



Canadian Nuclear  
Safety Commission

Commission canadienne  
de sûreté nucléaire

Canada



# Environmental Assessment and Licence Application to Prepare Site and Construct the Wheeler River Project

## Public Hearing – Part 2



### CNSC Staff Presentation

December 8<sup>th</sup>, 2025  
CMD 25-H9.C



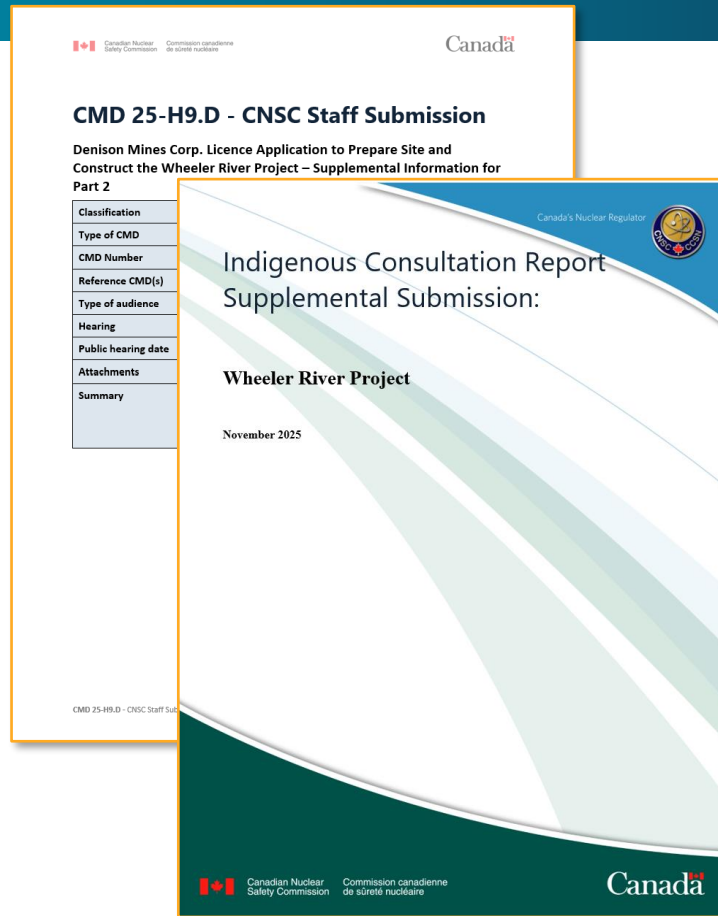


# Commission Member Document Submission

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## CNSC staff's supplemental Commission Member Document (CMD) was posted November 24, 2025.

The supplemental CMD contains CNSC staff's updated assessment and provides final conclusions and recommendations for the licence application and environmental assessment (EA) process, and on consultation and engagement efforts to date.





- Updates since October 8, 2025
- Interventions
- Indigenous Consultation and Engagement
  - Background and context for consultation and engagement related to Wheeler River
  - Consultation activities specific to the Wheeler River EA and Licence Application
  - Status of consultation and Issues and Concerns identified by Indigenous Nations and communities
  - Assessment of Potential Impacts on Rights
  - CNSC staff's commitments to Indigenous Nations and communities
- CNSC Staff Conclusions and Recommendation



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# UPDATES SINCE OCTOBER 8, 2025



# Environmental Assessment (EA) Conditions

Of the  
**5 proposed EA conditions,**  
**3 contain closure criteria** to be met prior to the commencement of site preparation activities.

## EA condition reviews are in progress for the following:

- **EA3 (caribou mitigation in line with the federal recovery strategy):**  
Has been submitted to CNSC staff, and is currently being reviewed
- **EA4 (additional bat baseline surveys):**  
Has met some of the closure criteria, final criteria under review by CNSC staff
- **EA5 (monitoring of adverse effects on listed wildlife species):**  
Has met some of the closure criteria, final criteria under review by CNSC staff



# Regulatory Commitments

Of the **8 regulatory commitments proposed**, **6** contain **closure criteria** to be met prior to the commencement of early phases of construction activities.

## Regulatory commitment reviews in progress:

- **PD-01 (freeze wall monitoring design):**  
Designs have been submitted and are under CNSC staff review
- **PD-02 (Design of the wellfield):**  
Designs have been submitted and are under CNSC staff review
- **PD-03 (Site Surface Water Management):**  
Plan has been submitted and is under CNSC staff review
- **PD-04 (Design of the mill):**  
The criteria have been submitted and CNSC staff determined that it has **met the closure criteria**
- **PD-05 (Cementitious-based materials):**  
Information has been submitted and is under CNSC staff review
- **EMFP-01 (Fire safety design criteria):**  
The criteria have been submitted and CNSC staff determined that it has **met the closure criteria**



# Response to Outstanding Commission Question

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**Question:** *“The materials Denison proposes to use to decommission their wellfield [grout and bentonite] have the potential to denature over time. What are staff’s views of this?”*

## **CNSC staff’s response:**

- Denison has provided sufficient information to meet EA and licensing requirements for preparation of site/construction
- After reviewing the Environmental Impact Statement and Preliminary Decommissioning Plan, CNSC staff are satisfied that the proposed decommissioning plans will be protective of the environment, taking into account the potential for grout and bentonite to denature over time
- Prior to any decommissioning work, Denison must provide CNSC staff with detailed information on decommissioning techniques, which must ensure safety over the long term



- Denison submitted a draft financial guarantee instrument for the Commission's consideration
- As of November 24, CNSC staff were reviewing the instrument against requirements
- CNSC staff are collaborating with the Saskatchewan Ministry of the Environment in this work





# Confirming Conclusions and Recommendations

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Updates since October 8 confirm CNSC staff's conclusions and recommendations presented to the Commission.

CNSC staff reaffirm that the EA Report and licence application comply with the requirements found in \*CEAA 2012 and the \*\*NSCA, respectively.

CNSC staff reaffirm its recommendation that the project is not likely to cause adverse environmental impacts taking into account implementation of mitigation, and that the project will be protective of the environment and persons.

**\*CEAA 2012:** *Canadian Environmental Assessment Act, 2012*

**\*\*NSCA:** *Nuclear Safety and Control Act*



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# INTERVENTIONS



# Participant Funding Program

## Denison Wheeler River Project:

Stage 1: Review of the Draft EIS

Stage 2: Participate in the final stages  
of the regulatory process

\$404,723 Stage 1

\$545,639.94 Stage 2

**Total awarded:**

**\$950, 362.94**

- English River First Nation
- Kineepik Métis Local
- Lac La Ronge Indian Band
- Métis Nation – Saskatchewan
- Peter Ballantyne Cree Nation
- Ya'thi Néné Lands and Resources
- Birch Narrows Dene Nation
- Prince Albert Grand Council
- Saskatchewan Environmental Society  
and Nuclear Transparency Project
- MiningWatch Canada



# Intervention and Key Themes

## **Intervenors:**

**7** from Indigenous Nations

**6** from environmental  
non-governmental organizations

**7** from members of the public

**5** from industry



Indigenous  
Consultation



Safety of  
groundwater  
and surface water



First use  
of in-situ recovery  
technology at a  
Canadian  
uranium mine



Radon exposures  
to workers and the  
public



Managing  
radioactive  
waste



Decommissioning,  
including safety  
and financial  
guarantees



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## INDIGENOUS CONSULTATION AND ENGAGEMENT: BACKGROUND AND CONTEXT

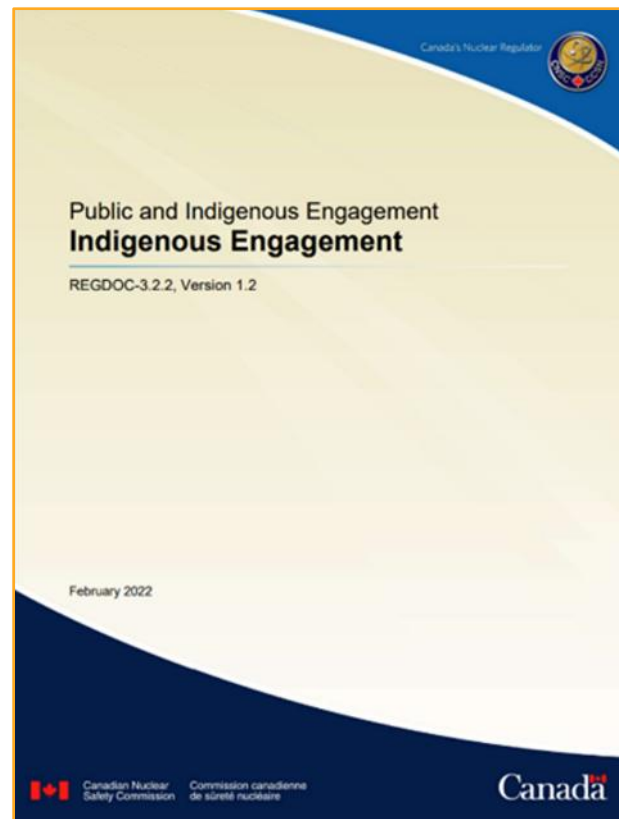


# Approach to Consultation with Indigenous Nations and Communities (1/2)

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## CNSC staff approach to consultation with Indigenous Nations and communities is guided by:

- The CNSC's commitment to **Reconciliation**
- The **Duty to Consult**, and where appropriate, Accommodate
- *United Nations Declaration on the Rights of Indigenous Peoples Act*
- **REGDOC-3.2.2, Indigenous Engagement**





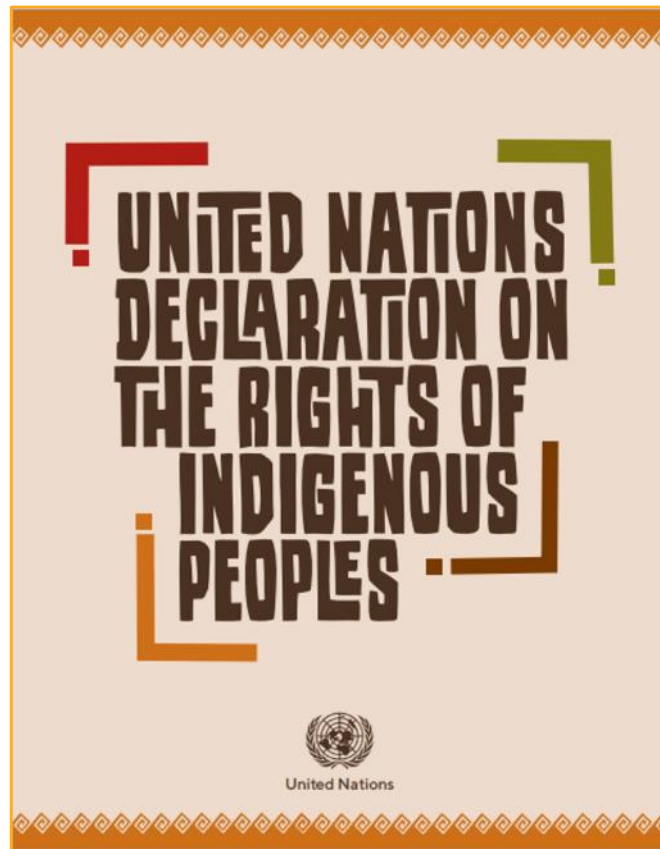
# Approach to Consultation with Indigenous Nations and Communities (2/2)

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The CNSC's approach to consultation is mindful of the principles articulated in the ***United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA)***, including **Free, Prior and Informed Consent (FPIC)**.

**The CNSC is currently using the following sources of guidance on FPIC:**

- *Principles Respecting the Government of Canada's Relationship with Indigenous Peoples*
- *Backgrounder: United Nations Declaration on the Rights of Indigenous Peoples Act*



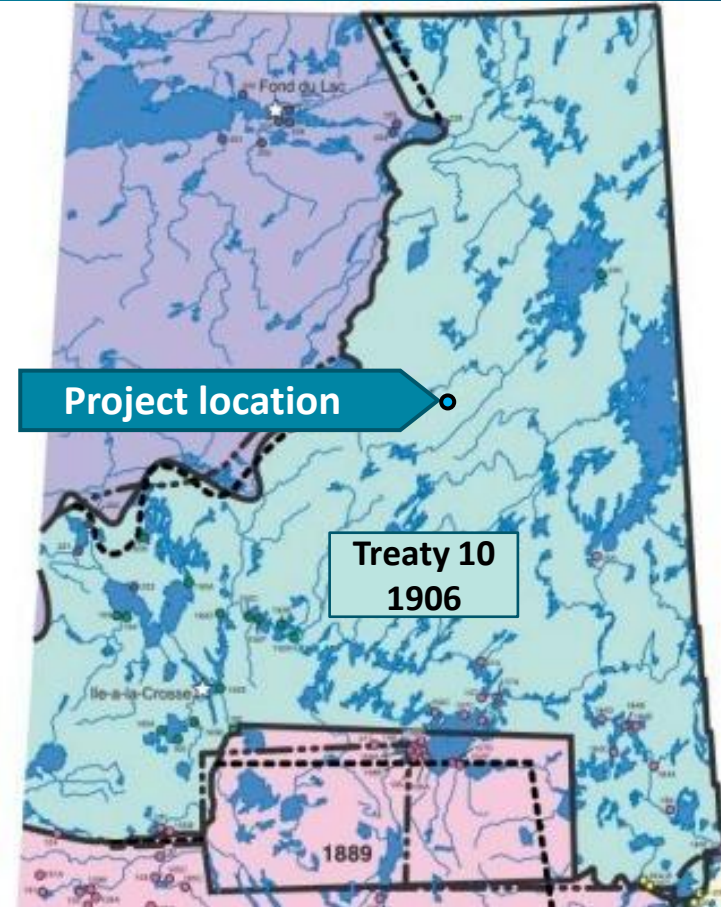


# Asserted or Established Indigenous and/or Treaty Rights

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The Wheeler River Project is located in Saskatchewan's Athabasca Basin.

It falls within the boundaries of Treaty 10, the **Nuhtsiye-kwi Benéne** (Ancestral Lands) of English River First Nation, the traditional territory of Kineepik Métis Local, the homeland of the Métis, and the Nuhenéné, the traditional territory of the Athabasca Denesuliné.







# Identified Indigenous Nations and Communities

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CNSC staff **identified** the following Indigenous Nations and communities whose **Indigenous and/or Treaty Rights** may be **potentially impacted** by the Wheeler River Project is proposed:

- English River First Nation (ERFN)
- Kineepik Métis Local (KML)
- Métis Nation – Saskatchewan (MN-S)
- Ya'thi Néné Lands and Resources (YNLR)

CNSC staff **identified** the following Indigenous Nations and communities that have **expressed an interest** in the Wheeler River Project:

- Lac La Ronge Indian Band (LLRIB)
- Peter Ballantyne Cree Nation (PBCN)
- Birch Narrows Dene Nation (BNDN)
- Prince Albert Grand Council (PAGC)



# Timeline of Consultation and Engagement for Wheeler River

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2019

**Opportunities for consultation began** on the Wheeler River Project Description and EA process including opportunity to **review** the **Project Description** and to **comment** on the scope of the **EA decision**.

2020-2021

**Denison decided to place a hold** on EA Project activities and in 2021 EA Project activities resumed

2022-2024

**Ongoing opportunities for engagement and consultation** on the EA and **participant funding made available** to review the draft EIS. **Denison submits licence application** for the Wheeler River mine. **Federal Indigenous Review Team (FIRT)** created for draft EIS review

Nov-Dec 2024

**Denison submits Final EIS** and CNSC's final review begins. **CNSC accepts Denison's final EIS. Ongoing consultation and engagement activities with** Indigenous Nations and communities.

2025

**Consultation efforts and next steps** for both EA and licence application.  
**October 2025 - Part 1 hearing. December 2025 - Part 2 hearing.**  
**Participant Funding made available** to participate in the hearing process

Ongoing

**Lifecycle consultation and engagement** related to Wheeler River, should the Project proceed



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## INDIGENOUS CONSULTATION AND ENGAGEMENT: CONSULTATION ACTIVITIES



# Consultation and Engagement Activities with Identified Indigenous Nations and Communities (1/2)

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- Initial notification sent in April 2019 inviting the Nations and communities to meet and discuss the Project
- Monitoring Denison's engagement activities in accordance with REGDOC-3.2.2
- Provided multiple opportunities for dialogue through phone calls, correspondence and meetings with Leadership and community representatives
- Offered opportunities for consultation through the EA and Licensing process
- Participating in community and cultural events



CNSC staff attending the KML Elders Gathering – June 2023





# Consultation and Engagement Activities with Identified Indigenous Nations and Communities (2/2)

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CNSC staff attending the MN-S Back to Batoche Days – July 2024



CNSC staff attending the KML culture camp – September 2022



ERFN providing CNSC a delicious meal



ERFN members showcasing a moose hunt



ERFN Elder providing CNSC with history lesson



## Key consultation activities:



Regular agreed upon monthly meetings



Working to understand and to assess potential impacts on rights



Collaboration on the review of key documents



Participate in the FIRT for the EA Process



Meetings with community representatives and leadership



Funding support provided



Relationship building activities and community visits

ERFN has given their **consent** and **support** for the Wheeler River Project to proceed and all concerns regarding the Project have been addressed

## Initial concerns identified by ERFN:

- Environmental protection
- ISR mining method
- Reducing access for traditional purposes
- Misrepresentation of land use
- Diminished connection to the land



## Key consultation activities:



Regular agreed upon monthly meetings



Working to understand and to assess potential impacts on rights



Collaboration on the review of key documents



Meetings with community representatives and leadership



Funding support provided



Relationship building activities and community visits







KML has given their **consent** and **support** for the Wheeler River Project to proceed and all concerns regarding the Project have been addressed

## Initial concerns identified by KML:

- Road safety and maintenance
- Maintaining culture and land use
- Community wellbeing
- ISR mining method
- Emergency management



## Key consultation activities:

-  Regular quarterly meetings under a signed TOR for long-term engagement
-  Working to understand and to assess potential impacts on rights
-  Collaboration on the review of key documents
-  Meetings with community representatives and leadership
-  Funding support provided
-  Relationship building activities and community visits

## Outstanding concerns and views identified by YNLR:

- **Long-term impacts** of **legacy** uranium operations. Despite decommissioning efforts, **contamination**, **tailings** management issues and **landscape degradation** remain significant concerns for nearby communities and land users
- Involvement in **monitoring activities** and reviews of field data
- **Cumulative effects** due to surrounding mining and development
- Loss of **Woodland caribou** habitat





## Key consultation activities:



Regular agreed upon meetings with MN-S staff



Working to understand and to assess potential impacts on Métis rights



Collaboration on the review of key documents



Meetings with community and regional representatives



Funding support provided



Relationship building activities and community visits

## Outstanding concerns and views identified by MN-S:

- Contamination concerns of **potential leaks** in the bedrock and that basement rock is **impermeable**. Concerns of **contamination from effluent including selenium** into Whitefish and Russell Lake
- Loss of **Métis title**
- Effects on **harvesting** particularly **fishing**  
Concerns that the project will affect the **animals, lands and waters** in the Métis homeland
- Métis involvement in **oversight** and **monitoring**
- **FPIC process** that involves MN-S, Northern Region 1, Northern Region 3 and 13 Métis Locals



# Other Interested Indigenous Nations and Communities

## Key engagement activities:



Introductory and technical meetings on Wheeler River



Included in all engagement opportunities, public webinars and correspondence



Efforts to collaborate on the review of key documents



Meetings with community representatives and leadership



Funding support provided

**Lac La Ronge Indian Band (LLRIB)**

**Peter Ballantyne Cree Nation (PBCN)**

**Birch Narrows Dene Nation (BNDN)**

**Prince Albert Grand Council (PAGC)**

## Concerns identified by interested Nations:

- Consultation and engagement
- Environmental monitoring
- Groundwater and contamination
- Ensuring the lands are protected for future generations



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## INDIGENOUS CONSULTATION AND ENGAGEMENT: ASSESSMENT OF POTENTIAL IMPACTS ON RIGHTS



# Assessment of Potential Impacts on Rights from Denison's Wheeler River Application (1/2)

## Context:

- As part of the Crown's Duty to Consult, and where appropriate, Accommodate, the Commission will consider potential impacts to Indigenous rights and measures to mitigate and accommodate impacts in relation to this licensing and EA decision
- Rights Impact Assessments (RIAs) are a best practise utilized across the Federal Government for major projects and decisions that could potentially impact Indigenous and/or treaty rights
- CNSC staff proposed conducting RIAs in response to traditional land use identified and concerns raised by English River First Nation, Kineepik Métis Local, Ya'thi Néné Lands and Resources and Métis Nation – Saskatchewan about the potential for the Project and Commission decision to impact their Indigenous and/or Treaty Rights

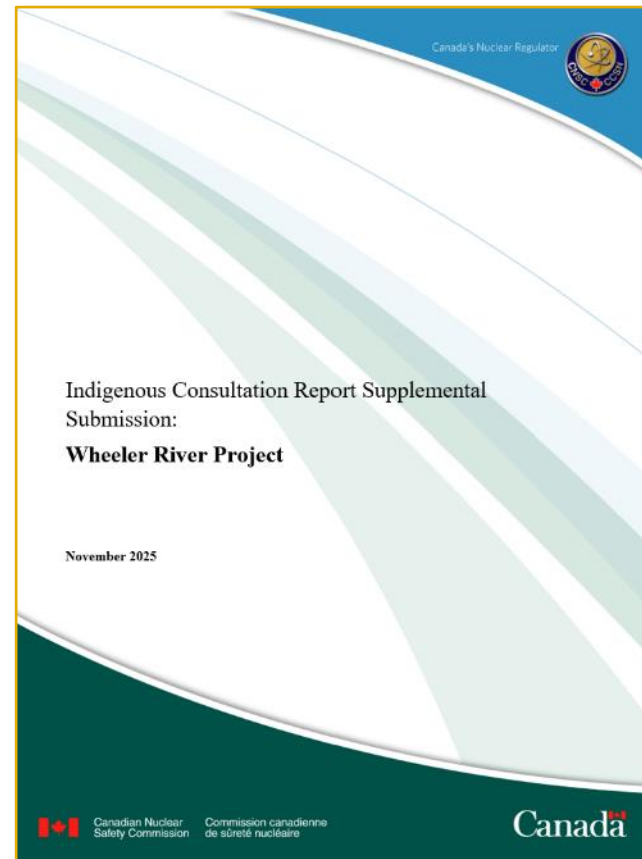


# Assessment of Potential Impacts on Rights from Denison's Wheeler River Application (2/2)

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## Collaboration on RIAs:

- CNSC staff worked collaboratively with ERFN, KML, YNLR and MN-S to discuss, understand and address outstanding concerns including drafting the RIA
- There were no concerns raised by the potentially impacted Indigenous Nations and communities on CNSC's approach to the RIA assessment
- CNSC staff made efforts to understand BNDN, PBCN and LLRIB's potential land use in the Project area and how the application may impact their rights
- CNSC staff's goal for the RIA process for the Wheeler River project was to strive to achieve consensus on key issues and concerns and how to meaningfully address them





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## INDIGENOUS CONSULTATION AND ENGAGEMENT: COMMITMENTS AND NEXT STEPS



## Proposed Key Commitments and Accommodations:

### Denison:

- Surface water and groundwater monitoring programs
- Developing and implementing a monitoring approach and the framework for results sharing
- Site water management and spill response plans
- Collaborating on the decommissioning plan
- Caribou Mitigation and Offset Plan

### CNSC:

- Proposing licence condition on Indigenous engagement
- Continuing to support Indigenous Nations and communities through long-term TOR
- Collaboration on oversight and reporting on all relevant licence conditions
- Engagement and collaboration in CNSC's Independent Environmental Monitoring Program
- Inclusion of the Wheeler River Project into the Eastern Athabasca Regional Monitoring Program



# Conclusions on Potential Impacts on Rights

## Analysis and Conclusions Regarding Potential Impacts on Rights for the Wheeler River Project

- CNSC staff recommend that the Commission direct CNSC staff and Denison to implement the proposed mitigation measures as outlined in the previous slide and Appendix A of the supplemental CMD
- CNSC staff will continue to work with the identified Indigenous Nations and communities on proposed commitments including addressing outstanding concerns, where possible
- Considering all information available to date, CNSC staff's view is that the potential impacts to Indigenous and treaty rights **have been appropriately considered, assessed, mitigated and accommodated**, should the Commission grant a Licence to Prepare Site and Construct





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## CNSC STAFF CONCLUSIONS AND RECOMMENDATIONS



# Conclusions and Recommendations

## CNSC staff reaffirm the recommendations presented to the Commission in Part 1:

- **Determine** that:
  - the CNSC has upheld the honour of the Crown and fulfilled its obligations to consult and, where appropriate, accommodate Indigenous peoples
  - the Wheeler River Project is not likely to cause significant adverse environmental effects referred to in section 5 of CEAA 2012.
- **Authorize** Denison to prepare a site and construct a uranium mine at the Wheeler River site, subject to conditions outlined in the proposed licence
- **Conclude** that Denison:
  - is qualified to carry out the activities authorized by the licence
  - will make adequate provision for the protection of the environment, the health and safety of persons and the maintenance of national security and measures required to implement international obligations to which Canada has agreed

**There are no  
changes to  
conclusions and  
recommendations  
presented on  
October 8, 2025**



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