



**Written submission from the  
Nuclear Transparency Project**

**Mémoire du  
Projet de transparence nucléaire**

In the Matter of

À l'égard de

**Cameco Corporation**

**Cameco Corporation**

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

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**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

**December 2023**

**Décembre 2023**



nuclear  
transparency  
project

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Submitted via email

December 18, 2023

To Members of the Canadian Nuclear Safety Commission,

Re: Commission consideration of Cameco Corporation's revised preliminary decommissioning plan and financial guarantee for the Port Hope Conversion Facility

We would like to begin by thanking the Commission for this opportunity to provide written submissions for this matter. As participant funding was not offered for this proceeding, our organization faced capacity constraints that prevented us from being able to file comments in this matter until now.

The Nuclear Transparency Project (NTP) is a Canadian-registered not-for-profit organization dedicated to supporting open, informed, and equitable public discourse on nuclear technologies. NTP advocates for robust public access to data and other types of information and helps to produce accessible analysis of publicly available information, all with a view to supporting greater transparency in the Canadian nuclear sector. NTP is comprised of a multi-disciplinary group of experts who work to examine the economic, ecological, and social facets and impacts of Canadian nuclear energy production. We are committed to interdisciplinary, cross-sectoral, and equitable collaborations and dialogue between regulators, industry, Indigenous nations and communities, civil society, members of host and potential host communities, and academics from a variety of disciplines.

Our interest in this matter relates primarily to the transparency-related concerns we have upon hearing that Cameco will not be required by the Commission to disclose a copy (redacted or otherwise) of its revised preliminary decommissioning plan for the Port Hope Conversion Facility. Due to the abovementioned capacity constraints, our comments are confined to this issue.

Based on the public record in this matter, Cameco's rationale for refusing to publicly disclose its revised preliminary decommissioning plan remains unclear. The four-page high-level summary of the plan does not provide any discussion or overview of which

aspects of the plan Cameco believes to be sensitive. Nor does the company explain its refusal to release the actual plan – redacted or in full. According to Cameco’s summary, the plan will contain methods for decontaminating and segregating chemicals, materials, and equipment, as well as plans for their final disposition, site restoration, and monitoring and maintenance. The adequacy of financing would also be demonstrated for these plans.<sup>1</sup> The sensitivity of such information is not apparent from the high-level description of it offered in this summary.

The Commission decision relating to Cameco’s request for confidentiality is similarly vague and opaque. It is essentially a signed form letter using exclusively legislative language that is not tailored, or specific, to this particular matter. The decision notes the plan should remain confidential in its entirety because it contains “information of a financial, commercial, scientific, technical, personal or other nature”.<sup>2</sup> This raises more questions than it answers. It remains unclear exactly which information requires protection: financial or commercial? Technical or scientific? If the former, what elements of the plan has Cameco requested to keep confidential, and why? Could specifics of any business relationships or arrangements not be redacted with accompanying rationale? If there are technical or scientific aspects of the plan that Cameco requested to keep confidential, what would these have been? If they could have provided the public with a better understanding of how legacy wastes would be contained and managed, how would the public interest be best served by keeping this part of the plan confidential? For matters relating to information concerning how nuclear facilities engage with their local environment, the Commission in the past has consistently recognized a public interest in proactive disclosure.

In nuclear regulatory matters, NTP advocates for a default position of openness and transparency. In exceptional matters, confidentiality might need to be protected, but these instances should be defined as narrowly and specifically as possible with clear rationales communicated to the public. Based on the available public record for the matter, it appears the default position was to protect confidentiality, with members of the public being required to prove a need for disclosure.<sup>3</sup> Should this approach be permitted by the Commission Member panel, we have serious concerns about the precedent this might set.

All of this is respectfully submitted and we thank you for your consideration.

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<sup>1</sup> Supplementary Information, Written submission from Cameco Corporation in the matter of revised preliminary decommissioning plan and financial guarantee for Cameco Corporation’s Port Hope Conversion Facility, CMD 23-H107.1A, December 2023, online: <https://nuclearsafety.gc.ca/eng/the-commission/hearings/cmd/pdf/CMD23/CMD23-H107-1A.pdf>.

<sup>2</sup> Canadian Nuclear Safety Commission, Commission Ruling on Request to Protect Confidential Information, December 4, 2023, online: <https://nuclearsafety.gc.ca/eng/the-commission/pdf/Decision-CommissionRuling-RequestforConfidentiality-CMD23-H107-e.pdf>.

<sup>3</sup> Canadian Nuclear Safety Commission, Notice of Request for Confidentiality, November 10, 2023, online: <https://nuclearsafety.gc.ca/eng/the-commission/pdf/Notice-Cameco-RequestForConfidentiality-PHCF-23-H107-en.pdf>.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pippa Feinstein". The signature is written in a dark grey or black ink on a white background.

Pippa Feinstein, JD, LL.M.  
Founder and Coordinator