

To Candace Salmon
A Commission Registrar, CNSC

Security Classification
UNCLASSIFIED
Document ID :
VC4SJWZWZXRH-905068179-888
Fully releasable ATIP :

2026-01-30

From X John Campbell
De

Kim Campbell, acting Director General / dire...
Signed by: Campbell, Kimberley A

Subject CNSC Staff's Review of NexGen's Request for Confidentiality in Relation to CNSC Staff CMD 25-H12B
Objet Reference Documents / Examen par le personnel de la CCSN de la demande de confidentialité de
NexGen concernant les documents de référence du personnel de la CCSN CMD 25-H12B

PURPOSE/OBJECTIF

The purpose of this memorandum is to provide CNSC Staff's comments to the Commission regarding the matter of NexGen Energy Ltd. (NexGen) request to protect from public disclosure the documents submitted in the request for confidentiality: [CMD 25-H12.1-NG-RFC.pdf](#)

The CNSC Registry subsequently requested that CNSC staff provide their advice to the Commission on the Matter.

DISCUSSION

To CNSC staff's knowledge, NexGen's documents provided in the confidentiality request have not been made available elsewhere publicly. The documents listed in this table have consistently been treated as confidential in CNSC staff's dealings with NexGen.

CNSC staff reviewed the list of documents and related details provided by NexGen. This information, along with CNSC staff comments are included in Table 1. For the 2 documents, NexGen has requested the entire contents be kept confidential.

CONCLUSION

CNSC staff have reviewed NexGen's requests for confidentiality and have provided comments as to whether the proposed confidentiality requests are appropriate. It is CNSC staff's recommendation that NexGen's request be accepted by the Commission.



Prepared by: Dana Pandolfi, Senior Project Officer (CNSC)

Attachment: Table 1

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Canadian Nuclear Safety Commission

Table 1: Material subject to the request for confidentiality

	Item Name	Portion(s) covered by the request for confidentiality	Reason for Request	Applicant's Rationale	CNSC Staff Comments
1.	Rook I Caribou Mitigation and Offset Plan	<input checked="" type="checkbox"/> Entire content <input type="checkbox"/> Redacted content as clearly identified in the document	<input type="checkbox"/> The information involves national or nuclear security elements <input type="checkbox"/> The information pertains to Indigenous Knowledge The information is: <input type="checkbox"/> Financial, <input checked="" type="checkbox"/> Commercial, <input checked="" type="checkbox"/> Scientific, <input checked="" type="checkbox"/> Technical, <input type="checkbox"/> Personal, or <input type="checkbox"/> Other (specify), and <input type="checkbox"/> Is consistently treated as confidential and the person affected has not consented to disclosure. Or: <input type="checkbox"/> Disclosure of the information would likely endanger the life, liberty, or security of a person or person(s)	Has been consistently treated as confidential and the person affected has not consented to disclosure.	CNSC staff find that NexGen's rationale to withhold the entire document is reasonable. CNSC staff note that the Rook I Caribou Mitigation and Offset Plan has been shared in the context of the Federal-Indigenous Review Team, however the document was shared in confidence for the purposes of the group's work.
2.	SK Bond Form - NexGen Energy -Rook I Project (Draft)	<input checked="" type="checkbox"/> Entire content <input type="checkbox"/> Redacted content as clearly identified in the document.	<input type="checkbox"/> The information involves national or nuclear security elements <input type="checkbox"/> The information pertains to Indigenous Knowledge The information is:	Has been consistently treated as confidential and the person affected has not consented to disclosure.	CNSC staff find that NexGen's rationale to withhold the entire document is acceptable. CNSC staff note that Financial Guarantee instruments are routinely treated as confidential across the nuclear industry.

	Item Name	Portion(s) covered by the request for confidentiality	Reason for Request	Applicant's Rationale	CNSC Staff Comments
			<input checked="" type="checkbox"/> Financial, <input type="checkbox"/> Commercial, <input type="checkbox"/> Scientific, <input type="checkbox"/> Technical, <input type="checkbox"/> Personal, or <input type="checkbox"/> Other (specify), and <input type="checkbox"/> Is consistently treated as confidential and the person affected has not consented to disclosure. Or: <input type="checkbox"/> Disclosure of the information would likely endanger the life, liberty, or security of a person or person(s)		