



Canadian Nuclear
Safety Commission

Commission canadienne
de sûreté nucléaire

Canada

CNSC Case Study: Indigenous and Public Engagement



Adam Levine, Senior Aboriginal Consultation Advisor

Candida Cianci, Environmental Assessment Specialist

Nuclear Energy Agency Working Party on Decommissioning and Dismantling
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CANADA 150



Outline

- CNSC's mandate and approach for engagement
- Aboriginal consultation
- Participant Funding Program
- Case study: Whiteshell Reactor- 1 decommissioning project

CNSC's Mandate and Approach for Engagement



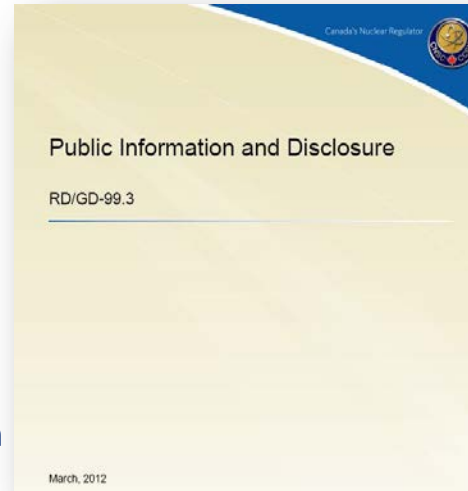
- The Canadian Nuclear Safety Commission regulates the use of nuclear energy and materials to protect health, safety, security and the environment; to implement Canada's international commitments on the peaceful use of nuclear energy; and **to disseminate objective scientific, technical and regulatory information to the public**
- The CNSC is a trusted, independent, open and transparent regulator

CNSC's Mandate and Approach for Engagement (2)



➤ CNSC's engagement tool box:

- Public Commission proceedings (written and oral interventions, webcast, transcripts, etc.)
- Interactive website and social media tools
- Info-line and email account
- Info-subscribers list for key updates
- Outreach program and promotional materials
- CNSC 101
- Participation in trade shows, community events, discussion panels, open houses, town halls
- Active relationship-building and engagement with Indigenous groups
- Participant Funding Program





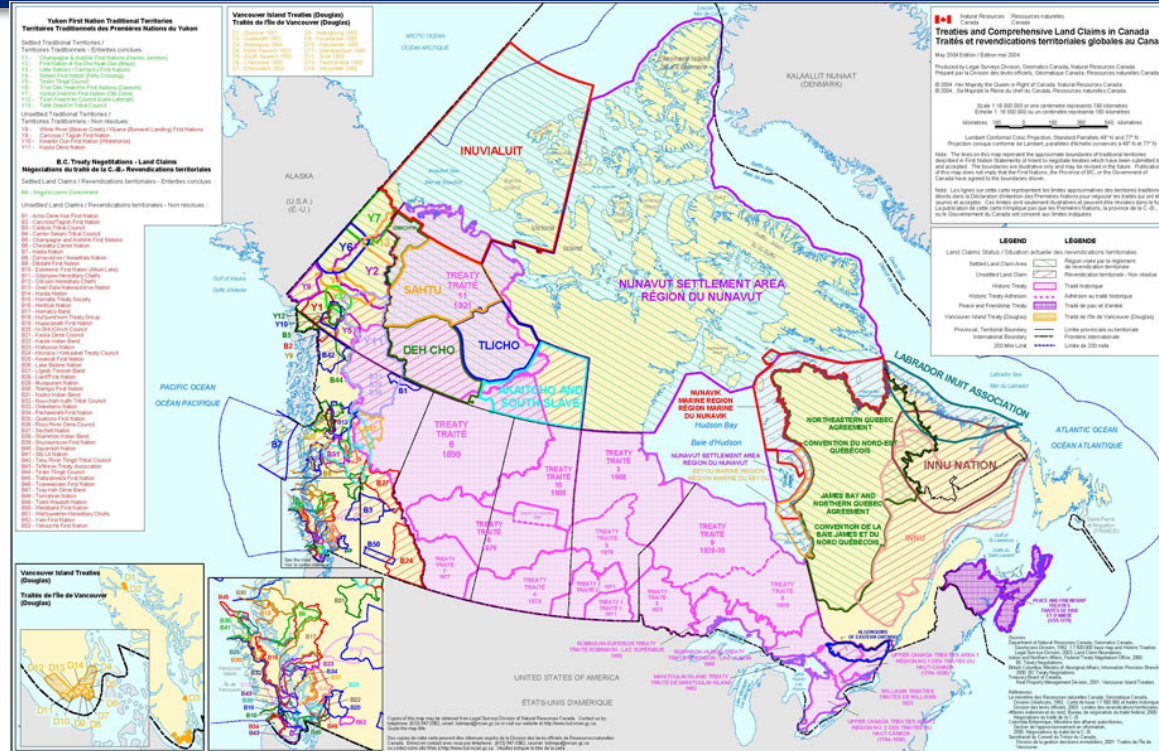
Aboriginal Consultation

- Canada's *Constitution Act, 1982*, s. 35, recognizes and affirms existing Aboriginal and treaty rights
- The Supreme Court of Canada has determined that the Crown has a duty to consult and, where appropriate, accommodate when it contemplates conduct that might adversely impact potential or established Aboriginal and/or treaty rights; this duty stems from the Honour of the Crown
- The Supreme Court has also stated that boards and tribunals, such as the CNSC, may also play a role in fulfilling the duty to consult
- The CNSC ensures that licensing decisions under the *Nuclear Safety and Control Act* and the *Canadian Environmental Assessment Act, 2012* (CEAA 2012) uphold the Honour of the Crown and consider potential or established Aboriginal and/or treaty rights





Aboriginal Consultation (2)



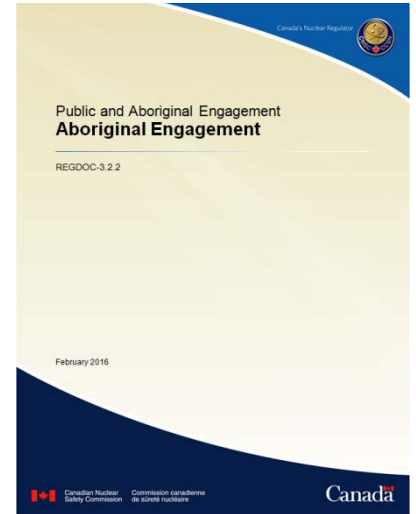
- 617 First Nations, ~2 million Indigenous people
- First Nations, Inuit, Métis



Aboriginal Consultation (3)

CNSC:

- encourages Indigenous groups to participate in regulatory reviews and to share relevant traditional use practices, traditional knowledge, and any project-specific issues and/or concerns
- supports a flexible and coordinated whole-of-government approach to improve the efficiency and effectiveness of the consultation process
- encourages licensees to engage with potentially affected Indigenous groups early in the development and throughout the life of their project
- takes into consideration engagement activities conducted by licensees prior to making regulatory decisions





Participant Funding Program

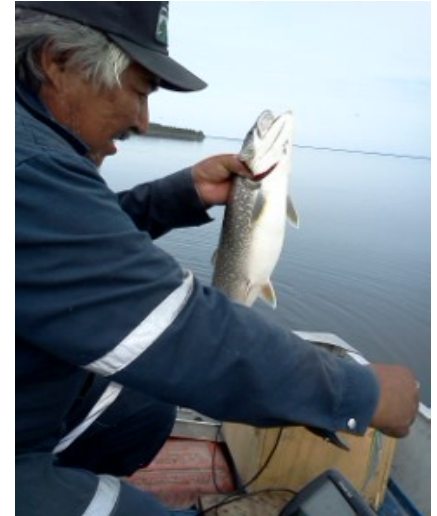
- Established to give the public, Indigenous groups and not-for-profit organizations the opportunity to request funding from the CNSC to participate in its regulatory processes (for example, environmental assessment under CEEA 2012)
- Objectives
 - enhance participation in the CNSC's regulatory review processes
 - help stakeholders bring valuable information to the Commission through informed and topic-specific interventions
- What the PFP funds:
 - professional fees (consultant, engineer, biologist, translator, etc.)
 - travel (costs of travel and accommodations)
 - other costs (photocopying, room rental, etc.)





Participant Funding Program (2)

- Yearly budget of \$925,000
- Cost recovered from licensees
- Public announcement made for each funding opportunity
- An independent external funding review committee reviews all funding applications received and makes recommendations to the CNSC
- Approved recipients sign a contribution agreement
- Payment made upon completion of objectives in contribution agreement program expansion (meetings, environmental monitoring, traditional land use)



Supports CNSC's approach to Aboriginal consultation

Case Study:

WR-1 *In Situ* Decommissioning Project



Aerial view of Whiteshell Laboratories site

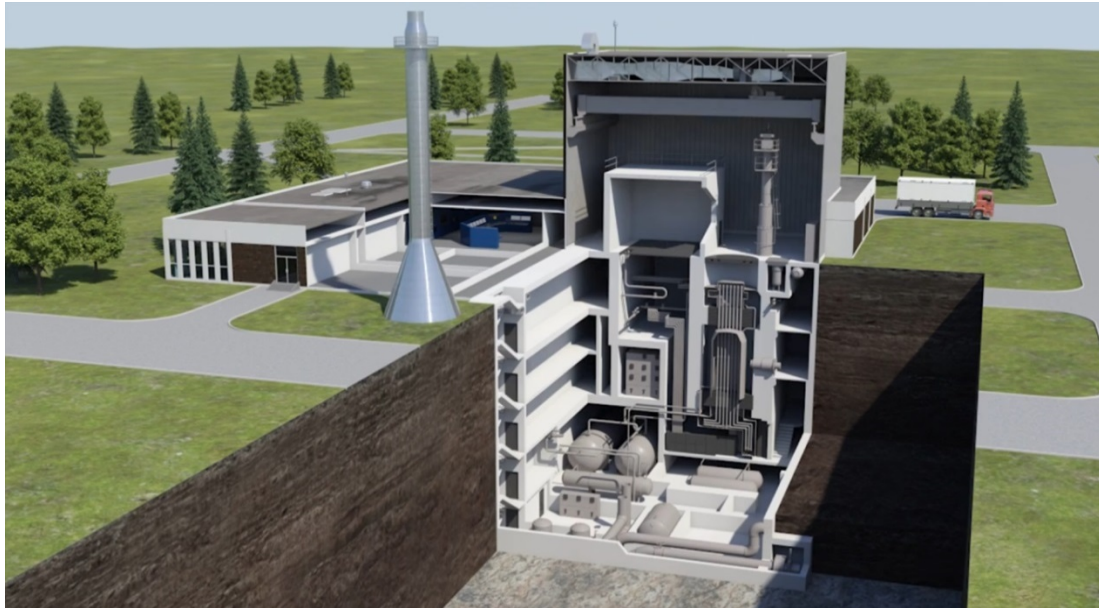


Case Study:



WR-1 *In Situ* Decommissioning Project (2)

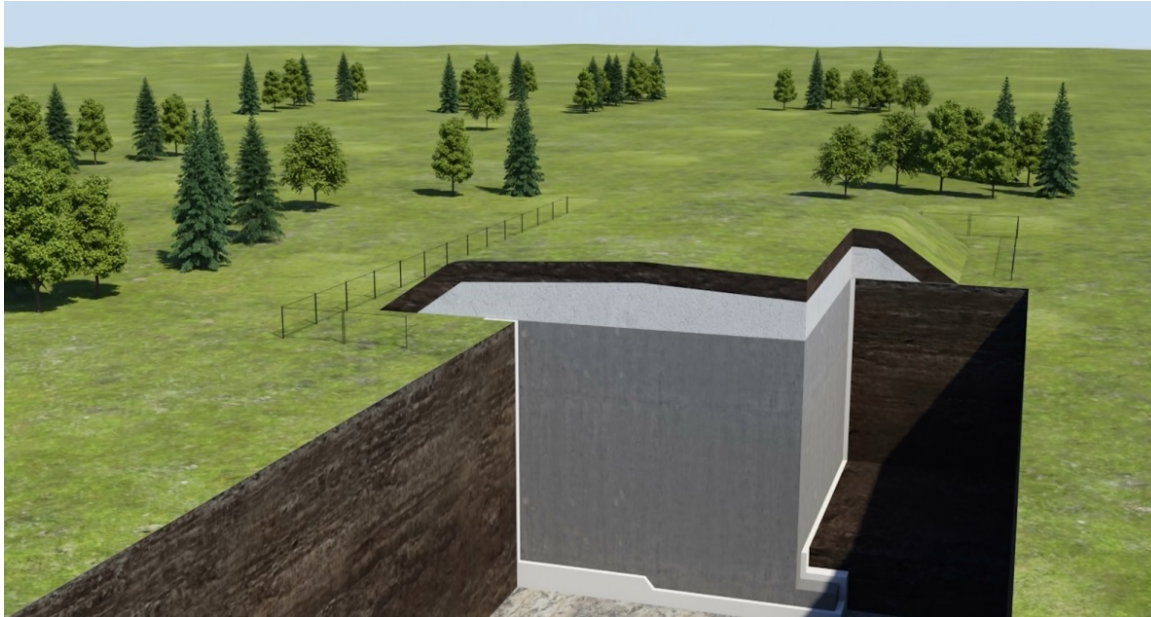
- Canadian Nuclear Laboratories (CNL) is proposing *in situ* decommissioning of the Whiteshell Reactor 1 (WR-1 Reactor), a former nuclear research reactor that operated until 1985



Current status – before *in situ* decommissioning

Case Study:

WR-1 *In Situ* Decommissioning Project (3)



Post *in situ* decommissioning

Case Study:

WR-1 *In Situ* Decommissioning Project (4)



➤ Meaningful public participation

- Comment periods on regulatory review documents
- May 2017: Two open-house sessions and “CNSC 101” presentation in local communities
 - Direct mail-outs, advertisements in local newspapers
 - Sign-up sheets, feedback forms
 - Over 100 in attendance
- Participant funding awarded
- Social media platforms: Facebook, Twitter
- Events and notices posted on CNSC website and public registry
- Project-specific public distribution list



Commitment to transparency

Case Study:

WR-1 *In Situ* Decommissioning Project (5)



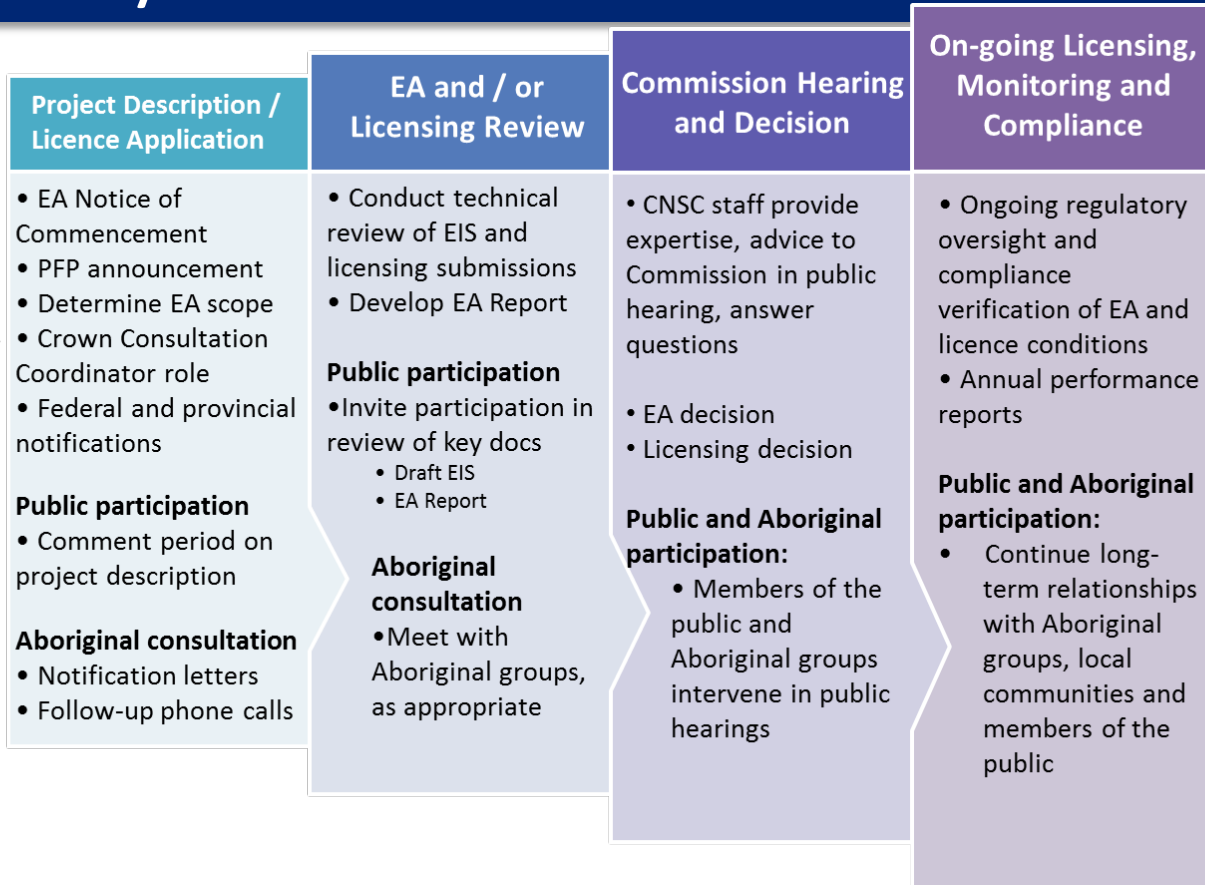
- Proactive Aboriginal consultation
 - Notification letters, emails, follow-up phone calls, face-to-face meetings, invitation to open houses
 - Unique approach: Regulator (CNSC), proponent (CNL) and landholder (AECL) participate in face-to-face meetings with Indigenous groups
 - Benefits: Clarify roles and responsibilities, efficient use of time and resources
 - Community-led consultation activities
 - Capacity considerations
 - Participant funding awarded
 - Potential studies
 - Meetings
 - Environmental monitoring and sampling



Participation Opportunities in the Regulatory Review Process

Pre-application

Building and continued relationships





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Questions?

Thank You!

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Participate and Contribute!



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