



**Written submission from the
Curve Lake First Nation**

**Mémoire de la Première
Nation de Curve Lake**

In the Matter of

À l'égard de

**Application to consider a 1-year licence
renewal from Cameco Corporation
(Cameco) for its Cameco Fuel
Manufacturing Inc. (CFM) facility**

**Demande de renouvellement de permis d'un
an, présentée par Cameco Corporation
(Cameco) pour son installation de Cameco
Fuel Manufacturing Inc**

Public Hearing - Hearing in writing based on
written submissions

Audience Publique - Audience fondée sur des
mémoires

December 2021

Décembre 2021



Government Services Building
22 Winookeedaa Road
Curve Lake, Ontario K0L1R0

Phone: 705.657.8045
Fax: 705.657.8708
www.curvelakefirstnation.ca

Senior Tribunal Officer
Secretariat Canadian Nuclear Safety Commission
280 Slater Street
P.O. Box 1046, Station B
Ottawa, ON K1P 5S9
Tel.: 613-996-9063 or 1-800-668-5284
Fax: 613-995-5086
Email: cncs.interventions.ccsn@canada.ca

November 16, 2021
(Submitted by Email)

RE: Application to Renew Licence for Cameco Fuel Manufacturing Inc. (CMD21-H105)

Dear Secretariat,

On behalf of Chief & Council and our community at Curve Lake First Nation (CLFN), we hope that this written submission finds you safe and healthy during this where we sustain our efforts to keep our community, our friends, our family and our loved ones safe, healthy, and cared for. We hope that members and staff at CNSC are taking care of each other in this phase.

This written submission represents the views of CLFN only. In our assessment, CLFN has made great strides in the last few years to build relationships and engage in open dialogue on a government to government and government to corporation basis as it relates to processes of consultation. Consultation and accommodation are critical in ensuring that the rights and interests of the Mississauga Anishinabek Nation are prioritized regarding projects in our territory.

Our Consultation Department has emphasized that environmental protection and sustainability is an integral component of the future of the Curve Lake First Nation. Working with Curve Lake to develop project concept, design, planning, assessment, potential and actual impacts, monitoring, etc. are necessary steps in our process. All plans and activities must be viewed through the lens of environmental protection and sustainability. These requirements ensure that Curve Lake First Nation's interests and rights are being protected within our territory; that we are able to protect the ability to exercise our rights as a people – physically, culturally, and



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22 Winookeedaa Road
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Fax: 705.657.8708
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spiritually; that we are able to foster sovereignty, cultural identity, and sustainable succession. This is central to all relationships being progressed with various regulators and proponents.

Curve Lake First Nation is the steward and caretaker of the lands and waters within our territory in perpetuity, as we have been for thousands of years, and we have an obligation to continue to steadfastly maintain this responsibility to ensure their health and integrity for generations to come. Protection, conservation, and sustainable collaborative management are priorities for Curve Lake First Nation.

Curve Lake's vision statement must be central to development in the territory: "Upon the foundation of community values and vision that promotes and preserves our relationship with mother earth, which has defined and will continue to define our identity and culture as Anishnaabe People, the Consultation Department will build and secure the framework for our First Nation lands by putting into place ways and laws that will provide both the protection and the freedom for each person, their family, and the whole community to fulfill their potential. Each way and law will be given the consideration to its importance for our next seven generations."

We would like to acknowledge CNSC staff in their dialogue and work with our Consultation Department since 2020 and into 2021. There are many topics and projects that have been covered; as everyone can appreciate, meaningfully consulting on and addressing each topic or project takes time, commitment, and focus. We are optimistic that our Terms of Reference and Work Plan for 2021 and beyond will result in progress and improvements in the coming years.

We would like to acknowledge Cameco Corporation staff in their similar dialogue and routine interactions with our Consultation Department that began in March 2021.

Our Consultation Department is progressively building capacity to be able to match the various consultation needs in the nuclear sector. We view this submission process merely as a formal check-in point and we look forward to continuing dialogue and consultation beyond the confines of this process and lead to decision points and decision making that includes Curve Lake First Nation. Last but not least, we would like to thank CNSC staff for working with us on our Participant Funding Application; this has assisted in making a submission like this possible.



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22 Winookeedaa Road
Curve Lake, Ontario K0L1R0

Phone: 705.657.8045
Fax: 705.657.8708
www.curvelakefirstnation.ca

While we do not have any concerns in relation to this licence renewal application, we have concerns with how First Nations are included and represented within these reports, and how Indigenous knowledges and perspectives are excluded from methodological frameworks within nuclear regulatory oversight processes.

Omission, exclusion, erasure, and elimination of First Nations' presence, rights, cultures, and knowledges, describes the overall nature of this licence renewal document in terms of Indigenous contexts and/or inclusion. The way in which information is conveyed is important as it promotes a larger contextual understanding of its content and purpose. The way in which the document is written is one of consistent exclusion and omission of First Nations in general. This occurs through neglecting to acknowledge the lands upon which CFM operates its facilities. This occurs through neglecting to identify Indigenous peoples beyond their First Nation name and lumping us into "groups". This occurs through neglecting to include Indigenous epistemologies and ontologies (perspectives, understandings, and relationship to land) in the dissemination of information and decision-making. This occurs through neglecting to use inclusive and balanced words, which results in a one-sided narrative that ultimately inadvertently precludes the existence of Indigenous Peoples and Indigenous knowledge systems and their inherent connections to the land. This serves to erase Michi Saagiig peoples from our lands, and our histories.

A stark example of how words convey meaningful context and expose the existing bias within regulatory reporting styles is demonstrated through the placement of *Indigenous Consultation* into "Other Regulatory Matters of Interest." *Indigenous Consultation*, and thus Indigenous Peoples, and Indigenous rights are characterized as "other." The exclusionary inference is clear and serves to promote distance.

This exclusion is also perpetrated within this document as First Nations are not represented in a way that demonstrates acknowledgement of inherent and/or Treaty rights to the lands and waters upon which CFM operates. This serves to create perceived distance between the Honour of the Crown and its duty to consult with First Nations communities; and perhaps more importantly, why the duty exists. This is of particular concern, as the protection of Indigenous rights seems to be a top priority of CNSC regulatory oversight, yet the level of prominence this topic possesses is diminished in the reporting and submission of documents.



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22 Winookeedaa Road
Curve Lake, Ontario K0L1R0

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Fax: 705.657.8708
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In this particular case, even though the CNSC has determined that this licence renewal is not expected to cause any new adverse impacts to potential or established Indigenous and/or treaty rights and therefore does not raise the formal requirement of REG-DOC 3.2.2 *Indigenous Engagement*, the fact that CFM will produce nuclear waste over the course of another year in of itself is enough to have potential negative impacts to Indigenous rights – as the Canadian Government searches still for a DGR and a long-term waste storage strategy.

The CNSC has determined this through a one-sided knowledge-system approach – that there does not exist a duty to consult as there will be no new adverse impacts to Indigenous rights, because ‘nothing is changing’ with regard to the operations of CFM. Indigenous Knowledge systems hold tenets of responsibility to seven generations into the future. This responsibility also includes commitments all our relations, meaning all living creatures, not just human beings. There is a framework that supports a wider vision of what the nuclear industry means within Indigenous knowledge systems. These principles form some of the underpinnings of how baseline information is gathered and understood. How will decisions made today, affect all living generations to come?

To conclude, how words are used is important – as they can unintentionally create normalized contexts. How this licence renewal application document is written and how impacts to Indigenous rights are determined (outside of Indigenous epistemologies) create exclusionary contexts in which Indigenous Peoples and knowledge systems are almost completely invisible. This creates a zeitgeist of omission, a sense of non-existence and of unimportance. This stands in solid contradiction to the CNSC’s position that upholds Indigenous consultation framed within Section 35 constitutionally protected rights. Statements are made that support rights in high regard, however, this is not translated in writing or reporting activities. To create a compatible space of interaction and positive relationship building, both parties must see themselves in the collective narratives created about regulatory methodologies – including in the overall wording and contextual lens of reporting.

To close, communication with CFM, as with any nuclear operator on treaty territories, should not only be initiated through a licence application process, but also through the facility’s normal operations. There is nothing precluding any nuclear operator from going above and beyond the bare minimum with respect to Indigenous consultation and relationship building, and there are innumerable of reasons to do so. As viewed through an Indigenous lens, and engaging Indigenous



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22 Winookeedaa Road
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Fax: 705.657.8708
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Knowledges, there will always be a potential for adverse impacts to Indigenous rights when nuclear substances and nuclear waste are being created and manipulated in and throughout our territories.

We hope that the recommendations provided throughout this submission are helpful and serve to heighten awareness and understanding in terms of how regulatory reporting processes can be more inclusive, respectful, and representative of current contexts.

There are three portions in the details of this submission.

Appendix A.1 and A.2 – CLFN’s Perspectives as it pertains to the Environment and Indigenous Consultation with Cameco Corporation and CNSC

Appendix B – Big Picture Issues with Indigenous Engagement

Appendix C – Further Document Specific Examples as Opportunities for Improvement (specific examples for areas of better synergy and better representation of information)

It is our hope that the contents of this covering letter and Appendix A, B, and C will help guide the dialogue between CNSC staff, Cameco staff and CLFN Consultation Department staff to make progress from information sharing, to engagement, all the way to meaningful consultation as we all continue our work in 2021 and make progress in 2022.

We do this work to uphold our responsibilities to care for the earth and waters, for our people, our nation, and for all our relations. Our foundational belief is balance; our values and principles are built upon the respect, care, and nurturing of all life as part of an interconnected whole and necessary for the balance and harmony required for Mino-Bimaadiziwin now and for future generations.

Sincerely,

The Curve Lake First Nation Consultation Department



Government Services Building
22 Winookeedaa Road
Curve Lake, Ontario K0L1R0

Phone: 705.657.8045
Fax: 705.657.8708
www.curvelakefirstnation.ca

Julie Kapyrka
Lands & Resources Consultation Liaison
Curve Lake First Nation

Kaitlin Hill
Lands & Resources Consultation Liaison
Curve Lake First Nation

Gary Pritchard
Principal, Indigenous Conservation Ecologist
4 Directions of Conservation Consulting Services

Francis Chua and Support Team
Support to Curve Lake First Nation Consultation Department

cc:

- Chief Emily Whetung, Curve Lake First Nation
- Curve Lake First Nation Chief and Council
- Katie Young-Haddlesey, Acting Chief Operating Officer, CLFN
- Sarah Forsey, Manager, Public & Government Affairs, Cameco Corporation



Government Services Building
22 Winookeedaa Road
Curve Lake, Ontario K0L1R0

Phone: 705.657.8045
Fax: 705.657.8708
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Appendix A.1 – CLFN’s Perspectives as it pertains to the Environment and Indigenous Consultation with Cameco Corporation and CNSC

Prepared by:
Julie Kapyrka
Land & Resources Consultation Liaison
Curve Lake First Nation

SUMMARY:

While we do not have any concerns in relation to this licence renewal application, we have concerns with how First Nations are included and represented within these reports, and how Indigenous knowledges and perspectives are excluded from methodological frameworks within nuclear regulatory oversight processes.

Omission, exclusion, erasure, and elimination of First Nations’ presence, rights, cultures, and knowledges, describes the overall nature of this licence renewal document in terms of Indigenous contexts and/or inclusion. The way in which information is conveyed is important as it promotes a larger contextual understanding of its content and purpose. The way in which the document is written is one of consistent exclusion and omission of First Nations in general. This occurs through neglecting to acknowledge the lands upon which CFM operates its facilities. This occurs through neglecting to identify Indigenous peoples beyond their First Nation name and lumping us into “groups”. This occurs through neglecting to include Indigenous epistemologies and ontologies (perspectives, understandings, and relationship to land) in the dissemination of information and decision-making. This occurs through neglecting to use inclusive and balanced words, which results in a one-sided narrative that ultimately inadvertently precludes the existence of Indigenous Peoples and Indigenous knowledge systems and their inherent connections to the land. This serves to erase Michi Saagiig peoples from our lands, and our histories.

A stark example of how words convey meaningful context and expose the existing bias within regulatory reporting styles is demonstrated through the placement of *Indigenous Consultation*



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22 Winookeedaa Road
Curve Lake, Ontario K0L1R0

Phone: 705.657.8045
Fax: 705.657.8708
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into “Other Regulatory Matters of Interest.” *Indigenous Consultation*, and thus Indigenous Peoples, and Indigenous rights are characterized as “other.” The exclusionary inference is clear and serves to promote distance.

This exclusion is also perpetrated within this document as First Nations are not represented in a way that demonstrates acknowledgement of inherent and/or Treaty rights to the lands and waters upon which CFM operates. This serves to create perceived distance between the Honour of the Crown and its duty to consult with First Nations communities; and perhaps more importantly, why the duty exists. This is of particular concern, as the protection of Indigenous rights seems to be a top priority of CNSC regulatory oversight, yet the level of prominence this topic possesses is diminished in the reporting and submission of documents.

In this particular case, even though the CNSC has determined that this licence renewal is not expected to cause any new adverse impacts to potential or established Indigenous and/or treaty rights and therefore does not raise the formal requirement of REG-DOC 3.2.2 *Indigenous Engagement*, the fact that CFM will produce nuclear waste over the course of another year in of itself is enough to have potential negative impacts to Indigenous rights – as the Canadian Government searches still for a DGR and a long-term waste storage strategy.

The CNSC has determined this through a one-sided knowledge-system approach – that there does not exist a duty to consult as there will be no new adverse impacts to Indigenous rights, because ‘nothing is changing’ with regard to the operations of CFM. Indigenous Knowledge systems hold tenets of responsibility to seven generations into the future. This responsibility also includes commitments all our relations, meaning all living creatures, not just human beings. There is a framework that supports a wider vision of what the nuclear industry means within Indigenous knowledge systems. These principles form some of the underpinnings of how baseline information is gathered and understood. How will decisions made today, affect all living generations to come?

To conclude, how words are used is important – as they can unintentionally create normalized contexts. How this licence renewal application document is written and how impacts to Indigenous rights are determined (outside of Indigenous epistemologies) create exclusionary contexts in which Indigenous Peoples and knowledge systems are almost completely invisible. This creates a zeitgeist of omission, a sense of non-existence and of unimportance. This stands in solid contradiction to the CNSC’s position that upholds Indigenous consultation framed within



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Fax: 705.657.8708
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To close, communication with CFM, as with any nuclear operator on treaty territories, should not only be initiated through a licence application process, but also through the facility's normal operations. There is nothing precluding any nuclear operator from going above and beyond the bare minimum with respect to Indigenous consultation and relationship building, and there are innumerable of reasons to do so. As viewed through an Indigenous lens, and engaging Indigenous Knowledges, there will always be a potential for adverse impacts to Indigenous rights when nuclear substances and nuclear waste are being created and manipulated in and throughout our territories.

COMMENTS & RECOMMENDATIONS:

Although we acknowledge that the CNSC and CFM have expressed an awareness in their use of terminology throughout our in-person regular meetings, this is not yet reflected in the language used within reporting formats. While we also acknowledge that this process will take time, and that we are at the very early stages, some simple immediate actions can be taken to ameliorate current practices in reporting when providing written applications and documentation.

Provided below are examples of how the text of this document is exclusionary and how it could be made more inclusive. [Our comments appear in blue font.](#)

1. OVERVIEW

1.1 Background CFM and its Location

[This section begins with identifying the exact geographical location of the CFM facility. There is no acknowledgement of Treaty territory, or the First Nations whose traditional lands house Cameco. The very fact that treaties exist allows for Cameco to operate and to prosper. Without](#)



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identifying this relationship in any context, the perpetuation of the erasure of our peoples and cultures, and our rights on the land continues through this format of documentary reporting.

Recommendation: Offer a land acknowledgement. Acknowledge the First Nations Peoples and the treaty/treaties of the territory that CFM occupies – and a commitment statement to the land.

4. OTHER MATTERS OF REGULATORY INTEREST

4.1 Indigenous Consultation

Indigenous Consultation is slotted into Section 4 of this report, under the heading “other matters of regulatory interest.” Being placed under ‘Other matters’ and alongside topics such as cost recovery, financial guarantees, improvement plan, licensee public information program, nuclear liability insurance, delegation of authority, only serves to diminish the importance of “Indigenous Consultation.”

This placement and context also do not seem to support statements by the CNSC regarding upholding the honour of the Crown and constitutionally protected rights of Indigenous Peoples.

Recommendation: Indigenous Peoples and the duty to consult and accommodate should have its own section.

4.1.1 Discussion

CNSC staff have identified the First Nation and Metis **groups** who may have an interest in the renewal of the CFM licence.

It is disrespectful to refer to First Nations as “groups” and to lump us together with interest holders in south-central Ontario. This diminishes understandings of treaty rights, relationships, and protocol between Indigenous communities themselves and the lands upon which they harvest.

Recommendation: Remove use of terminology “groups” to describe First Nations communities.



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Phone: 705.657.8045
Fax: 705.657.8708
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These Indigenous **groups** were identified **due to the proximity of their communities**, treaty areas, and/or traditional territories to the CFM site, or due to previously expressed interest in being kept informed of CNSC licensed activities **occurring in or proximal to their territories**.

The CNSC has identified communities based on their proximity to the CFM site. While the Williams Treaties First Nations and the Mohawks of the Bay of Quinte have communities within the region of CFM, and thus are proximal, we are not sure of any historical Metis communities near Port Hope and/or the area in general. Statements that subsume confirmation of jurisdiction regarding lands surrounding and in proximity to CFM serve to legitimize rights where they may not exist.

Recommendation: Name and identify the Metis community that is proximal to CFM, as the First Nations communities have been named.

CNSC Staff Engagement Activities and Licensee Engagement Activities

Although the CNSC makes mention of meeting specifically with Curve Lake First Nation, and of discussing the CFM licence renewal application on June 24th, 2021, no other First Nations are mentioned or seemingly involved. And although CNSC staff remain open to meeting with Indigenous communities to discuss this licence renewal application and to encourage and maintain productive and respectful relationships, it does not seem like this is happening with the identified First Nations with regard to the CFM renewal application. This is paralleled by Cameco reporting to the CNSC that it has informed the identified First Nations, but only has met with Curve Lake First Nation.

While we acknowledge that the “CNSC staff continues to encourage Cameco to continue its engagement with Curve Lake First Nation as well as with other interested [groups] in order to discuss their interests and concerns with regards to the CFM licence,” there appears to be a significant imbalance in terms of “identified” First Nations’ presence and or inclusion in discussions and/or meetings.

In both cases, this is symptomatic of the capacity challenges within First Nations Consultation Departments and the need for equity at the engagement table. A level playing field, at these tables, is the only way meaningful consultation processes can take place.



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Fax: 705.657.8708
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Added to this situation is the reference to “interests and concerns” of First Nations with regard to the CFM licence and how this is identified somehow as the stimulus that deploys the engagement. Many times, First Nations are simply not aware of the activities or operations of industries on our treaty territories – and this should never be interpreted to mean that there is no interest. It should be assumed that every First Nation whose rights may be impacted by the actions and decisions of governments and industry are interested and concerned. For example, Curve Lake First Nation only recently came to understand that Cameco operates numerous nuclear facilities within proximity to Michi Saagiig harvesting territories.

While there is no concern with this licence renewal application in general, there are general concerns in terms of the operation of nuclear facilities on our treaty territories.

REG-DOC 3.2.2 Indigenous Engagement sets out the requirements and guidance for licensees whose proposed projects may raise the Crown’s duty to consult – and based on the information received in the licensee’s application, the CNSC deemed that this licence renewal is not expected to cause any new adverse impacts to potential or established Indigenous and/or treaty rights and therefore does not raise the formal requirement of REG-DOC 3.2.2.

The renewal of this licence for 1 year would authorize CFM to manufacture fuel bundles containing uranium dioxide pellets for use as nuclear fuel primarily in CANDU reactors and allow CFM to manufacture up to 125 tonnes of uranium dioxide as pellets of natural and depleted uranium as well as enriched uranium on a small scale during any calendar month.

This process over the course of 1 year creates more nuclear waste. Nuclear waste can cause new adverse impacts to inherent and/or treaty rights. A renewal of current operations should never be framed within contexts of having absolutely no adverse effects. By simply producing nuclear fuel, CMF is also producing nuclear waste – and by renewing this licence for 1 year will be contributing another year’s worth of waste, for which long-term storage has yet to be worked out.

Furthermore, even though Indigenous engagement is not triggered under REG-DOC 3.2.2, this does not in any way preclude CMF from going above and beyond the bare minimum standard and making a concerted effort at engagement with all First Nations who may be impacted by their operations.



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22 Winookeedaa Road
Curve Lake, Ontario K0L1R0

Phone: 705.657.8045
Fax: 705.657.8708
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Recommendation: 1. More robust Indigenous engagement and consultation strategies should be developed by CFM and the CNSC, beyond regulatory review processes, to ensure that First Nations are not only aware of Cameco’s facilities and operations on our treaty territories, but that we are also engaged to understand the potential impacts to our lands and waters.

Recommendation: 2. Inclusion of Indigenous Knowledge systems and Indigenous Knowledge methodologies in active applications in regulatory framework activities.

4.1.2 Conclusion

“Cameco **has informed and engaged with the identified Indigenous groups** of their application to renew the CFM licence. CNSC staff encourage Cameco to continue to engage with **interested Indigenous groups** on this licence renewal application and other ongoing activities of interest.”

The first highlighted statement above is misleading. Cameco may have informed all of the identified First Nations and a Metis organization of this renewal application, however, this report details that engagement only progressed with Curve Lake First Nation.

The use of the terminology “interested Indigenous groups” is an overextension of who reasonably has the right to be engaged. Under this kind of terminology any group who identifies as Indigenous can express an interest in CFM’s activities and thus is required to be included in regulatory review and application processes.

Recommendation: A distinction should be made between rights holders and interest holders, as well as the differences between the two with regard to depth of consultation requirements.

4.2 Other Consultation

“The CNSC made available \$30,000 through its Participants Funding Program (PFP) to Indigenous peoples, members of the public and stakeholders in providing value-added information to the Commission through informed and topic-specific interventions.”



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Phone: 705.657.8045
Fax: 705.657.8708
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Again, a distinction must be made between Indigenous peoples and the general public and stakeholders. First Nations hold constitutionally protected rights in relation to the lands and waters in and around Port Hope, as well as treaty rights, that for some were recently re-affirmed. This distinction must be recognized through separate funding models – as engagement and consultation with First Nations lies with the honour of the Crown and nation-to-nation relationships, while engagement with the public does not. There is a difference here that should be highlighted and accounted for. The general public does not have the same rights as First Nations communities.



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22 Winookeedaa Road
Curve Lake, Ontario K0L1R0

Phone: 705.657.8045
Fax: 705.657.8708
www.curvelakefirstnation.ca

Appendix A.2 – CLFN’s Perspectives as it pertains to the Environment and Indigenous Consultation within Cameco Corporation and CNSC

Prepared by:
Kaitlin Hill
Land & Resources Consultation Liaison
Curve Lake First Nation

Environmental Protection

- Have culturally significant species been examined in these studies? If so, how was their cultural significance and species of cultural value maintained and protected? How is this incorporated?
- In future if there are major changes to the facility and /or an expansion, will species of cultural importance be added to this list? What approach will be taken, how will this be accomplished?

Environmental Risk Assessment

Based on the information provided and knowledge that the footprint of the facility will not be expanding, it is understood that there will not need to be an increased concern for environmental risk. In future, if the facility does expand or if there are major facility changes, it is also understood that the Environmental Risk will need to be revisited and upgraded and First Nations communities will need to be engaged accordingly.

Indigenous Consultation

Not every First Nation who has an interest is considered a rights holder. There needs to be a clear distinction and action on how you move forward with individual Nations. Providing that in writing with an explanation in terms of consultation and what that entails for different groups would be mutually beneficial to all First Nations and non- First Nations involved to better understand their role as we move through the process. Understanding the rights that certain



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Phone: 705.657.8045
Fax: 705.657.8708
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First Nations have to the Treaty Territory is integral to upholding the obligations agreed upon by the Crown.

Over the past year Curve Lake First Nation has been building a better relationship with the Cameco Corporation and gaining a better understanding of what is happening on the property. There is always further education, collaboration and relationship building that is needed to fulfill the Duty to Consult and Accommodate.

Conclusion

In conclusion after reviewing the document received it is evident that the document is purely western science based. There needs to be more collaboration with the First Nations who hold rights in the area to have a holistic and mutually agreed upon approach to collecting data and understanding the different views of environmental risk.



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Curve Lake, Ontario K0L1R0

Phone: 705.657.8045
Fax: 705.657.8708
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Appendix B – Big Picture Issues with Indigenous Engagement

Prepared by:

Gary Pritchard, 4 Directions of Conservation Consulting Services (4 Directions)

4 Directions of Conservation Consulting Services (4 Directions) was engaged by CLFN in the review of documents provided by the CNSC. 4 Directions routinely educates proponents on how to define meaningful engagement within their assessment process. This method follows the principles set forth in the IAP2 Canada Practices for Public Participation. 4 Directions founder Mr. Gary Pritchard routinely advises the IAP2 Canadian Council on how to better foster relationship with the Indigenous community.

Canadian Nuclear Safety Commission. Cameco Corporation- Application to Renew Licence for Cameco Fuel Manufacturing Inc. September 10th, 2021. 124 pp.

Big Picture- Issue Management

CNSC needs to represent Indigenous interests and rights at the forefront of their reporting. Indigenous Consultation and Rights are frequently placed behind the public or settler engagement activities. By doing this, CNSC is still expressing colonial repression and not acknowledging their ability to operate and their staff's ability to live in these areas is only made possible through the treaty making process with the Indigenous Community. This is observed frequently in this report stating it under "*Other Matters of Regulatory Interest.*" It is strongly suggested that CNSC places Indigenous engagement and consultation– Under a **NEW** Section called *Regulatory Compliance*.

Review

Section 2.1 Environmental Assessment- It is agreed that this activity is solely administrative, and Cameco is not expanding the footprint of their operations, thus it does not trigger an Environmental Assessment under the NSCA or does it trigger an IAA.



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Phone: 705.657.8045
Fax: 705.657.8708
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Section 3.2.2.2- Environmental Protection.

- How does Cameco's environmental protection program mirror with cultural values or practices of the Michi Saagiig? Has there been a cross-cultural examination of what are the First Nation values of a healthy ecosystem thus leading to a more holistic monitoring program?
- Has Cameco looked at fish tissues or zebra mussel bioaccumulation to monitor long term ecological and environmental productivity/health?
- Aquatic sediment should be collected at surface water sampling locations (if available at the station) as part of the biological receptor management.

Section 4.1.1 Discussion- Indigenous Engagement.

CNSC should understand that not all Indigenous communities have the same rights to the lands at the Cameco Operation. By giving equal rights to an area, CNSC are causing conflicts within the Indigenous community especially to those who are signatory to the treaty. The following matrix should be understood by CNSC and Cameco on how they need to engage and consult with the Indigenous community:

1. **Rights Holders** thus requiring consent, Duty to Engage and Consult- Williams Treaty First Nations.
2. **Interest Holders** (Duty to Inform)- Mohawks of Bay of Quinte (lease with Canada, not a Treaty). Their inputs or feedback get reviewed by rights holders.
3. **Indigenous Stakeholder** (Can be completed with Stakeholder/Settler Community)- Metis Nation (no Treaty or Lease with the Crown in WTFN) or this could be the urban-Indigenous population who do not have treaty rights to this area but merely live outside their homelands.

Section 4.1.2 Conclusion- Even though it is in agreement that impact to the natural environment will be minimal from a Western Science perspective. Cameco needs to address the concerns raised in Environmental Protection Section of this review. It was not put forth by CNSC or Cameco to have the First Nation Communities determine if their rights have been impacted and



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Fax: 705.657.8708
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thus no meaningful input or studies have been completed to prove otherwise. It is important that CNSC and those who operate under their jurisdiction operate in a manner to create a meaningful relationship with the First Nations communities who rights may be affected.

Closing

CLFN Consultation Department has accepted the review and these recommendations provided by 4 Directions of Conservation Consulting Services as a way to work towards meaningful engagement and consultation.



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22 Winookeedaa Road
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Fax: 705.657.8708
www.curvelakefirstnation.ca

Appendix C – Further Document Specific Examples as Opportunities for Improvement

Compiled by:

Curve Lake First Nation Consultation Department Support Team

Broad Comments:

- Although this is a reiteration from previous submissions by CLFN, we would like to emphasize the importance of a change in word use and document structure by CNSC to reflect respectful and meaningful engagement with Indigenous rights holders.
 - Omit the term Indigenous ‘groups’ and replace with ‘communities’, groups is not an accurate representation of Indigenous peoples and their communities.
 - Furthermore, lumping Indigenous matters and consultation in a section titled “Other Matters of Interest” has been seen across CNSC documentations and in itself leads to a lack of meaningful and respectful engagement with Indigenous communities, see previously submitted intervention by CLFN.
- In the background section discussing the Cameco facility, it is our recommendation that CNSC acknowledge and state the traditional territory.
- We would like to better understand the reduced financial guarantee from 21M to 10.8M in a form of irrevocable credit from RBC because it may be a cause of concern.
 - What is the basis of the 50% reduction?
 - We understand that waste removal that has occurred since the previous financial guarantee reduces some costs; are there any other factors driving this reduction?
 - Does it reflect the rising inflation and apparent issues with global supply chains in recent years due to the COVID-19 pandemic?
 - Legacy waste from decommissioning activities and its impact on future generations to come, is of concern to CLFN. More information on how the financial guarantee was calculated and determined would be helpful for us to understand the safe and proper decommissioning of the Port Hope facility in the future.



Government Services Building
22 Winookeedaa Road
Curve Lake, Ontario K0L1R0

Phone: 705.657.8045
Fax: 705.657.8708
www.curvelakefirstnation.ca

1.1 Background

Page 8:

Clarification: CNSC states that finished fuel bundles are primarily shipped for use in Canadian CANDU reactors, what are the other uses, where are they shipped?

3.2.2 Overall Safety Performance

Page 16:

“The majority of findings at CFM were of low safety significance, however several **medium safety significance** findings were identified by CNSC inspectors during the first half of the current licence period. The licensee has consistently implemented **corrective actions** to address regulatory findings. CNSC staff have verified that Cameco has taken appropriate corrective actions and all enforcement actions are now closed, with the exception of only those from the most recent inspections, which Cameco is currently addressing”

Recommendation: Provide additional details for the findings that were of “medium safety significance” and the actions taken to correct these measures. Clarify what “medium safety significance” entails and the risks associated with these levels.

3.2.2.1 Radiation Protection

Page 17:

Clarification: Explain why the number of NEWS monitored has decreased? Monitoring sample sizes should be as large as reasonably possible, and remain similar to previous years sample sizes to accurately compare averaged results.

Observation: There were 10 action level exceedances over current license period, these action level exceedances may suggest flaws within the radiation protection program and CLFN would like to understand the actions taken to address these exceedances.



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3.2.2. Environmental Protection

Starting Page 19:

Clarification: An extreme change to the licensed action levels brings about questions. Why were these action levels so high in the first place? We appreciate and agree with the change in methodology suggested by CNSC, however without changes to the licensee's programs we are concerned that there may be inadequacies to the environmental protection programs that lead to an increased risk to the public and the environment if there continues to be action level exceedances.

Observation: CNSC concluded 2016 ERA conclusions remain valid, and no new risks have emerged since 2016, and that human health and ecological risks attributed to CFM remain negligible. However, in the same paragraph it was previously stated as no risk. We would like to emphasize the importance of wording, negligible and no risk is different and CNSC should clarify within their documentation.

Recommendation: There is confusion in data communication. CNSC should clarify when they present data in tables, whether the data is averaged data, over what period and how many samples or if it is the sum or total of the data represented and how that is comparable to derived limits.

Page 20:

"Environmental monitoring information in the form of groundwater monitoring, surface water sampling, soil sampling and high-volume air sampler data indicate that the public and the environment continue to be protected from facility releases."

Recommendation: Addition of 'below surface water' information, testing or results. If this does not need to be tested, provide reasoning why.



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“During the current licence period, CNSC staff consistently rated the environmental protection SCA at the CFM facility as **satisfactory**, with Cameco implementing an environmental protection program to ensure the protection of people and the environment.”

Recommendation: Include how CAMECO plans on continuing to improve their environmental protection and increase their level of ‘satisfactory’ to ‘fully satisfactory’.

Page 21:

“CNSC staff will continue to oversee Cameco’s monitoring at locations in the vicinity of the CFM facility to confirm that uranium concentrations remain at safe **levels in surface water**.”

Recommendation: Add in any findings on ‘below surface water’ or clarification if this is something that does not need to be tested for.

Page 23:

“For each action **level exceedance**, Cameco conducted an investigation and implemented **corrective actions** where necessary, and fulfilled its reporting requirements to the CNSC.”

Recommendation: Provide additional detail on the corrective actions taken.

“Based on CNSC staff’s review, staff have concluded that the **public** continues to be protected from emissions from the CFM facility.”

Recommendation: Add in details on the environment or non-human species being protected.

4.1 Indigenous Consultation

Page 27:

“CNSC staff have identified the First Nation and Métis groups **who may have an interest** in the renewal of the CFM licence. These Indigenous groups were identified due to the proximity of



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their communities, treaty areas and/or traditional territories to the CFM site, or due to previously expressed interest in being kept informed of CNSC licensed activities occurring in or proximal to their territories.”

Recommendation: Reconsider wording of ‘may have an interest’ as other First Nation groups not in proximity could have an interest, and some may just not have the capacity currently.