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Update from CNSC Staff

Mise à jour du personnel de la CCSN

Follow up from a hearing in writing in July 2020

Suivi à la suite d'une audience par écrit en juillet 2020

Update from CNSC Staff on the scope of the environmental assessment for Global First Power's proposed Micro Modular Reactor Project at the Canadian Nuclear Laboratories

Mise à jour du personnel de la CCSN au sujet de sur la portée d'une évaluation environnementale pour le projet de microréacteur modulaire de Global First Power aux Laboratoires de Chalk River

Commission Meeting

Réunion de la Commission

May 22, 2024

Le 22 mai 2024

To Candace Salmon
À Commission Registrar

From Dana Beaton,
De Director General of the Directorate of Environmental and Radiation Protection and Assessment

Purvis, Caroline

Digitally signed by Purvis, Caroline
 DN: C=CA, O=GC, OU=CNSC-CCSN, CN="Purvis, Caroline"
 Reason: I am approving this document with my legally binding signature
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Date: May 6, 2024

Subject / Objet: Report to the Commission on changes to the proposed Micro Modular Reactor Project at Chalk River

EXECUTIVE SUMMARY

Global First Power’s proposed Micro Modular Reactor (MMR) Project at Chalk River has been undergoing a CNSC-led environmental assessment under the Canadian Environmental Assessment Act, 2012 (CEAA 2012) since 2019. Per the 20-H102 Record of Decision pertaining to the scope of factors for the environmental assessment (EA), the Commission directed CNSC staff to report to the Commission on any issues arising during the conduct of the EA that could warrant Commission reconsideration of the scoping decision. In August 2023, GFP informed CNSC staff of proposed updates to the project design and description of the proposed MMR Project, providing additional information in November 2023. As per the Commission’s direction, CNSC staff found that these proposed project changes warranted reporting to the Commission and undertook a review of these proposed project changes against the original project description and against the scope of factors previously identified for the EA by the Commission.

CNSC staff have found that the scope of factors is broadly applicable, and therefore remains valid and that the project changes are adequately bound to be assessed during the EIS technical review phase of the EA, which remains forthcoming. CNSC staff found that the project changes have not introduced the need for any additional factors to be included in the EA of the MMR Project. There will be additional opportunities for consultation and engagement on the MMR project through participation in the remaining phases of the EA process including through the review of the draft EIS, review of CNSC staff’s and GFP’s submissions to the Commission and the public hearing for the decision on the MMR project.

The intention of this memo is to address the Commission’s direction to CNSC staff to report on any issues arising during the conduct of the EA that could warrant Commission reconsideration of the scoping decision. There is no Commission decision being sought on this matter.

PURPOSE/OBJECTIF

In the [July 2020 20-H102 Record of Decision pertaining to the scope of factors for the environmental assessment \(EA\) of Global First Power’s \(GFP\) proposed Micro Modular Reactor \(MMR\) Project](#) [1], the Commission directed CNSC staff to report to the Commission on any issues arising during the conduct of the EA that could warrant Commission reconsideration of the scoping decision. In August 2023, [GFP informed Canadian Nuclear Safety Commission \(CNSC\) staff of proposed updates to the project design and description of the proposed MMR Project](#) [2]. In response, CNSC staff verbally requested during a monthly meeting in October 2023 that GFP provide additional information and a comparative analysis of the project changes against the original project description. On November 14, 2023, [GFP provided the additional information](#) [3] for CNSC staff’s review.

This memo intends to fulfill the direction from the Commission to CNSC staff in relation to the proposed design updates. There is no Commission decision being sought on this matter.

BACKGROUND

In March 2019, Global First Power (GFP) submitted a partial application for a licence to prepare site and a project description for the proposed Micro Modular Reactor (MMR) Project; a proposed reactor facility located at the Chalk River Laboratories site, in Renfrew County, Ontario. In July 2019, CNSC staff reviewed a revised [project description](#) [4] for the MMR Project and confirmed that the project description was complete and in accordance with the [Prescribed Information for the Description of a Designated Project Regulations](#) [5] under the [Canadian Environmental Assessment Act, 2012](#) (CEAA 2012) [6]. CNSC staff also found that the project met the definition of a “designated project” under the [Regulations Designating Physical Activities \(SOR/2012-147\)](#) [7] and therefore requires an EA under CEAA 2012. The scope of the proposed project consists of two major components: a nuclear power plant, containing an MMR high temperature gas-cooled reactor, and the adjacent plant which will house equipment and systems that convert the process heat to electrical power or other forms of energy.

While the [Impact Assessment Act](#) (IAA) [8], came into force in August 2019 replacing CEAA 2012, the proposed MMR Project will continue to be assessed under CEAA 2012 per the transition provision at section 182 of the IAA.

On July 15, 2019, CNSC staff issued a [Notice of Commencement of an EA](#) [9], posted the [project description](#) [4] on the Canadian Impact Assessment Registry website (Public Registry), reference number 80182, and initiated a 30-day period to seek comments from Indigenous peoples and the public on the project description in order to inform the conduct of the EA. Comments on the project description that were within scope of the CEAA 2012 EA process were posted on the Public Registry, as well as [CNSC staff’s detailed responses to comments](#) [10].

On January 27, 2020, as an additional participation opportunity, a [notice of participant funding and an opportunity to submit written interventions on the scope of an EA for the proposed MMR Project](#) [11] was announced and published on the Public Registry. In response to the COVID-19 global pandemic, a [revised notice](#) [12] extended the deadline for intervention filing and for the Commission decision to be published in June 2020. The information gathered during the

comment period on the project description informed [CNSC staff's recommendation to the Commission on the scope of factors of the EA](#) [13]. CNSC staff submitted [a supplementary Commission member document \(CMD\), CMD 20-H102.A](#) [14] in response to the 39 written interventions received for the EA scope decision.

On July 16, 2020, the Commission issued a [Record of Decision for the scope of the proposed MMR Project EA](#) [1]. The Commission determined the scope of factors for the EA of the proposed MMR Project would include the list of factors mandated in paragraphs 19(1)(a) to (h) of CEEA 2012, with no additional factors. Sections 54 and 55 state that “the scope will not include paragraphs 19(1)(i) and (j)” because there were no relevant regional studies and there were no additional factors needed to be included in the scope of factors for this EA, corresponding respectively to paragraphs 19(1)(i) and (j). In sections 18, 60 and 67 of the Record of Decision, the Commission directed CNSC staff to report to the Commission on any issues arising during the conduct of the EA that could warrant Commission reconsideration of the scoping decision.

In the time since the decision on the scope of factors for the EA of the proposed MMR Project was issued by the Commission in 2020, GFP has been preparing the draft environmental impact statement (EIS) for the next phase of the EA. Once the EIS is submitted, and should CNSC staff deem it as conforming to the [Guidelines for the Preparation of an Environmental Impact Statement](#) [15], a technical assessment and a public comment period will begin, and run concurrently.

As outlined in Appendix A and B of this memo, there will be several additional opportunities for Indigenous and public engagement and consultation on the MMR project throughout the remaining phases of the EA. This includes the draft EIS public comment period, as well as reviewing CNSC staff's EA Report and CMDs, and participating in the public Commission hearing for the decision on the proposed MMR project. Additional Indigenous consultation activities include, but are not limited to, supporting the incorporation of Indigenous Knowledge in the EIS review, collaboratively drafting rights impacts assessments with potentially impacted Indigenous Nations and communities, and engagement on potential mitigation measures and commitments to help minimize and address any potential impacts. The CNSC has already awarded ~\$435,000 in Participant Funding to 13 eligible recipients through the CNSC's Participant Funding Program (PFP) for the draft EIS review phase of the EA process. Additional Participant Funding will be offered to facilitate the participation of Indigenous peoples, members of the public, and stakeholders throughout the remaining stages of the EA and licensing processes, and to bring value-added information to the Commission.

PROJECT CHANGES

On August 4, 2023, GFP informed [2, 3] CNSC staff of updates to the project design and description of the proposed MMR Project, which results in changes to the project as originally proposed in the [GFP's 2019 project description](#) [4]. Table 1 details and compares the project changes against the applicable sections of the original project description.

Table 1. Comparison of the MMR project description [4] and the project changes Global First Power has outlined to CNSC staff [2].

Original Project Description	Project Changes as provided by Global First Power
<p>Section 3.1.1: The Nuclear Plant would generate approximately 15 MWt of process heat that could supply electrical power and/or heat to the Chalk River Laboratories for CNL as the potential end user.</p>	<p>A flexible design that allows for variable nominal power outputs ranging from 10 MWt to a maximum of 45 MWt, serving a wider range of potential use cases.</p>
<p>Section 3.3.2.1.1: The MMR reactor fuel contains low-enriched uranium (the original project description did not discuss enrichment level, or if this was to be LEU+ or HALEU fuel). The tri-structural isotropic (TRISO) particles are encapsulated to form fuel pellets.</p>	<p>A new annular fuel geometry with a nominal uranium enrichment of 9.75% (LEU+) with a potential to operate using fuel enriched up to 19.75% (HALEU), as originally envisioned, should an acceptable supply chain for this fuel become available during the project’s lifetime. Regardless of enrichment level, this updated fuel design will provide for a better coolable geometry and a higher linear power while maintaining acceptably low fuel stresses and temperatures, effectively improving safety margins.</p>
<p>Section 3.3.2.1: The reactor core is housed within a reactor vessel. The MMR reactor is designed for a 20-year operating life with no need nor provision for refueling. Therefore, there will be no additional fresh fuel or used fuel on the Project’s site during the Nuclear Plant operation.</p>	<p>Provision for on-site refueling and defueling with periods varying from 3 to 13.5 years depending on power demands. These periods would be approximately doubled should fuel with enrichment at 19.75% become available. The incorporation of defueling equipment into the standard plant design will simplify planned decommissioning activities following the conclusion of plant operations.</p>
<p>Section 3.5.4: Interim storage of used fuel – A purpose-built storage cask can be used to contain the reactor vessel with the used fuel inside in a dry-storage configuration. This will be either stored on the Nuclear Plant site or transferred to an interim storage facility. An alternate option to the purpose-built storage casks is to leave the reactor vessel with the used fuel inside in-situ within the Citadel Building, which will</p>	<p>Provision for interim spent fuel storage on site while the reactor remains in operation.</p>

Original Project Description	Project Changes as provided by Global First Power
serve as a protected below ground storage cask.	
Section 3.1.1: The electrical power could also be supplied to the area grid, over an anticipated life span of 20 years.	A facility design life of 40 years. Actual operational life will be driven by project needs and CRL demand for energy.
n/a	Increase in reactor pressure vessel dimensions to allow for improved neutron shielding and reduction in operator exposure. It is expected this will also result in reduced activation products and lower emissions to the surrounding environment.

CNSC STAFF REVIEW OF PROJECT CHANGES

In follow-up to [GFP's August 2023 letter](#) [2], CNSC staff verbally requested during a monthly meeting in October 2023 that GFP provide additional information and a comparative analysis of the project changes against the original project description. On November 14, 2023, [GFP provided a comparative analysis](#) of the project changes [3].

CNSC staff reviewed GFP's proposed design changes against the scope of factors included in the 2020 Record of Decision for the EA of the MMR Project [1] (i.e., paragraphs 19(1)(a) to (h) of CEAA 2012, as described above). CNSC staff consider the scope of factors to be purposefully generic and broadly applicable to assess the potential impacts of all project types listed under the *Regulations Designating Physical Activities* [7]. This consideration is the basis for CNSC staff's findings and review of the proposed MMR project changes, which is outlined in table 2.

CNSC staff have found that all factors outlined in the record of decision for the EA of the MMR Project remain valid and that the project changes are adequately bound to be assessed during the EIS technical review phase. CNSC staff have not found that the project changes have introduced the need for any additional factors to be included in the EA of the MMR Project.

Table 2. CNSC staff Review of CEAA 2012 Scope of Factors for the MMR Project Changes.

Paragraph	CEAA 2012 Scope of Factors for the MMR project	CNSC staff review
(a)	the environmental effects of the designated project, including the environmental effects of malfunctions or accidents that may occur in connection with the designated project and any cumulative environmental effects that are likely to result from the designated project in combination with other physical activities that have been or will be carried out;	<p>This factor would still apply to the project based on the proposed changes.</p> <p>The EIS will provide the technical detail to better understand the effects of the project, regardless of the project changes.</p>
(b)	the significance of the effects referred to in paragraph (a);	<p>This factor would still apply to the project based on the proposed changes.</p> <p>The significance of the effects referred to in paragraphs (a) can only be understood once the technical information of the project is submitted in the EIS for technical review.</p>
(c)	comments from the public — or, with respect to a designated project that requires that a certificate be issued in accordance with an order made under section 54 of the <i>National Energy Board Act</i> , any interested party — that are received in accordance with this <i>Act</i> ;	<p>This factor would still apply to the project based on the proposed changes.</p> <p>Comments from the public, and Indigenous Nations and communities, are to be considered for the project throughout the EA process. The upcoming opportunity for Indigenous Nations and communities and the public to comment on the draft EIS, shall be considered by the proponent, and reflected in the project as appropriate.</p>
(d)	mitigation measures that are technically and economically feasible and that would mitigate any significant adverse environmental effects of the designated project;	<p>This factor would still apply to the project based on the proposed changes.</p> <p>Mitigation measures can only be considered once the effects of the project are documented and understood through the EIS. The EIS shall reflect the project changes and include any applicable mitigation measures.</p>

Paragraph	CEAA 2012 Scope of Factors for the MMR project	CNSC staff review
(e)	the requirements of the follow-up program in respect of the designated project;	<p>This factor would still apply to the project based on the proposed changes.</p> <p>The follow-up program is designed based on the potential effects of the project. The potential effects of the project are documented and understood through the EIS review phase.</p>
(f)	the purpose of the designated project;	<p>This factor would still apply to the project based on the proposed changes.</p> <p>The purpose of the project remains the same as previously described in the project description and will be restated in the EIS.</p>
(g)	alternative means of carrying out the designated project that are technically and economically feasible and the environmental effects of any such alternative means;	<p>This factor would still apply to the project based on the proposed changes.</p> <p>The alternative means assessment will be described in the EIS, which will consider the project changes.</p>
(h)	any change to the designated project that may be caused by the environment;	<p>This factor would still apply to the project based on the proposed changes.</p> <p>Any changes to the project caused by the environment will be documented in the EIS and shall consider the project changes.</p>
(i)	the results of any relevant study conducted by a committee established under section 73 or 74; and	<p>CNSC staff have found that there remains no relevant regional studies conducted by a committee established under section 73 or 74.</p> <p>In the Record of Decision [1], the Commission concurred with CNSC staff's findings and deemed this factor would not be included in the scope for this EA.</p>

Paragraph	CEAA 2012 Scope of Factors for the MMR project	CNSC staff review
(j)	any other matter relevant to the environmental assessment that the responsible authority, or — if the environmental assessment is referred to a review panel — the Minister, requires to be taken into account.	<p>CNSC staff do not consider the project changes, as proposed, introduce any other matter relevant to the environmental assessment to be taken into account.</p> <p>In the Record of Decision [1], the Commission concurred with CNSC staff's findings and deemed this factor would not be included in the scope for this EA.</p>

INDIGENOUS ENGAGEMENT

Following GFP's announcement of proposed changes to the MMR project design and description in August 2023 [2], a number of the identified and interested Indigenous Nations and communities communicated to CNSC staff and GFP, their expectations to be informed and engaged in the process to understand how the proposed project design changes could impact the scope of the EA and regulatory review process generally.

CNSC staff updated interested Indigenous Nations and communities on the status of staff's review of the proposed project changes through monthly meetings in the fall and winter of 2023-2024. In early February 2024, CNSC staff met with the Algonquins of Pikwakanagan First Nation (AOPFN) to discuss their concerns regarding GFP's proposed project changes and the associated implications for the EA process, as well as CNSC staff's process for reviewing the proposed changes.

In late February 2024, CNSC staff sent email notifications to all identified Indigenous Nations and communities, listed in appendix C, to inform them about the outcomes of CNSC staff's review and staff's memo to the Commission, as per the July 2020 Commission Record of Decision [1]. The email notification included GFP's November 2023 submission to CNSC staff [3] evaluating the proposed project changes against the scope of factors in the 2020 Record of Decision [1], as well as CNSC staff's table summarizing staff's review of GFP's proposed design changes against the scope of factors in the Record of Decision for the EA under the CEAA 2012 (table 2). CNSC staff invited Indigenous Nations and communities to review the material and provide comments regarding CNSC staff's process for informing the Commission and their perspectives on the impact of the proposed project design changes on the EA scope of factors. CNSC staff also offered to meet with Indigenous Nations and communities to discuss the outcomes of CNSC staff's review of the proposed project changes and answer related questions. CNSC staff followed up with interested Indigenous Nations and communities on the notification email through regular monthly meetings and follow-up emails in late February 2024.

In early March 2024, Kitigan Zibi Anishinabeg (KZA) and AOPFN provided comments to CNSC staff via email regarding GFP's project design changes, impacts to the EA scope of factors and CNSC staff's review process. See Appendix D and E for the submissions from KZA [16] and AOPFN [17], respectively.

CNSC staff have reviewed the submissions from KZA and AOPFN in detail and have carefully considered their respective concerns and requests. CNSC staff provided detailed responses to KZA and AOPFN, which are included in Appendix F and G, respectively. CNSC staff's responses [18] [19] included explanations for how AOPFN and KZA's comments would be included in this memo for the Commission's consideration, and how their comments could be addressed through the EA or other processes. CNSC staff included clarification that the intent of the memo was to report to the Commission, and that there is no Commission decision being sought. CNSC staff are also continuing discussions regarding the concerns raised by AOPFN, KZA and any other interested Indigenous Nation and community. With permission from AOPFN and KZA, CNSC staff shared their respective comments directly

with GFP to ensure GFP was aware of their concerns, and to inform GFP's ongoing engagement and discussions with each Nation.

CNSC staff received responses from seven other Nations who acknowledged that they received the information but did not provide feedback or comments to CNSC staff. As of early April 2024, 15 other Nations had not yet responded to CNSC staff's email or follow-ups.

CNSC staff are committed to continuing to follow-up, and meaningfully consult and engage with all identified Indigenous Nations and communities throughout the remaining steps of the regulatory review process for the MMR project, including through the review of the EIS, review of CNSC staff's EA Report and CMDs, and the public Commission hearing opportunity for the decision on the MMR project.

FUTURE CONSIDERATIONS

CNSC staff's review does not represent a technical assessment of the proposed project changes. Through the CEAA 2012 EA process, as shown in appendix A and B, the technical assessment of the project occurs once the EIS is submitted, and the EIS technical review phase commences. The EIS phase is where the scope of factors of CEAA 2012 are to be considered and assessed in further detail and the effects of the project are understood and assessed. GFP has not yet submitted a draft EIS for the MMR Project.

During the EIS phase, CNSC staff and members of the federal, provincial and Indigenous review team (FPIRT) undertake an iterative technical review of the draft EIS submission and submit information requests (IR) to proponents. Concurrent to the technical review, a 90-day comment period commences allowing for anyone interested in the project to become involved and review the draft EIS against the identified scope of factors and submit comments to the proponent. The proponent is required to respond and disposition all comments and IRs. The draft EIS and responses to IRs are submitted iteratively to CNSC staff for their, and the FPIRT, review until CNSC staff determine all IRs have been responded to satisfactorily, and the EIS can be deemed final.

The EIS technical review phase also represents the stage where more collaborative consultation activities between CNSC staff and Indigenous Nations and communities evolves to more in-depth work, including but not limited to, incorporating Indigenous Knowledge into the EIS review, collaboratively drafting rights impacts assessments with potentially impacted Indigenous Nations and communities, and engagement on potential mitigation measures and commitments to minimize and address any potential impacts. CNSC staff are fully committed to ensuring that ongoing consultation and engagement on the MMR Project are in line with best practices and principles put forward by the United Nations Declarations on the Rights of Indigenous Peoples.

OVERALL FINDINGS

CNSC staff have reviewed GFP's proposed design changes against the scope of factors included in the 2020 Record of Decision for the EA of the MMR Project [1]. CNSC staff have found that the scope of factors is broad, and therefore remains valid and that the project

changes are adequately bound to be assessed during the EIS technical review phase of the EA. CNSC staff found that the project changes have not introduced the need for any additional factors to be included in the EA of the MMR Project.

There will be additional opportunities for consultation and engagement on the MMR project through participation in the remaining phases of the EA process including through the review of the draft EIS, review of CNSC staff's and GFP's submissions to the Commission and the public hearing for the decision on the MMR project.

REFERENCES

1. Canadian Nuclear Safety Commission. [“20-H102 - Record of Decision – Decision on the scope of an environmental assessment for the proposed Micro Modular Reactor Project at the Chalk River Laboratories”](#). July 16, 2020.
2. Global First Power. [Subject: Update to the Project Description in Support of Global First Power’s Application for a Licence to Prepare Site for the Micro Modular Reactor™ Nuclear Facility at the Chalk River Site](#). August 4, 2023.
3. Global First Power. [Subject: GFP Evaluation of CEAA 2012 Factors – Applicability to Updated Project Description for MMR at Chalk River](#). November 14, 2023
4. Global First Power. [Project Description for the Micro Modular Reactor™ Project at Chalk River](#). July 8, 2019.
5. Government of Canada. [Prescribed Information for the Description of a Designated Project Regulations](#). July 6, 2012.
6. Government of Canada. [Canadian Environmental Assessment Act, 2012](#). July 6, 2012.
7. Government of Canada. [Regulations Designating Physical Activities](#). Last amended December 31, 2014.
8. Government of Canada. [Impact Assessment Act](#). August 28, 2019.
9. Canadian Nuclear Safety Commission. [Notice of Commencement of an Environmental Assessment](#). July 15, 2019.
10. Canadian Nuclear Safety Commission. [Disposition Table of Public and Indigenous Groups’ and Organization’s Comments on the Project Description – Micro Modular Reactor Project](#). April 28, 2020.
11. Canadian Nuclear Safety Commission. [Notice of Participant Funding and an Opportunity to Submit a Written Intervention on the Scope of an Environmental Assessment](#). January 27, 2020.

12. Canadian Nuclear Safety Commission. [Revised Notice of an Opportunity to Submit a Written Intervention on the Scope of an Environmental Assessment](#). March 24, 2020.
13. Canadian Nuclear Safety Commission. [CMD 20-H102 – Submission from CNSC Staff on the Proposed Scope of Factors to be Considered in the Conduct of an Environmental Assessment for a Project Proposed by Global First Power](#). April 29, 2020.
14. Canadian Nuclear Safety Commission. [CMD 20-H102.A – Supplementary Submission from CNSC Staff on the Proposed Scope of factors in the EA for the Project Proposed by Global First Power](#). June 18, 2020.
15. Canadian Nuclear Safety Commission. [Generic Guidelines for the Preparation of an Environmental Impact Statement – Pursuant to the Canadian Environmental Assessment Act, 2012 – Version 2](#). March 2021.
16. Kitigan Zibi Anishinabeg. RE: Update regarding proposed design changes to the Micro Modular Reactor project at Chalk River Laboratories / mises à jour récentes concernant le projet de microréacteur modulaire proposé sur le site des Laboratoires de Chalk River. March 5, 2024. e-Doc: 7237801.
17. Algonquins of Pikwakanagan. Re: Upcoming Submission of AOPFN’s Comments on GFP MMR Project. March 6, 2024. e-Doc: 7237349.
18. Canadian Nuclear Safety Commission. RE: Update regarding proposed design changes to the Micro Modular Reactor project at Chalk River Laboratories / mises à jour récentes concernant le projet de microréacteur modulaire proposé sur le site des Laboratoires de Chalk River. April 9, 2024. e-Doc: 7258306.
19. Canadian Nuclear Safety Commission. CNSC response to AOPFN re: GFP MMR project changes and memo notification. April 8, 2024. e-Doc: 7250684

Appendix A. Canadian Environmental Assessment Act, 2012 process figure showing opportunities for Indigenous Nations and communities to be engaged with in the environmental assessment.

Canadian Nuclear Safety Commission
Environmental Assessment Process
 under the *Canadian Environmental Assessment Act, 2012*

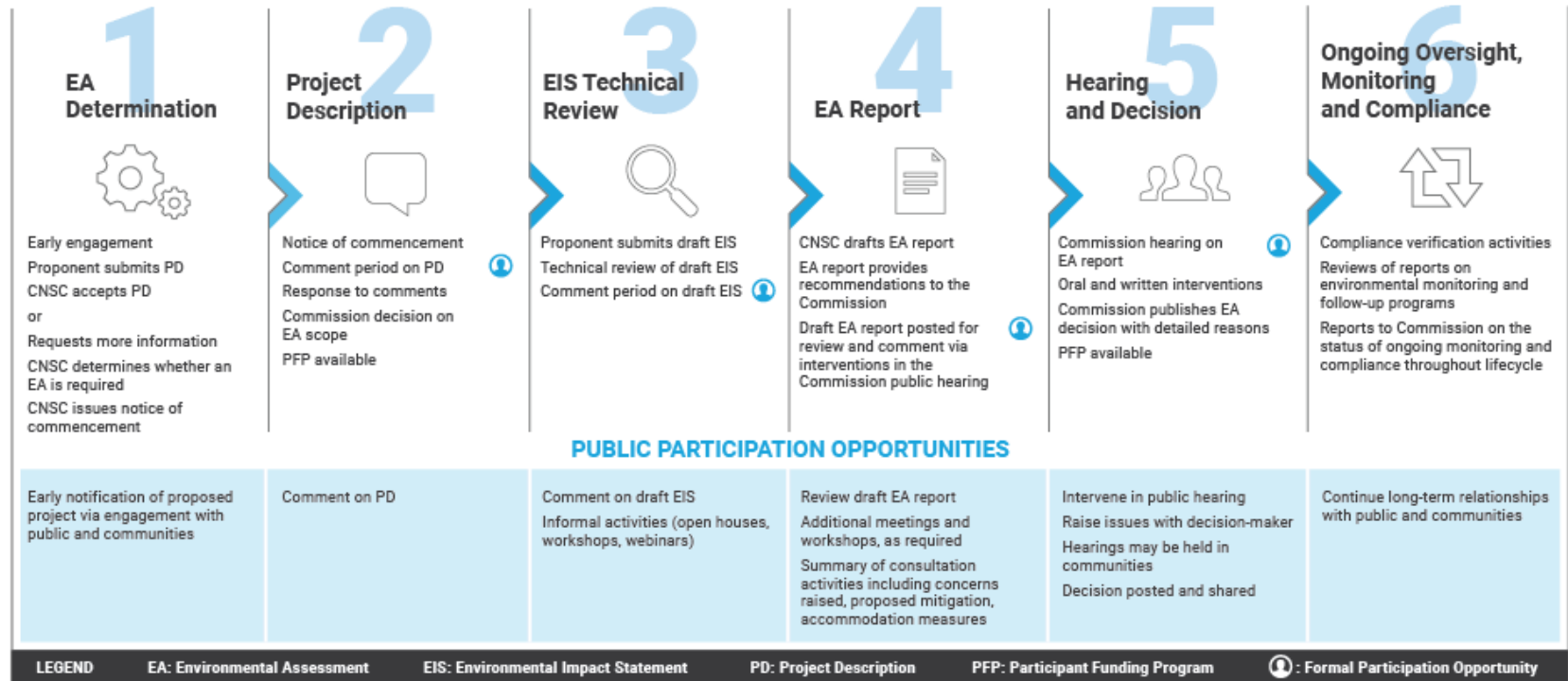
CNSC engages with Indigenous groups and communities throughout the EA process



Appendix B. Canadian Environmental Assessment Act, 2012 process figure showing opportunities for the public to be involved in the environmental assessment.

Canadian Nuclear Safety Commission
Environmental Assessment Process
 under the *Canadian Environmental Assessment Act, 2012*

CNSC provides regular updates throughout the EA process on public registry and through mailing lists



Appendix C. List of Indigenous Nations notified of CNSC staff's review of the MMR Project changes.

Algonquins of Pikwakanagan

Kebaowek First Nation

Kitigan Zibi Anishinabeg

Algonquins of Ontario

Métis Nation of Ontario

Curve Lake First Nation

Mississaugas of Scugog Island First Nation

Alderville First Nation

Beaisoleil First Nation

Chippewas of Georgina Island First Nation

Chippewas of Rama First Nation

Hiawatha First Nation

Long Point First Nation

Apitipi Anicinapek Nation (formerly Wahgoshig First Nation)

Lac Simon

Abitibiwinni First Nation

Kitcisakik First Nation

Algonquin Anishinabeg Nation Tribal Council

Algonquin Nation Secretariat

Anishinabek Nation

Algonquins of Barriere Lake

Wolf Lake First Nation

Appendix D. Kitigan Zibi Anishinabeg’s submission to CNSC staff regarding Global First Power’s proposed project changes to the Micro Modular Reactor project [16] e-Doc: 7237801.

Wylie, Doug

From: Melodie Hurtubise <[REDACTED]>
Sent: March 5, 2024 9:48 AM
To: Wylie, Doug
Cc: Carter, Blair; Erik Higgins; Valérie Brazeau; Doug
Subject: RE: Update regarding proposed design changes to the Micro Modular Reactor project at Chalk River Laboratories / mises à jour récentes concernant le projet de microréacteur modulaire proposé sur le site des Laboratoires de Chalk River

EXTERNAL EMAIL – USE CAUTION / COURRIEL EXTERNE – FAITES PREUVE DE PRUDENCE

Thank you Doug W.,

If you are taking comments or notes for the Commission, we would like it noted somewhere that KZA is of the opinion that the scope of the CEAA 2012 fails to responsibly consider the largescale implications of a “commercial demonstration project” like the MMR. Nowhere in the legislation is the CNSC or GFP forced to respond to fact that they plan to operate the MMR to demonstrate it for prospective buyers and potentially manufacture hundreds of MMRs that will operate nationwide. The project is essentially a largescale marketing campaign for the mass production of MMRs for commercial applications. KZA implores the CNSC to enforce legislation or provisions that require GFP to perform studies released to the public that predict the expected market, unit sales, and the cumulative generation of waste from all the MMRs they expect to sell over a set period of time. This would be the only way to responsibly consider the implications of a project designed for demonstration. KZA does not believe the CEAA 2012 legislation sufficiently addresses this as it views everything in isolation, and the nature of our environment and the natural world is that nothing exists in isolation, all natural systems are connected and interdependent.

Miigwetch,

-MH

Melodie Hurtubise

Impact Assessment Coordinator

Kitigan Zibi Anishinabeg

Natural Resource and Wildlife Office

[REDACTED]
[REDACTED]



From: Wylie, Doug [mailto:doug.wylie@cnsccsn.gc.ca]

Sent: February 29, 2024 3:42 PM

Cc: Carter, Blair <blair.carter@cnsccsn.gc.ca>

Subject: RE: Update regarding proposed design changes to the Micro Modular Reactor project at Chalk River Laboratories / mises à jour récentes concernant le projet de microréacteur modulaire proposé sur le site des Laboratoires de Chalk River

Appendix E. Algonquins of Pikwakanagan’s submission to CNSC staff regarding Global First Power’s proposed project changes to the Micro Modular Reactor project [17] e-Doc: 7237349.

Memo

To: Dr. Nana-Owusua Kwamena, Canadian Nuclear Safety Commission

From: Amanda Two-Axe Kohoko, Consultation Team Lead, and Korey Kauffeldt, Community Energy Coordinator, Algonquins of Pikwakanagan First Nation

Date: March 5, 2024

Subject: AOPFN's Issues and Concerns Regarding Proposed Revisions to the GFP MMR Project Description and CNSC's Process of Reviewing those Proposed Changes

Introduction

We are in receipt of your email of February 20, 2024, where you laid out the CNSC staff's process for reviewing the proposed revisions to Global First Power's Project Description for its proposed Micro-Modular Reactor at Chalk River Laboratories in unceded Algonquin territory. Your email was a follow on from a meeting of February 12, 2024, where AOPFN laid out verbally our concerns both with the proposed changes to the Project Description and what this means for the environmental assessment process and potential impacts on Algonquin rights and the resources they rely upon, and with the process by which the CNSC staff was reviewing the proposed changes to the Project Description.

In your email of February 20, 2024, CNSC staff gave AOPFN until March 6, 2024, to review documents related to the proposed changes to the Project Description and provide AOPFN's comments "in regards to CNSC staff's process for informing the Commission and perspectives on the impact of the project design changes on the EA scope of factors". This is our response. We expect that our memo will be included verbatim in your submission to the Commission. We also request that the CNSC staff not reinterpret or otherwise summarize our inputs without provision of advance review with full editorial privileges to AOPFN on those inputs; we have seen CNSC staff revise our inputs for a previous submission to the Commission in an inappropriate and incorrect fashion.

Algonquins of Pikwakanagan First Nation (AOPFN) has reviewed the proposed changes to the Global First Power (GFP) Micro Modular Reactor (MMR) project description as outlined by the Canadian Nuclear Safety Commission (CNSC). We have also reviewed the November 14, 2023, letter from GFP to CNSC laying out GFP's perspective on the applicability of the original scope of factors to the updated Project Description. We note that we have never been provided with any detailed materials about the proposed project descriptions changes; only three summary tables - two tables provided by CNSC staff and one in the proponent's November 14, 2024, letter. As a result, AOPFN cannot provide detailed analysis on the proposed changes to the Project

Description. However, AOPFN will take this opportunity to express its concerns and recommendations regarding these revisions at a high level, focusing on the protection of our environmental, cultural heritage, and the rights of our people. In addition, we flag our concerns with the process used by CNSC staff to make its determination on the scope of factors.

AOPFN Concerns re: Changes to the Project Description

AOPFN generally agrees that the Scope of Factors defined by the CNSC for the assessment are broad enough that proposed changes to the Project can be captured within them. That said, AOPFN has the following concerns about the proposed changes to the GFP Project Description that will merit close attention and additional direction to the proponent.

1. Consideration of Alternative Means to Undertake the Project:

This remains a requirement under the Scope of Factors; however, the proponent needs to be given very clear instruction that the proposed changes to the Project Description will all merit attention as against the original Project Description, in a comparative analysis of their merits in the section of the Environmental Impact Statement focused on consideration of Alternative Means. AOPFN has indicated this to both CNSC staff and GFP previously but has seen no commitment from GFP to fully compare the original and proposed revised Project Description in the alternative means assessment. Nor have we seen any commitment by the CNSC staff to require detailed consideration of the alternative benefits, risks and adverse effects associated with both alternative means – the original proposed Project and the revised proposed Project. AOPFN will not take it on faith that the proposed revised project will have both insignificant adverse effects on the environment, or that it will have a lower adverse effect load in comparison with the originally proposed Project.

In addition, AOPFN is flagging here and has flagged for the proponent that the approach to alternative means assessment needs to be inclusive of AOPFN. That has not occurred to date.

2. Concerns about How GFP is Undertaking its EIS Development:

In December 2023, GFP began sharing draft EIS sections with AOPFN for advance review. While laudible and appropriate, we note that all of the sections were developed prior to the decision to revise the Project Description. There is no reference to, nor assessment of, the proposed revised Project in those advance EIS materials AOPFN has had access to. As a result, all of the effects characterization and significance estimations provided therein are predicated on assessment of a project that GFP now says it is not proposing. This means that AOPFN will need to review another whole set of draft EIS materials. Any assertions by the proponent that the proposed Project Description changes are immaterial to the adverse effects from the Project cannot be credited; these are substantive changes with real world implications, meriting a re-assessment.

3. Environmental Impacts:

- The increase in power output range from 15 MWt to a maximum of 45 MWt introduces significant environmental concerns, including potential impacts on local water sources,

wildlife, and the broader ecosystem within and outside the project footprint. The expanded range of use cases necessitates a comprehensive environmental assessment to fully understand and mitigate these impacts.

- It is our general understanding that the project footprint will be larger with the proposed revisions, but we have seen little or no detail on this as yet.
- One of the original stated desirable aspects of a micro-modular reactor was that it held only a single set of nuclear fuel that would last the lifetime of the facility, reducing risks associated with de-fueling and re-fueling. In the proposed revisions, we now see the potential for multiple de-fueling and re-fueling scenarios, which raise concerns regarding radiological safety, fuel transport into and through AOPFN territory, high level waste management, and potential contamination risks to the land and water that are sacred to AOPFN. We agree with GFP that there is an increased risk of accidents and malfunctions associated with increased defueling and refueling, and the comparative risks of the original proposed project and the newly proposed project need to be closely considered.
- More nuclear fuel inevitably means more high level waste; that is of substantial concern to AOPFN as is the lack of detail about the final disposition of said waste. AOPFN notes that we have not given consent to the bringing in of nuclear fuel to the GFP, nor to the interim, long-term or permanent storage of that waste in unceded Algonquin territory. The proposed modifications to spent fuel storage and the extension of facility design life from 20 to 40 years without a clear plan for waste management and decommissioning raise significant concerns regarding the long-term stewardship of our lands.
- The increased project life span essentially doubles the temporal scope of assessment in a manner that has not been subject to any dialogue between AOPFN, GFP, or CNSC. Effects of a potentially higher magnitude lasting longer, and increased risks of failure modes lasting longer, are of substantial concern to AOPFN.

4. Cultural Heritage and Rights:

The operational life extension and changes in refueling provisions may lead to prolonged environmental risks, affecting sites of cultural significance and potentially impacting treaty rights and traditional land use. AOPFN insists on a thorough assessment of these changes to safeguard our cultural heritage and rights.

In the end, what we are dealing with here are not minor revisions to the proposed project, but rather substantive changes that may alter how the project is assessed (increased focus on alternative means assessment) and the potential for impacts from the normal course of operations and in failure modes, across a larger area and for a demonstrably longer time period. Additional instruction must be given to the proponent on how to assess these proposed revisions on their own merit, and in comparison with the originally proposed alternative.

Project Assessment Recommendations

To address these project description and associated project assessment concerns, AOPFN requests CNSC to:

1. Work with GFP and the other parties to the assessment, in a public forum to understand how GFP plans to assess alternative means to the project in its EIS. AOPFN requests that subsequent to those discussions, the CNSC issue – as necessary and in consultation with the parties to the assessment – supplemental guidance on how GFP is to comparatively assess the originally proposed project as against the proposed revised project. This issue must be central to the assessment and Crown decision-making and additional guidance is required to ensure the proponent properly compares the risks, benefits, and adverse effects associated with the following parameters of the original and revised project proposal:
 - a. 20 year vs. 40 year project life
 - b. No refueling vs. multiple refueling and defueling processes
 - c. Larger physical footprint
 - d. The amount of high level, intermediate level and low level waste generated in the two scenarios

In addition, guidance is required to ensure that the two alternative means to undertake the project are compared not only in the normal course of operations but in terms of comparative accidents and malfunctions, including consideration of likelihood, severity and manageability.

Finally, AOPFN expects the CNSC to work with AOPFN to make sure the proponent is fully aware of AOPFN's expectation that consideration of alternative means, prior to the finalization of the EIS, will include proponent collaboration with AOPFN.

2. Work with parties to the Federal-Provincial-Indigenous Review Team to closely examine consideration of alternative means when the EIS has been submitted, based on the issues and parameters laid out above.
3. Ensure that GFP is made aware of AOPFN's expectations that GFP will provide AOPFN adequate opportunity to review draft EIS sections that actually reflect the proposed project's effects.

AOPFN Concerns with CNSC's Project Description Changes Review Process

AOPFN notes the extensive time lag between when the CNSC staff received information about the updated Project Description proposed by GFP (November 14, 2023, and prior to that a notification letter of planned changes on August 4, 2023), and when CNSC provided this information to the AOPFN (February 20, 2024). This gap was over three months of time, during which the CNSC staff made internal determinations rather than opening the issue up for parties – including priority Section 35 Rights-holding Indigenous Nations – to comment on the proposed changes to the Project Description. Indeed, we have no reason to believe that CNSC staff would have offered

AOPFN the opportunity to comment on this important procedural issue at all, except that AOPFN raised concerns in January 2024 that not having a public review process on the proposed changes raises issues of procedural fairness. We find this whole process of CNSC staff offering an *ad hoc* opportunity to comment only upon request on an important issue to be highly problematic. CNSC staff should have engaged the other interested parties in this project description revision review process from the outset.

CNSC staff suggested to the AOPFN that it did not provide the GFP November 14, 2023, letter to AOPFN or other parties because it needed time to internally review the document. AOPFN does not consider that a reasonable statement. There is nothing proprietary in the November 14, 2023, letter; the only redacted items are a signature block and personal contact information. This could have been determined within days of receipt, at which point in time the CNSC staff could have and should have opened up an opportunity for AOPFN and other parties to the Project assessment to review and comment on the proposed changes to the Project Description. To AOPFN's knowledge, this has not occurred even now.

In addition, we note that the CNSC staff states in the email of February 20, 2024, that "CNSC staff have completed our review... and are not recommending changes to the scope of factors". This means that the CNSC staff had already made its decision on how to proceed and what to recommend to the Commission prior to sharing this "opportunity" to comment with AOPFN. That indicates that the CNSC staff had and has no intention of taking AOPFN's comments and concerns into consideration when making its recommendation to the Commission on how to proceed. That further suggests that this "opportunity" is being treated by CNSC staff, and by extension the Commission as a whole, as an opportunity to "blow off steam" by an Indigenous Nation. This is not reconcilable with meaningful, substantive Crown consultation.

Overall, the process for reviewing proposed revisions to the project description appears to lack meaningful consultation with Indigenous communities, including AOPFN, potentially affecting our rights and interests. AOPFN emphasizes the need for genuine dialogue that respects our knowledge, rights, and perspectives. It is the responsibility of the CNSC to initiate such consultation, not provide it in a *pro forma* fashion only when called out by an Indigenous Nation.

Project Assessment Process Recommendations

To address these project assessment process concerns, AOPFN requests CNSC to:

1. Confirm additional guidance noted above will be provided to the proponent, and developed in a consultative setting.
2. Commit to more timely provision of proponent-provided documents to all parties via the public record in the future, including notification of new documents to the parties.
3. Establish a process whereby CNSC staff consults with parties to the assessment before, rather than after making a determination on an issue.

4. CNSC staff not reinterpret or otherwise summarize AOPFN's inputs before sending it to the Commission. AOPFN's preference is that CNSC staff provide our materials to the Commission verbatim, and that no CNSC staff summation of our issues or concerns are generated without provision of advance review with full editorial privileges to AOPFN on that material.

Conclusion

AOPFN intends to engage with CNSC and GFP, aiming for the MMR project's alignment with our environmental, cultural, and rights-based standards. We emphasize the necessity of addressing our concerns to ensure a project that reflects mutual respect and shared benefits.

We look forward to your response and to the opportunity to engage further on these important issues.

Sincerely,

Amanda Two-Axe Kohoko
Consultation Team Lead
Algonquins of Pikwakanagan First Nation

Korey Kauffeldt
Community Energy Coordinator
Algonquins of Pikwakanagan First Nation

Cc: Doug Wylie and Blair Carter, CNSC

Appendix F. CNSC staff's response to Kitigan Zibi Anishinabeg regarding Global First Power's proposed project changes to the Micro Modular Reactor project [18] e-Doc: 7258306.

Wylie, Doug

From: Wylie, Doug
Sent: April 9, 2024 10:32 AM
To: Melodie Hurtubise
Cc: Carter, Blair; Erik Higgins; Valérie Brazeau; Doug
Subject: RE: Update regarding proposed design changes to the Micro Modular Reactor project at Chalk River Laboratories / mises à jour récentes concernant le projet de microréacteur modulaire proposé sur le site des Laboratoires de Chalk River

Hi Melodie,

We appreciate KZA providing thoughtful comments regarding Global First Power's proposed changes to their Micro Modular Reactor (MMR) project at Chalk River.

CNSC staff understand KZA's concerns regarding the scope of the Canadian Environmental Assessment Act, 2012 (CEAA 2012). We understand that KZA's view is that CEAA 2012 does not adequately consider the potential implications of a project designed for demonstration. Under CNSC's regulatory framework, any future project, such as a different MMR, would be captured by the CNSC's environmental protection review, or any other legislation that applies at the time of the project application. The CEAA 2012 process that GFP's proposed MMR project has fallen under is specifically looking at potential project-level impacts, and is not a strategic or regional level assessment, which is more akin to what KZA's comments suggest.

It is also important to note that the CNSC cannot ask a proponent to undertake studies of an economic nature because it is not within the CNSC's mandate, which is focused on health and safety of persons and protection of the environment. At this time, I would encourage KZA to pose these questions to GFP directly and work with the proponent on potentially gathering the additional information identified in KZA's comments. Please note, as discussed, the CNSC has shared your comments and concerns directly with GFP for consideration and further discussion with KZA.

In terms of next steps, CNSC staff continue to work on finalizing the CNSC staff memo to inform the Commission of our review of GFP's proposed project changes, as per the Commission's direction from the Record of Decision on the EA scope for the GFP MMR Project. If KZA agrees, we would like to include your email verbatim as an annex to the memo, which would be provided as a package to the Commission that is posted on the public registry, along with this CNSC staff response email. The intent is to provide the Commission with KZA's comments for their consideration. Please confirm with if you are comfortable with this approach by April 15, 2024.

CNSC staff are committed to continuing to consult, engage and meaningfully collaborate with KZA throughout the remaining steps in the EA and regulatory review process for the MMR project. As always, please do not hesitate to ask any further questions or if you would like further discussions.

Thank you,

Doug

Appendix G. CNSC staff's response to Algonquins of Piwaknagan regarding Global First Power's proposed project changes to the Micro Modular Reactor project e-Doc: 7250684 [19].



April 8, 2024

e-Doc: 7250684

Amanda Two-Axe Kohoko
Consultation Team Lead
Algonquins of Pikwakanagan First Nation
Korey Kauffeldt
Community Energy Coordinator
Algonquins of Pikwakanagan First Nation

Dear Amanda and Korey:

Thank you again for the Algonquins of Pikwàkanagàn First Nation (AOPFN)'s thoughtful submission regarding Global First Power's (GFP) proposed changes to their Micro Modular Reactor (MMR) project at the Chalk River site. The Canadian Nuclear Safety Commission (CNSC) staff have reviewed and carefully considered AOPFN's submission. We understand that while AOPFN generally agrees that the scope of factors for the environmental assessment (EA) are broad enough to capture GFP's proposed project changes, AOPFN has concerns about the proposed changes to the MMR project. CNSC staff have provided more fulsome responses in follow-up to AOPFN's concerns in the table in Annex 1.

Next Steps

As proposed during our March 27, 2024, monthly meeting, CNSC staff would like to include AOPFN's submission with the memo to the Commission. The intent is to provide the Commission with AOPFN's submission verbatim, as requested by AOPFN. The memo with AOPFN's submission would be provided as a package to the Commission that is posted on the public registry, along with CNSC staff's response. Please confirm if you are comfortable with this approach by April 15, 2024.

In terms of next steps, CNSC staff will continue with our internal approvals, translation, and submission to the Commission ahead of the May 22, 2024, Commission Meeting.

CNSC staff are committed to continuing the work we have done with AOPFN to consult, engage and collaborate on the MMR project, and continuing to strengthen the relationship we have built over the last several years.

Yours sincerely,

Original signed by Nana Kwamena

Nana Kwamena
Director of the Environmental Review Division

Annex 1. Table of Algonquins of Pikwàkanagàn First nation’s issues and concerns, and Canadian Nuclear Safety Commission staff’s responses.

AOPFN Issue/Concern	CNSC Staff Response
<p>Consideration of Alternative Means and Project Assessment Recommendations</p> <ul style="list-style-type: none"> • AOPFN expects the CNSC to direct GFP to conduct a comparative analysis of the original and proposed revised project description as part of the alternative means assessment that is required in the Environmental Impact Statement (EIS). AOPFN expects to be included in the process for developing additional guidance for the proponent on alternative means, as well as the analysis itself. • AOPFN expects the comparative alternative means analysis to include the alternative benefits, risks and adverse effects associated with both alternative means – the original proposed project and the revised proposed project. • AOPFN expects the CNSC to work with the Federal Provincial and Indigenous Review Team to assess alternative means when the EIS has been submitted. • AOPFN expects the CNSC to ensure GFP is fully aware of AOPFN’s expectations regarding alternative means. 	<p>AOPFN’s submission includes several references to alternative means to carrying out the Project and requiring a more fulsome assessment from GFP regarding the proposed Project changes versus the original Project description. CNSC staff are of the opinion that the CNSC’s guidance to the proponent for alternative means summarized in S. 4.2 of the CNSC’s Generic Guidelines for the Preparation of an Environmental Impact Statement – Pursuant to the Canadian Environmental Assessment Act, 2012 is adequate to capture the technical information needed to assess the proposed Project changes. The Project, as originally proposed or with the proposed design changes, has not yet undergone a technical review, therefore CNSC staff are of the opinion that the proponent is not required to compare the original Project as proposed in the project description against the Project changes as currently proposed.</p> <p>CNSC staff confirmed with AOPFN staff verbally during a meeting on March 27, 2024 that CNSC staff would provide AOPFN’s submission directly to GFP. CNSC staff sent AOPFN’s submission on April 3, 2024, and had highlighted AOPFN’s concerns and expectations specifically regarding the alternative means assessment verbally to GFP during a monthly meeting on March 28, 2024.</p> <p>CNSC staff understand that AOPFN has raised this concern with GFP and encourage AOPFN to continue working with GFP to find a mutually agreeable path forward for addressing AOPFN’s recommendations regarding the alternative means and project assessment.</p>
<p>GFP’s Approach to Environmental Impact Statement (EIS) Development</p>	<p>Regarding AOPFN’s review of GFP’s draft EIS chapters before being submitted to the CNSC, it is CNSC staff’s understanding that GFP committed to working with AOPFN on the development of relevant chapters of the draft EIS before submitting the report to the CNSC for</p>

AOPFN Issue/Concern	CNSC Staff Response
<ul style="list-style-type: none"> • AOPFN expects GFP to provide AOPFN an opportunity to review the revised EIS chapters, that include the proposed design changes, before GFP submits their draft EIS to the CNSC. • AOPFN expects the CNSC to ensure GFP is fully aware of this expectation. 	<p>review. We also understand that GFP had committed to providing updated chapters to AOPFN to reflect the proposed Project changes. This is a best practice for project proponents and goes above and beyond CNSC staff's current requirements and expectations for licensees and proponents at this stage of the development of the draft EIS. However, we do expect that GFP to fulfill their commitments to AOPFN and continue to work with AOPFN throughout the iterative technical review process of the EIS and reflect AOPFN's views and perspectives in the EIS as appropriate.</p>
<p>Environmental Impacts</p> <ul style="list-style-type: none"> • AOPFN is concerned that the proposed project changes may result in additional, more severe and greater environmental impacts, including in local water sources, wildlife, and the broader ecosystem within and outside the project footprint. 	<p>Any and all environmental impacts potentially introduced by the proposed Project changes will be fully assessed in accordance with CNSC's Generic Guidelines for the Preparation of an Environmental Impact Statement – Pursuant to CEAA, 2012 and legislative requirements through the technical review of the EIS and the public comment period.</p> <p>The EIS has not been submitted to the CNSC as of yet, and it is CNSC staff's expectations that the EIS will include an assessment of the potential environmental impacts of the proposed Project changes.</p>
<p>Cultural Heritage and Rights</p> <ul style="list-style-type: none"> • AOPFN is concerned that the proposed project changes may lead to prolonged environmental risks that may impact AOPFN's rights, traditional land use and sites of cultural significance. • AOPFN expects a thorough assessment of these changes to safeguard AOPFN's cultural heritage and rights. 	<p>CNSC staff understand AOPFN is concerned that the proposed Project changes may lead to prolonged environmental risks that may impact AOPFN's rights, traditional land use and sites of cultural significance, and that AOPFN expects a thorough assessment of the proposed Project changes on AOPFN's cultural heritage and rights. It is CNSC staff's expectations that through the technical review of the EIS, any and all potential impacts introduced by the proposed Project changes, including those related to impacts on the environment that could lead to impacts to sites of cultural significance, Indigenous and/or Treaty rights and traditional land use, will be fully assessed and mitigated, in consultation with potentially impacted Indigenous Nations and communities, including AOPFN.</p>

AOPFN Issue/Concern	CNSC Staff Response
	<p>In addition, as per the CNSC-AOPFN Terms of Reference for consultation on the MMR Project, CNSC staff are committed to collaborating with AOPFN to carry out a thorough, evidence-based, and methodologically sound rights impact assessment (RIA). The RIA will identify and assess any identified potential impacts on AOPFN’s rights and interests, as a result of the Project presented in GFP’s EIS. This will include the proposed Project changes that GFP identified in their November 2024 letter to the CNSC. The RIA will also help to identify any potential mitigation and/or accommodation measures that could help to avoid, reduce, accommodate or compensate for any identified impacts on AOPFN’s rights, including those related to AOPFN’s cultural heritage and rights.</p>
<p>CNSC’s Project Description Changes Review Process</p> <ul style="list-style-type: none"> • AOPFN expressed concerns about the time lag between when CNSC staff received GFP’s November 2023 submission regarding the proposed project changes, and when CNSC staff shared GFP’s submission with AOPFN. • AOPFN is concerned that the CNSC’s process for reviewing GFP’s proposed project changes lacks meaningful consultation, and expects to have been involved from the outset. • AOPFN recommends the CNSC to commit to more timely provision of proponent-provided documents to all parties via the public record in the future, including notification of new documents. • AOPFN recommends the CNSC establish a process whereby CNSC staff consults with parties to the assessment before, rather than after making a determination on an issue. 	<p>CNSC staff understand the concerns raised by AOPFN regarding the time delay with regards to providing GFP’s letter with the proposed Project changes to AOPFN. CNSC staff acknowledge that the time delay between CNSC staff receiving GFP’s proposed Project design changes in writing and sharing GFP’s letter with AOPFN did not meet AOPFN’s expectations. However, CNSC staff needed to better understand the proposed Project changes and GFP’s analysis in context of the regulatory and EA process, as well as permission from GFP to share, prior to formally sharing the letter received. In addition, CNSC staff did raise GFP’s proposed Project design changes with AOPFN as part of regular meetings and discussions to ensure that AOPFN was aware and were encouraged to engage with GFP with regards to their proposed Project design changes. CNSC staff strive to consult with Indigenous Nations on a timely basis and in a way that often informs not only our approaches but recommendations to the Commission as well. CNSC staff will commit to more timely notification and messaging on future topics, as practicable. As per the CNSC-AOPFN Terms of Reference for long-term engagement, CNSC staff are committed to continuing to work</p>

AOPFN Issue/Concern	CNSC Staff Response
	with AOPFN on improving communications, information sharing and engagement moving forward.
<p>CNSC's Process for Reviewing AOPFN's Comments and Sharing with the Commission</p> <ul style="list-style-type: none"> AOPFN requests that CNSC staff not reinterpret or summarize AOPFN's inputs before sending it to the Commission. AOPFN's preference is that CNSC staff provide AOPFN's materials to the Commission verbatim. 	CNSC staff have not summarized AOPFN's comments. Please see next steps below for CNSC staff's proposed path forward for submitting AOPFN's comments directly to the Commission.