



UNCLASSIFIED/NON CLASSIFIÉ

**SUPPLEMENTAL/SUPPLÉMENTAIRE**

**CMD: 24-H3.B**

**Date signed/Signé le : 24 SEPT 2024**

Reference CMD(s)/CMD de référence : 24-H3

New Licence

Nouveau permis

Additional Information

Renouvellement d'un permis

**Ontario Power  
Generation, Inc. (OPG)**

**Ontario Power  
Génération Inc. (OPG)**

**Application for a Licence  
to Construct a BWRX 300  
Reactor at the Darlington  
New Nuclear Project Site  
(DNNP)**

**Demande de permis de  
construction d'un  
réacteur BWRX 300 sur  
le site du projet de  
nouvelle centrale  
nucléaire de Darlington  
(PNCND)**

Commission Public Hearing

Audience publique de la Commission

Part 1

Partie 1

Scheduled for:

Prévue pour :

October 2, 2024

Le 2 octobre 2024

Submitted by:

Soumis par :

CNSC Staff

Le personnel de la CCSN

e-Doc 7362039 (WORD)

e-Doc 7370214 (PDF)

**Summary**

This Supplemental CMD provides additional information to what is presented in CMD 24-H3, on the following:

- Waste management
- An erratum,
- Updated proposed licence which includes a new licence condition on Indigenous engagement activities.

**Résumé**

Ce CMD complémentaire fournit des informations supplémentaires à celles présentées dans le CMD 24-H3, sur les points suivants :

- La gestion des déchets
- Un erratum
- Mise à jour la proposition de licence qui comprend une nouvelle condition de licence sur les activités d'engagement des populations autochtones.

**Signed/Signé le**

24 September 2024 / 24 Septembre 2024

---

Sarah Eaton

**Director General**

Directorate of Advanced Reactor Technologies

**Directeur général / Directrice générale de la**

Direction des technologies de réacteurs avancés

## TABLE OF CONTENTS

<b>PLAIN LANGUAGE SUMMARY .....</b>	<b>1</b>
<b>1. OVERVIEW.....</b>	<b>2</b>
<b>2. WASTE MANAGEMENT .....</b>	<b>2</b>
2.1 Discussion .....	2
2.2 Errata.....	2
<b>3. UPDATE TO PROPOSED POWER REACTOR CONSTRUCTION LICENCE .....</b>	<b>3</b>
<b>4. INDIGENOUS CONSULTATION AND ENGAGEMENT.....</b>	<b>4</b>
<b>REFERENCES .....</b>	<b>5</b>
<b>A. UPDATED PROPOSED CONSTRUCTION LICENCE AND DRAFT LCH .....</b>	<b>6</b>
A.1 Updated Proposed Construction Licence.....	6
A.2 Draft LCH – Inclusion of Licence Condition 15.4 Section.....	6

## Plain Language Summary

Canadian Nuclear Safety Commission (CNSC) staff would like to acknowledge that the Darlington New Nuclear Project (DNNP) is situated within the lands and waters of the Michi Saagiig Anishinaabeg, the Gunshot Treaty (1877-88) and the Williams Treaties (1923). In 2018, the Williams Treaties First Nations (WTFN) Settlement Agreement with Canada and the Province of Ontario was signed, which recognized the pre-existing Treaty Rights of the WTFN. This includes Curve Lake First Nation, Hiawatha First Nation, Alderville First Nation, the Mississaugas of Scugog Island First Nation, Chippewas of Beausoleil First Nation, Chippewas of Georgina Island First Nation and the Chippewas of Rama First Nation.

CMD 24-H3.B is a supplemental CMD to CMD 24-H3, Application for a licence to construct one BWRX-300 reactor for its Darlington New Nuclear Project. This supplemental CMD provides additional information on waste management, an erratum, and a recommendation of a new licence condition on Indigenous engagement activities as part of an updated Power Reactor Construction Licence that includes increased clarity on proposed construction licensed activities and site preparation licensed activities.

Referenced documents in this CMD are available to the public upon request, subject to confidentiality considerations.

## 1. Overview

The Commission is considering the application from Ontario Power Generation, Incorporated (OPG) for a Power Reactor Construction Licence (PRCL) for the Darlington New Nuclear Project (DNNP) site.

The OPG DNNP site currently holds a Power Reactor Site Preparation Licence (PRSL) 18.00/2031 [R1-1]. OPG submitted an application to construct a reactor facility at the DNNP site for a term of 10 years.

CNSC staff recommendations are outlined in CMD 24-H3 and this supplemental provides additional information on waste management, an erratum, and an updated proposed licence which includes a new licence condition on Indigenous engagement activities.

## 2. Waste Management

### 2.1 Discussion

As described in CMD 24-H3, regulatory requirements for licence applications, including Licence to Construct, that are applicable to waste management are:

- [Class I Nuclear Facilities Regulations](#), paragraph (3)(e) and
- [General Nuclear Safety and Control Regulations](#), paragraph 3(1)(j)

On September 6, 2024, OPG submitted additional information which included the updated DNNP Hazardous Substances List that provides information on expected hazardous materials and wastes [R1-2]. This submission includes an inventory of the anticipated hazardous materials and wastes that will result from licensed construction activities on the DNNP site. CNSC staff reviewed this submission and determined that it meets the requirements of the [Class I Nuclear Facilities Regulations](#) and the [General Nuclear Safety and Control Regulations](#) for inventory of hazardous materials and wastes, respectively. As this is an anticipated inventory list, CNSC staff expect this inventory to evolve and be refined as OPG progresses towards potential construction.

Should the Commission issue a licence to construct, CNSC staff will verify that hazardous materials and wastes are handled and disposed of in accordance with provincial regulations, and OPG's Hazardous Materials and Waste Management Plan for DNNP.

### 2.2 Errata

Following the posting of the CMD 24-H3 [R1-3] on July 2, 2024, an erratum was identified and recorded in the table below.

CMD 24-H3 Section	CMD 24-H3 Referenced Text	CNSC Staff Clarification
5.2 Financial Guarantees	<p>“OPG’s proposed FG states the amount to bring the DNNP site from a pre-fuelled state to a brown field site is set at \$167,180,000 in 2022 Canadian dollars. OPG proposed a Letter of Credit as the legal instrument to secure this funding, to which the CNSC is the beneficiary. CNSC staff note that this guarantee is distinct from OPG’s consolidated financial guarantee, which covers the existing DNGS and Waste Management Facilities. CNSC staff confirmed OPG’s proposed financial guarantee, for purposes of decommissioning the DNNP, is sufficient to cover the proposed activities during the construction phase. CNSC staff recommend the Commission accept OPG’s PDP and associated FG.”</p>	<p>There are several places in CMD 24-H3 that request the Commission to accept the preliminary decommissioning plan and the associated financial guarantee (Page iii, Page 15, Section 1.9, Page 169, Section 5.2 and Page 173, Section 62)</p> <p>To clarify, OPG has submitted a PDP to CNSC in accordance with licence application requirements, and CNSC staff find the PDP to be in alignment with regulatory documents on decommissioning. The proposed licence includes a requirement for OPG to maintain a financial guarantee. CNSC staff recommend the Commission accept both the form and the quantity of the financial guarantee that OPG has put forward in fulfillment of this proposed licence requirement.</p>

### 3. Update to Proposed Power Reactor Construction Licence

CNSC staff have updated the proposed Power Reactor Construction Licence (PRCL) 32.00/2035 to clarify the proposed construction licensed activities and site preparation licensed activities. Part IV (i) and Part IV (ii) were revised to increase clarity on these proposed licensed activities.

The updated PRCL 32.00/2035 is included in Appendix A with the updates captured via yellow track change highlights.

#### 4. Indigenous Consultation and Engagement

CNSC staff recommend the addition of a site-specific condition in the proposed DNNP power reactor construction licence and draft Licence Conditions Handbook. CNSC staff recommend licence condition (LC) 15.4 which would require OPG to conduct ongoing Indigenous engagement specific to the DNNP throughout the construction phase. Additionally, LC 15.4 sets out the expectation that OPG continues to engage and collaborate with the interested Williams Treaties First Nations on the ongoing studies and assessments OPG has committed to. By including the requirement for Indigenous engagement in the proposed licence, it will ensure that CNSC staff have a mechanism for regulatory oversight of OPG's engagement and commitments made to the Indigenous Nations and communities.

As described in the Record of Decision on the determination of Applicability of the DNNP Environmental Assessment to OPG's chosen Reactor Technology [R1-4], the Commission outlined its expectations for OPG to continue its engagement efforts throughout the lifecycle of the DNNP with Indigenous Nations and communities (paragraphs 16 and 18). The Commission also outlined its expectations for OPG to work collaboratively with interested Williams Treaties First Nations to scope out the extent, timing, and content of various studies and assessments that they have committed to conducting with the Indigenous Nations and communities (paragraph 16). OPG has described its commitments to work with interested Williams Treaties First Nations in its CMD 24-H3.1 [R1-5] and the associated Darlington New Nuclear Project Indigenous Engagement Report November 2023 to May 2024 [R1-6].

An updated power reactor construction licence is included in this supplemental CMD and a section on LC 15.4 (to be included in draft *Licence Conditions Handbook*) further outlining CNSC staff expectations regarding Indigenous engagement. The fulfillment of these requirements will support the Commission in fulfilling the Duty to Consult and, where appropriate, accommodate. CNSC staff will continue to collaborate with Indigenous Nations and communities in its oversight and follow-up with regards to this licence condition to confirm that the construction of the DNNP is protective of their rights and interests and will provide additional information regarding CNSC staff consultation efforts prior to the Part II hearing in January 2025.



## References

- [R1-1] CNSC Licence, *Nuclear Power Reactor Site Preparation Licence for Ontario Power Generation New Nuclear at Darlington Generating Station*, PSRL 18.00/2031, effective as of October 12, 2021.
- [R1-2] OPG Letter, M. Knutson to M. Broeders, NK054-CORR-00531-11081, *DNNP – Response to CNSC Staff Comments on the DNNP Hazardous Waste Management Program*, September 6, 2024.
- [R1-3] CNSC Commission Member Document, *Application for a licence to construct one BWRX-300 reactor for its Darlington New Nuclear Project*, CMD 24-H3, posted in July 2024.
- [R1-4] CNSC Commission Document, [Record of Decision – Ontario Power Generation – Applicability of the BWRX-300 Reactor to the DNNP Environmental Assessment](#), April 2024.
- [R1-5] OPG Submission, *Written Submission in support of the Hearing on the Application for the Darlington New Nuclear Project Power Reactor Construction License*, CMD 24-H3.1, June 28, 2024.
- [R1-6] OPG Report, NK054-REP-00531-10007, *Darlington New Nuclear Project Indigenous Engagement Report November 2023 to May 2024*, June 2024.

## **A. Updated Proposed Construction Licence and Draft LCH**

### **A.1 Updated Proposed Construction Licence**

The updated proposed Power Reactor Construction Licence (PRCL) 32.00/2035 is provided on the following pages, containing:

- A revised Part IV (i) and Part IV (ii) to increase clarity on the licensed activities.
- The inclusion of licence condition 15.4.

These updates are represented by yellow highlights in the proposed PRCL.

### **A.2 Draft LCH – Inclusion of Licence Condition 15.4 Section**

The proposed new site-specific licence condition 15.4 section for inclusion to draft Licence Conditions Handbook is provided on the following pages.



I) LICENCE NUMBER: PRCL 32.00/2035

II) LICENSEE: Pursuant to subsection 24(4) of the *Nuclear Safety and Control Act*, this licence is issued to:

**Ontario Power Generation (OPG), Incorporated**  
**700 University Avenue**  
**Toronto, Ontario M5G 1X6**

III) LICENCE PERIOD: This licence is valid from: **April 01, 2025 to March 31, 2035** unless otherwise suspended, amended, revoked, or replaced.

IV) LICENSED ACTIVITIES: This licence authorizes the licensee to:

- i) Prepare **the site for Class IA nuclear facilities at** the Darlington **New** Nuclear site, comprising the following activities:
  - a. Construction of site access control measures.
  - b. Clearing and grubbing of vegetation.
  - c. Excavation and grading of the site to the finished design elevation **of approximately +78 masl (metres above sea level)**.
  - d. Installation of services and utilities (domestic water, fire water, sewage, electrical, communications, natural gas) to service the future nuclear facility.
  - e. Construction of administrative and support buildings inside the future protected area.
  - f. Construction of environmental monitoring and mitigation systems; and
  - g. Construction of flood protection and erosion control measures.
- ii) Construct a **Class IA single BWRX-300** nuclear **reactor facility** and supporting infrastructure at the Darlington New Nuclear site, **comprising the following activities:**
  - a. **Construction of a single BWRX 300 Powerblock, consisting of the Reactor Building, the Turbine Building, the Control Building, the Radwaste Building, and associated structures.**



**b. Construction of supporting infrastructure, including condenser cooling water system structures.**

**c. Conduct of commissioning testing of systems and structures prior to the loading of nuclear fuel.**

iii) Possess and use prescribed information that is required for, associated with, or arises from the activities described in (i) or (ii) above.

## V) EXPLANATORY NOTES:

- i) Nothing in this licence shall be construed to authorize non-compliance with any other applicable legal obligation or restriction.
- ii) Unless otherwise provided for in this licence, words and expressions used in this licence have the same meaning as in the *Nuclear Safety and Control Act* and associated Regulations.
- iii) The “OPG DARLINGTON NEW NUCLEAR PROJECT (DNNP) POWER REACTOR CONSTRUCTION LICENCE (PRCL) Licence Conditions Handbook (LCH)” provides compliance verification criteria including the Canadian standards and regulatory documents used to verify compliance with the conditions in the licence. The LCH also provides information regarding delegation of authority, applicable versions of documents, and non-mandatory recommendations and guidance on how to achieve compliance.

## VI) CONDITIONS:

### G. GENERAL

G.1 The licensee shall conduct the activities described in Part IV of this licence in accordance with the licensing basis, defined as:

- i) The regulatory requirements set out in the applicable laws and regulations;
- ii) The conditions and safety and control measures described in the facility’s or activity’s licence and the documents directly referenced in that licence; and
- iii) The safety and control measures described in the licence application and the documents needed to support that licence application.

Unless otherwise approved in writing by the Canadian Nuclear Safety Commission (CNSC, hereinafter “the Commission”).



- 
- G.2 The licensee shall give written notification of changes to the facility or its operation, including the deviation from design, operating conditions, policies, programs, and methods referred to in the licensing basis.
- G.3 The licensee shall control the use and occupation of any land within the exclusion zone.
- G.4 The licensee shall provide, at the nuclear facility and at no expense to the Commission, suitable office space for employees of the Commission who customarily carry out their functions on the premises of that nuclear facility (onsite Commission staff).
- G.5 The licensee shall maintain a financial guarantee for decommissioning that is acceptable to the Commission.
- G.6 The licensee shall implement and maintain a public information and disclosure program.

**1. Management System**

- 1.1. The licensee shall implement and maintain a management system.

**2. Human Performance Management**

- 2.1. The licensee shall implement and maintain a human performance program.
- 2.2. The licensee shall implement and maintain a training program.

**3. Operating Performance**

- 3.1. The licensee shall implement and maintain an operations program.
- 3.2. The licensee shall notify and report in accordance with the periods and requirements of CNSC Regulatory Document REGDOC-3.1.1 – REPORTING REQUIREMENTS FOR NUCLEAR POWER PLANTS.
- 3.3. The licensee shall implement a construction and commissioning program.

**4. Safety Analysis**

- 4.1. The licensee shall implement and maintain a safety analysis program.

**5. Physical Design**

- 5.1. The licensee shall implement and maintain a design program.
- 5.2. The licensee shall implement and maintain a pressure boundary program and have in place a formal agreement with an Authorized Inspection Agency.
- 5.3. The licensee shall implement and maintain an equipment and structure qualification program.

**6. Fitness for Service**

- 6.1. Not applicable.



## **7. Radiation Protection**

7.1. The licensee shall implement and maintain a radiation protection program.

## **8. Conventional Health and Safety**

8.1. The licensee shall implement and maintain a conventional health and safety program.

## **9. Environmental Protection**

9.1. The licensee shall implement and maintain an environmental protection program.

## **10. Emergency Management and Fire Protection**

10.1. The licensee shall implement and maintain an emergency preparedness program.

10.2. The licensee shall implement and maintain a fire protection program.

## **11. Waste Management**

11.1. The licensee shall implement and maintain a waste management program.

11.2. The licensee shall implement and maintain a decommissioning plan.

## **12. Security**

12.1. The licensee shall implement and maintain a security program.

## **13. Safeguards and Non-Proliferation**

13.1. The licensee shall implement and maintain a safeguards program.

## **14. Packaging and Transport**

14.1. Not applicable.

## **15. Site Specific**

15.1. The licensee shall implement the mitigation measures proposed and commitments made during the Darlington Joint Review Panel process, including the applicable recommendations of the Darlington Joint Review Panel Report, in accordance with the Government of Canada response.

15.2. The licensee shall implement and maintain an environmental assessment follow-up program.

15.3. The licensee shall obtain the approval of the Commission, or consent of a person authorized by the Commission, prior to the removal of established regulatory hold points.

**15.4. The licensee shall conduct Indigenous engagement activities, specific to the DNNP, throughout the period of this licence.**

SIGNED at Ottawa on [date signed]



X

President, Canadian Nuclear Safety Commiss...

DRAFT



**I) LICENCE NUMBER: PRCL 32.00/2035**

**II) LICENSEE:** Pursuant to subsection 24(4) of the *Nuclear Safety and Control Act*, this licence is issued to:

**Ontario Power Generation (OPG), Incorporated  
700 University Avenue  
Toronto, Ontario M5G 1X6**

**III) LICENCE PERIOD:** This licence is valid from: **April 01, 2025 to March 31, 2035** unless otherwise suspended, amended, revoked, or replaced.

**IV) LICENSED ACTIVITIES:** This licence authorizes the licensee to:

- i) Prepare the site for Class IA nuclear facilities at the Darlington New Nuclear site, comprising the following activities:
  - a. Construction of site access control measures.
  - b. Clearing and grubbing of vegetation.
  - c. Excavation and grading of the site to the finished design elevation.
  - d. Installation of services and utilities (domestic water, fire water, sewage, electrical, communications, natural gas) to service the future nuclear facility.
  - e. Construction of administrative and support buildings inside the future protected area.
  - f. Construction of environmental monitoring and mitigation systems; and
  - g. Construction of flood protection and erosion control measures.
- ii) Construct a Class IA nuclear facility and supporting infrastructure at the Darlington New Nuclear site, comprising the following activities:
  - a. Construction of a single BWRX 300 Powerblock, consisting of the Reactor Building, the Turbine Building, the Control Building, the Radwaste Building, and associated structures.





- b. Construction of supporting infrastructure, including condenser cooling water system structures.
  - c. Conduct of commissioning testing of systems and structures prior to the loading of nuclear fuel.
- iii) Possess and use prescribed information that is required for, associated with, or arises from the activities described in (i) or (ii) above.

## V) EXPLANATORY NOTES:

- i) Nothing in this licence shall be construed to authorize non-compliance with any other applicable legal obligation or restriction.
- ii) Unless otherwise provided for in this licence, words and expressions used in this licence have the same meaning as in the *Nuclear Safety and Control Act* and associated Regulations.
- iii) The “OPG DARLINGTON NEW NUCLEAR PROJECT (DNNP) POWER REACTOR CONSTRUCTION LICENCE (PRCL) Licence Conditions Handbook (LCH)” provides compliance verification criteria including the Canadian standards and regulatory documents used to verify compliance with the conditions in the licence. The LCH also provides information regarding delegation of authority, applicable versions of documents, and non-mandatory recommendations and guidance on how to achieve compliance.

## VI) CONDITIONS:

### G. GENERAL

G.1 The licensee shall conduct the activities described in Part IV of this licence in accordance with the licensing basis, defined as:

- i) The regulatory requirements set out in the applicable laws and regulations;
- ii) The conditions and safety and control measures described in the facility’s or activity’s licence and the documents directly referenced in that licence; and
- iii) The safety and control measures described in the licence application and the documents needed to support that licence application.

Unless otherwise approved in writing by the Canadian Nuclear Safety Commission (CNSC, hereinafter “the Commission”).



- 
- G.2 The licensee shall give written notification of changes to the facility or its operation, including the deviation from design, operating conditions, policies, programs, and methods referred to in the licensing basis.
- G.3 The licensee shall control the use and occupation of any land within the exclusion zone.
- G.4 The licensee shall provide, at the nuclear facility and at no expense to the Commission, suitable office space for employees of the Commission who customarily carry out their functions on the premises of that nuclear facility (onsite Commission staff).
- G.5 The licensee shall maintain a financial guarantee for decommissioning that is acceptable to the Commission.
- G.6 The licensee shall implement and maintain a public information and disclosure program.

**1. Management System**

- 1.1. The licensee shall implement and maintain a management system.

**2. Human Performance Management**

- 2.1. The licensee shall implement and maintain a human performance program.
- 2.2. The licensee shall implement and maintain a training program.

**3. Operating Performance**

- 3.1. The licensee shall implement and maintain an operations program.
- 3.2. The licensee shall notify and report in accordance with the periods and requirements of CNSC Regulatory Document REGDOC-3.1.1 – REPORTING REQUIREMENTS FOR NUCLEAR POWER PLANTS.
- 3.3. The licensee shall implement a construction and commissioning program.

**4. Safety Analysis**

- 4.1. The licensee shall implement and maintain a safety analysis program.

**5. Physical Design**

- 5.1. The licensee shall implement and maintain a design program.
- 5.2. The licensee shall implement and maintain a pressure boundary program and have in place a formal agreement with an Authorized Inspection Agency.
- 5.3. The licensee shall implement and maintain an equipment and structure qualification program.

**6. Fitness for Service**

- 6.1. Not applicable.



## **7. Radiation Protection**

7.1. The licensee shall implement and maintain a radiation protection program.

## **8. Conventional Health and Safety**

8.1. The licensee shall implement and maintain a conventional health and safety program.

## **9. Environmental Protection**

9.1. The licensee shall implement and maintain an environmental protection program.

## **10. Emergency Management and Fire Protection**

10.1. The licensee shall implement and maintain an emergency preparedness program.

10.2. The licensee shall implement and maintain a fire protection program.

## **11. Waste Management**

11.1. The licensee shall implement and maintain a waste management program.

11.2. The licensee shall implement and maintain a decommissioning plan.

## **12. Security**

12.1. The licensee shall implement and maintain a security program.

## **13. Safeguards and Non-Proliferation**

13.1. The licensee shall implement and maintain a safeguards program.

## **14. Packaging and Transport**

14.1. Not applicable.

## **15. Site Specific**

15.1. The licensee shall implement the mitigation measures proposed and commitments made during the Darlington Joint Review Panel process, including the applicable recommendations of the Darlington Joint Review Panel Report, in accordance with the Government of Canada response.

15.2. The licensee shall implement and maintain an environmental assessment follow-up program.

15.3. The licensee shall obtain the approval of the Commission, or consent of a person authorized by the Commission, prior to the removal of established regulatory hold points.

15.4. The licensee shall conduct Indigenous engagement activities, specific to the DNNP, throughout the period of this licence.

SIGNED at Ottawa on [date signed]



X

President, Canadian Nuclear Safety Commiss...

DRAFT

## 15.4 Engagement with Indigenous Nations and Communities

### Licence Condition:

**The licensee shall conduct Indigenous engagement activities, specific to the DNNP, over the lifecycle of the facility.**

### Preamble:

As per Section 8(2) of the *Nuclear Safety and Control Act*, the Commission is an agent of the Crown. As such, the Commission has the obligation to fulfil the Duty to Consult and, where appropriate, accommodate, Indigenous peoples when the Crown contemplates conduct that might adversely impact potential or established Indigenous and/or treaty rights. In meeting its obligations towards Indigenous Nations and communities, the Commission may rely on consultation undertaken by CNSC staff as well as the opportunities for Indigenous Nations and communities to make submissions directly to the Commission and to participate in the hearing process. To assist the Commission in meeting its duty to consult and, where appropriate, accommodate, the Commission may also rely on the engagement work of licensees. This includes consideration of measures to avoid or mitigate potential adverse impacts or other measures adopted or proposed by licensees for potential accommodation purposes.

A public information and disclosure program is required by the *Class I Nuclear Facilities Regulations*, which requires that licensees describe and maintain a program to inform persons living in the area of the site of the nature and characteristics of the anticipated effects of the activity on the environment, as well as on the health and safety of persons. REGDOC-3.2.1 - *Public Information and Disclosure* also specifies that Indigenous Nations and communities should be included as a target audience for the licensee's public information and disclosure program.

As per section 6 of REGDOC-3.2.2 – *Indigenous Engagement*, licensees may be required to continue ongoing engagement with Indigenous Nations and Communities. Licensees may also be required to update the CNSC about their ongoing Indigenous engagement activities—for example, the status of the implementation and effectiveness of mitigation and accommodation measures. Licensees may also be required to update the CNSC on new issues raised by Indigenous Nations and Communities with respect to an adverse impact on potential or established Indigenous and/or Treaty rights, and any related interest, which could affect future operations of the regulated facility or future licence application.

### **SITE SPECIFIC**

e-Doc 71700010 (Word)  
e-Doc (PDF)

Page 110 of 193

### **Compliance Verification Criteria:**

The licensee shall conduct ongoing engagement specific to the DNNP with the identified Indigenous Nations and communities with Indigenous and/or Treaty rights in the area of the DNNP and those who have expressed interest in the DNNP, throughout the licence period. The licensee shall continue to collaborate and engage with interested Williams Treaties First Nations. This includes, but is not limited to:

1. Scoping the extent, timing and content of an Indigenous Knowledge Study.
2. Scoping the extent, timing and content of a Cumulative Effects Study.
3. Scoping the extent, timing and content of an Environmental Monitoring Augmentation Program.
4. Scoping the extent, timing and content of a review of international best practices for the management and storage of used nuclear fuel, with the current practices at the Darlington site.

The licensee, in collaboration with the interested Williams Treaties First Nations, shall incorporate the outcomes of these studies, where appropriate, into the licensee's Environmental Monitoring and Environmental Assessment Follow-Up Plan. The licensee shall include an update on any progress made on these specific commitments in their report on the engagement activities (as described below). The report shall include any relevant information and context regarding the current status of, timelines, and progress made on the agreed upon studies and commitments.

The licensee shall file with the CNSC annually a report on the engagement activities specific to the DNNP it has undertaken with potentially impacted or interested Indigenous Nations and communities. The deadline for submission of this report shall be the first of May of each calendar year. The licensee should also provide a copy of the report to each Indigenous Nation or community engaged in advance or at the same time it is filed with the CNSC.

Each report shall include, at a minimum, and for each Indigenous Nation and community engaged:

- The name of the Indigenous Nation or community.
- The method(s), date(s), location(s), and topics of engagement activities with the Indigenous Nation or community.
- A summary of any issues, interests, or concerns raised, including those in relation to any potential impacts on identified or established Indigenous and/or Treaty rights.

### **SITE SPECIFIC**

e-Doc 71700010 (Word)  
e-Doc (PDF)

Page 110 of 193

- The measures taken, or that will be taken, to address or respond to the issues or concerns. Alternatively, an explanation as to why no further action is required to address or respond to issues or concerns shall be provided.
- A description of any changes to project activities and/or programs to address and incorporate the measures taken to respond to issues or concerns, or to incorporate knowledge and feedback from Indigenous Nations and communities.
- The status of the implementation of the agreed-upon studies and commitments (see items 1 through 4 above) to address concerns raised with respect to the Licence to Construct application.

**Licensing Basis Publications**

Document Number	Document Title	Version	Effective Date
REGDOC-3.2.2	Indigenous Engagement	1.2	31 December 2021

**Licensee Documents that Require Notification of Change**

Document Title	Document #	Prior Notification
None.		

**Recommendations and Guidance:**

In conducting its engagement activities, the licensee should consider the guidance provided throughout REGDOC-3.2.2 - *Indigenous Engagement*.

**SITE SPECIFIC**