



**Written submission from
Sarah Gabrielle Baron**

**Mémoire de
Sarah Gabrielle Baron**

In the Matter of

À l'égard de

Cameco Corporation

Cameco Corporation

**Revised preliminary decommissioning plan
and financial guarantee for Cameco
Corporation's Port Hope Conversion
Facility**

**Plan préliminaire de déclassement et la
garantie financière révisés pour l'installation
de conversion de Port Hope de Cameco
Corporation**

Hearing in writing based on written
submissions

Audience par écrit fondée sur des mémoires

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Written intervention to the CNSC hearing on the Cameco Corporation's revised preliminary decommissioning plan and financial guarantee for their conversion facility in Port Hope

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And

Sarah Gabrielle Baron

We believe the Canadian Nuclear Safety Commission must not accept the Cameco Corporations decommissioning plan and attendant Financial Guarantee for their Port Hope Conversion Facility.

REASON #1: This plan triggers the legal requirement to attain Indigenous Peoples' Free, Prior and Informed Consent

The Cameco Financial Guarantee for decommissioning Port Hope Conversion Facility is based on their decommissioning plan for Port Hope, which is intricately linked to Cameco Blind River Refinery and Incinerator, located just 1.5 km from the home of Zhawaanandwad Ikwe on Mississaugi Indian Reserve.

In the CSNC staff report on this matter, it is said that,

“Cameco’s preferred decommissioning strategy for PHCF is a combination of “prompt decommissioning” and “in-situ decommissioning” ...This strategy is unchanged from what Cameco proposed and was accepted by CNSC staff during the 2016 license renewal.”¹

¹ Page 3. <https://nuclearsafety.gc.ca/eng/the-commission/hearings/cmd/pdf/CMD23/CMD23-H107.pdf>

However, we know that this is a lie. We attended the November 2021 Blind River Refinery licensing review² in which it was revealed, thanks to work by the group Northwatch, that Cameco now plans to ship waste from the Port Hope facility to the Blind River facility as an integral part of the new Port Hope decommissioning plan.

The Cameco Decommissioning Plan for the Blind River Refinery and Incinerator location (just 1.5 km from Zhawaanandwad Ikwe's home) states,

*“The uranium contaminated building materials, equipment and soils would be placed into an onsite encapsulated mound that would be licensed in perpetuity as a long-term waste management facility (LTWMF), **which would also contain decommissioning material from Cameco's Port Hope facilities.**”*³ (emphasis added)

Zhawaanakwad Ikwe would like to know, how much waste? How much will be burned in the incinerator, and is it burned at night? How much will be buried next to the water there, that directly goes into the North Channel of Lake Huron? What is the radioactive nature of the waste that will be sent from the Port Hope facility to the Blind River facility? There are many new factors to consider:

- Cameco is now receiving uranium for refining and processing from countries as far flung as Ukraine⁴
- Cameco is now 49% shareholder of Westinghouse, proponent of the eVinci experimental nuclear power model which would

²

<https://nuclearsafety.gc.ca/eng/the-commission/webcasts/archived/november2021/index.cfm#CommissionHearing>

³ <https://www.camecofuel.com/uploads/downloads/BRR-PDP-public-summary.pdf>

⁴

<https://www.nucnet.org/news/first-batch-of-domestic-uranium-concentrate-sent-to-cameco-for-processing-9-2-2023>

burn High Enriched Low Assay fuel of weapons-grade capability, and will produce radioactive waste streams of a nature never before seen in Canada nor planet Earth.

- Cameco can not be trusted. For example, Zhawaanankwad Ikwe, an Elder living on the Mississaugi First Nation, had to email officials from the local to national level over a period of several months, just to ensure the band members would be informed when the company open burns containers that *could* be laced with uranium, just 1.5 km from her home.
- The community does not trust the water from their reserve water plant because they know it is contaminated, since it sources from the water table cycling under the Blind River Refinery and Incinerator. Zhaawanaankwad Ikwe has requested many times for the water table to be tested for uranium and radionuclides and this still has yet to happen. Zhaawanaankwad Ikwe knows the trees in the area are sick and are dying due this water table contamination.

It would seem reasonable to anyone not beholden to Cameco's profit margin that Duty to Consult *is* triggered by any and all Cameco decommissioning proposals, given the poor track record of this company's care for local people's health, and given the massive changes in the volume and nature of activities conducted by the proponent.

Therefore, the Anishinaabek Ojibway of Mississaugi nation peoples must be consulted to the satisfaction of those people, and they then must provide free, prior and informed consent ***before the Cameco Port Hope Conversion Facility financial guarantee and decommissioning plan***

can even be considered, let alone approved. Furthermore, the signatories to the Robinson Huron Treaty of 1850, representing the greater Anishinabek Nation must be consulted.

The Mississaugi nation peoples' right to free, prior and informed consent is upheld by Canada's treaty law and Supreme Court interpretation of these treaties, and further supported by Canada passing the United Nations Declaration on the Rights of Indigenous Peoples into law.

Zhawaanankwad Ikwe, an Elder and Traditional Knowledge Keeper of the community, only heard about this latest CSNC hearing on December 1st, from Sarah Baron. Zhawaanankwad Ikwe nor anyone from the Mississaugi reserve, nor the Anishinabek Nation, has been provided this free and prior information, and most certainly have not individually nor collectively given consent to Cameco nor CSNC to proceed.

Arbitrarily, and without consultation of stakeholders, the CNSC staff *“determined that the request is an administrative change and is not likely to cause any new adverse impacts to Indigenous or treaty rights.”*⁵ The transfer of waste from an ever-expanding operation at Port Hope to an ever-expanding operation at Blind River is far more than an “administrative” change. For the CNSC to use this wording, and to work in secrecy this way, is an example of colonialist practices at its worst. The Port Hope Conversion Facility Financial Guarantee and attendant Decommissioning Plan does directly affect Mississaugi First Nation treaty rights to freely use their traditional territory, as this territory surrounding the Blind River facility will be forever scarred and damaged by the transfer of Cameco's Port Hope waste. Treaty rights of all signatories to the 1850 Robinson Huron Treaty are also affected.

⁵ <https://nuclearsafety.gc.ca/eng/the-commission/hearings/cmd/pdf/CMD23/CMD23-H107.pdf>

REASON #2 Further desecration of sacred land

The land in question, at the Blind River Refinery and Incinerator, originally held a sacred burial ground of Indigenous ancestors and their sacred artifacts. This land was desecrated in 1982 when the El Dorado (now Cameco) company worked with the government to dig up the graves and take the remains and artifacts, by helicopter, to an unknown location. Zhawaanakwad Ikwe told the CSNC about this in November 2021, and was ignored. Member of Parliament for the region, Carol Hughes, was also informed⁶, and she also has since ignored this Elder of the community. Attention to UNDRIP demands the Crown and all its representatives assist Zhawaanakwad Ikwe in repatriating these remains.

Silence for the sake of profiteering is no excuse for the further oppression, cultural genocide and colonization of an entire Indigenous nation. Furthermore, the Truth and Reconciliation Commission *Calls to Action* ask the Crown and all its representatives, for example the Canadian Nuclear Safety Commission, to stop colonialist practices.

Instead, the proponent and the regulator plan to lace this land with radioactive waste from the southern sister factory.

REASON #3: Secrecy is wrong

That the proponent, a nuclear industry profiteer, requested and was approved by CNSC to keep their Port Hope decommissioning plan a

⁶ <https://youtu.be/5Q8y7HIqBKI?si=lc41auDpfl-HkAyA>

secret⁷, runs contrary to all the legal and moral obligations of the Canadian collective and Crown commitments to reconciliation with Indigenous Peoples.

Locals from the community immediately affected by the activities at Blind River Refinery and Incinerator must be consulted. The communities that fish the waters must be informed and given the opportunity to consult.

What is Cameco trying to hide by keeping their decommissioning plan secret?

REASON #4: Inadequate Health Studies

The most recent community health study to be conducted at the Mississaugi First Nation reserve, just 1.5 km from the Blind River Refinery and Incinerator, was conducted by Dr. Rosalie Bertelli and concluded in 1993. It pointed to clear indications of rises in cancer rates and other troubling health concerns and strongly called for an ongoing community health study. This has not been done. Zhawaanankwad Ikwe's notification to the CNSC in her November 2021 intervention on the Blind River Refinery licensing renewal, of a crisis in cancer incidents in her community, fell on deaf ears among CSNC staff and Commission members.

According to Dr. Ian Fairlie, an internationally recognized expert on the health effects of radiation from nuclear industry activities, the CNSC's allowable limits for exposure to radionuclides are "extremely lax...not worth

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<https://nuclearsafety.gc.ca/eng/the-commission/pdf/Notice-Cameco-RequestForConfidentiality-PHCF-23-H107-en.pdf>

the paper they're written on.”⁸ How can the CSNC do better to ensure Canadians have confidence that they are operating in our best interest?

Indigenous Peoples and other humans, plus our ecosystems' flora and fauna, are made deathly ill due to current and past activities at both the Port Hope and Blind River Cameco factories. This continues to be minimalized and ignored by the CNSC. Nuclear waste mismanagement by companies like Cameco must not be governed via lack of scrutiny by a world laggard in nuclear safety, the CNSC.

Less cancer, less birth defects, less suffering, should be the top priority of the CNSC when it adjudicates on plans put forward by those who profit off the uranium fuel chain and nuclear power industry. Therefore, we believe that the Cameco Port Hope Conversion Facility Financial Guarantee, based on an illegally secret decommissioning plan, should not be accepted by the CNSC at this time.

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<https://podcasters.spotify.com/pod/show/sarah-gabrielle-baron/episodes/Made-In-Canada-poison--corruption--and-plutonium-proliferation-e2bg6c9>