 6.0 are completed. The steering committee will report to the Ministers and President as described in Section 5.2 (d) & (e).
- 5.2 The terms of reference for the steering committee are as follows:
 - (a) the committee will be co-chaired by senior representatives from the CNSC and SERM;
 - (b) the committee membership will include representatives from the CNSC, SERM and Saskatchewan Labour ;
 - (c) the committee may establish working groups to deal with specific areas of interest;
 - (d) the committee will report on progress to the Ministers and the President on a regular basis and at least four times per year; and
 - (e) the committee will submit a final report on its findings, and recommendations to the Ministers and the President.
- 5.3 Decisions of the committee shall be taken on the basis of unanimous consent amongst the members. Where the Parties cannot agree, the issue shall be referred to the Ministers and President for resolution.

6.0 Activities (within the scope of this Memorandum of Understanding)

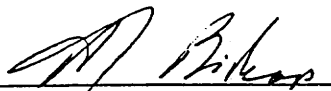
- 6.1 Describe and document the relevant regulatory requirements and activities of each Party.
- 6.2 Describe the elements of the regulatory regime required to meet the requirements of both Parties.
- 6.3 Based on Sections 6.1 and 6.2, identify gaps and areas of overlap and duplication in the regulatory regimes and describe opportunities and options for harmonization of regulatory requirements and activities.
- 6.4 Prepare recommendations regarding the conditions for incorporation of provincial legislation into regulations made pursuant to the NSCA (attached as Appendix 1).
- 6.5 Prepare recommendations regarding the roles and responsibilities of the Parties for each element described in Section 6.2.

- 6.6 Prepare recommendations for the development of a harmonized regulatory regime that incorporates appropriate provincial legislation and minimizes overlap and duplication. (The recommendations should identify changes that must be made to appropriate provincial legislation, NSCA regulations and other related guidance documents.)
- 6.7 Recommend alternatives to incorporation of provincial legislation, where it is apparent that incorporation of provincial legislation is not the most effective means of regulating one of the elements listed in Section 6.2.
- 6.8 Prepare a final report which includes a plan to implement the recommendations identified in Sections 6.4 to 6.7. The plan should include a schedule, determination of any necessary human and financial resources, a plan for stakeholder consultation and a mechanism to monitor the implementation of the committee's recommendations.

7.0 Implementation

- 7.1 Items identified in Sections 6.1 through 6.8 are targeted for completion within 12 months from the date of signing this Memorandum of Understanding; regulatory amendments to facilitate full implementation of the agreement are targeted for completion within 24 months.
- 7.2 The Parties agree to expedite the required regulatory or legislative changes through their respective regulatory or legislative processes without undue delay.
- 7.3 The Parties agree to develop a plan to monitor the implementation of the new regulatory regime on a regular basis and to report annually to the President and Ministers.

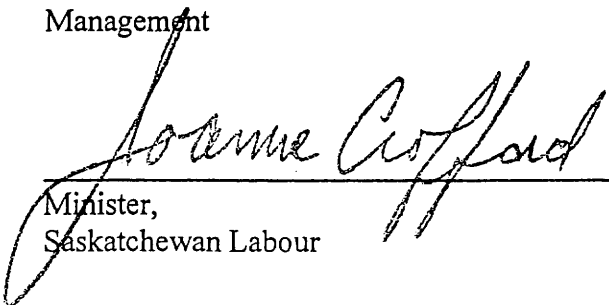
Date:



President,
Canadian Nuclear Safety Commission



Minister,
Saskatchewan Environment and Resource
Management



Minister,
Saskatchewan Labour