



Oral presentation

Exposé oral

**Written submission from the
Ya'thi Néné Lands and Resources
Office**

**Mémoire du Bureau des terres et
des ressources de Ya'thi Néné**

**Regulatory Oversight Report for
Uranium Mines, Mills, Historic and
Decommissioned Sites in Canada: 2023**

**Rapport de surveillance réglementaire
des mines et usines de concentration
d'uranium et des sites historiques et
déclassés au Canada : 2023**

Commission Meeting

Réunion de la Commission

January 29, 2025

29 janvier 2025



**Written Submission from
Ya'thi Néné Lands and Resources (YNLR)
In the matter of:**

**Regulatory Oversight Report for Uranium Mines, Mills, Historic
and Decommissioned Sites in Canada: 2023**

Canadian Nuclear Safety Commission (CNSC)



1.0 Introduction

The Regulatory Oversight Report (ROR) is completed annually and presented by the Canadian Nuclear Safety Commission (CNSC). The document reports on the operating performance of uranium mines and mills licensees and licensed facilities, license changes, and major developments, and describes CNSC's regulatory efforts and engagement. The 2023 report also included information on historic and decommissioned sites.

The currently active facilities included in the 2023 ROR are Cameco Corporation's operations at Cigar Lake, McArthur River, Rabbit Lake, and Key Lake, and Orano Canada's operation at McClean Lake. Cigar Lake, McArthur River, Key Lake, and McLean Lake operated throughout 2023, and Rabbit Lake remained in a state of care-and-maintenance in 2023 (and has been in care-and-maintenance since 2016). Detailed information is provided in the body of the ROR and accompanying appendices.

Historic and decommissioned sites in Saskatchewan, Ontario, and Northwest Territories for the period of 2021 through 2023 are also described in the 2023 ROR. Of interest to Ya'thi Néné Lands and Resources (YNLR) are former operations of Gunnar, Lorado, Beaverlodge, and Cluff Lake.

CNSC hosted a joint in-person and virtual meeting in Saskatoon on 18 September 2024 to discuss the 2023 ROR, during which CNSC provided a review and report of the performance at each facility, including radiation and environmental protection, conventional health and safety, and spills and incidents. CNSC presented results from the Independent Environmental Monitoring Program (IEMP), results from a blueberry nutritional study (C. Maynard, 2023, Environmental and Nutritional Chemistry of Wild Harvested Blueberries: Depositional and Uptake Chemistry and Human Health Assessment, M.Sc.



thesis, Wilfrid Laurier University at Waterloo), and an update on the ongoing Canadian Nuclear Workers Study.

1.1 Ya'thi Néné Lands and Resources Office (YNLR)

The Ya'thi Néné Lands and Resources Office (YNLR) works to protect the lands and waters of the Athabasca Basin for the long-term benefits of its Denesų́liné First Nations and Athabasca communities, guided by their knowledge, traditions, and ambitions. YNLR is 100% owned by Athabasca Basin communities and governed by an independent Board of Directors appointed by elected community leaders. YNLR currently operates five offices, in Saskatoon, Fond du Lac, Black Lake, Hatchet Lake, and Uranium City. In addition to many land- and resource-related initiatives, YNLR oversees, on behalf of the Basin communities, the implementation of the Collaboration Agreement, a partnership established in 2016 between the seven Athabasca Basin communities, Cameco, and Orano.

YNLR participates on all committees of the Collaboration Agreement that supports operation of Cameco and Orano's mines, mills, and exploration sites throughout portions of Nuhenéné (Traditional Territory of the Athabasca Denesų́liné) in return for benefits to the communities.

Through the Collaboration Agreement, YNLR participates in the Athabasca Joint Environmental Subcommittee (AJES) alongside four community representatives and other observers. As a member of AJES, YNLR participates in quarterly meetings and various activities with Cameco and Orano, ranging from exploration to decommissioning. On behalf of the seven Athabasca Basin communities, YNLR also oversees the implementation of over a dozen other benefit agreements with junior mining companies operating throughout Nuhenéné as well as multiple engagement agreements and



contribution agreements with the provincial/federal governments on land related initiatives in the territory.

1.2 Document Timeline and Submission

YNLR received notification that participant funding was available on 24 June 2024 for participation in the 2023 ROR process. YNLR applied for funding and received confirmation on 10 September 2024 of receipt of funding from the Participant Funding Program through the CNSC.

YNLR staff, together with representatives from the Athabasca Land Protection Committee (ALPC), attended the in-person and virtual engagement session hosted by the CNSC on 18 September 2024 in Saskatoon. This meeting was beneficial in providing insight about CNSC-regulated activities in Nuhenéné regarding operations of the currently active mines and mills in 2023 as well as the historic and decommissioned sites of Beaverlodge, Lorado, Gunnar, and Cluff Lake during 2021-2023.

After receiving and reviewing the 2023 ROR document and participating in the September meeting, YNLR is providing this submission on behalf of its Directors and Members.

2.0 Concerns and Comments

The following details YNLR's concerns and comments regarding several topics of importance that were discussed during the 2023 ROR meeting in Saskatoon and/or presented in the 2023 ROR document itself.



2.1 Incentive for Compliance to License Conditions

YNLR acknowledges and appreciates the efforts of the CNSC to provide detailed information concerning the operations of its licensed facilities, both in the written document and during presentations at the 2023 ROR meeting in September. YNLR also understands that incidents occur in complex operations, and that many infractions such as lost time injuries were minor (e.g., strained muscles) or easily remediable (e.g., minor spills).

YNLR notes that the number of notices of non-compliances (NNC) issued by CNSC during inspections have increased over the past two years (2022 and 2023) compared to the previous three years (2019-2021), although the number of inspections did not proportionally increase over this same period. There were 23, 11, and 19 NNC in 2019-2021, respectively, for an average of 17.6 NNC/year. However, in 2022 and 2023, 79 and 93 NNC were issued, respectively, for an average of 86 NNC/year. Yet, the 2023 ROR states that “CNSC staff did not identify any concerning trends between 2023 and previous years”. However, from YNLR’s perspective, an increase of nearly five times the number of NNC comparatively between the two time periods (2019-2021 versus 2022-2023) is rather significant, however minor these infractions may be.

2.2 License Lengths for Cameco’s Key Lake, McArthur River, and Rabbit Lake

The Athabasca Basin communities opposed the request for 15- and 20-year license durations for Rabbit Lake and Key Lake and McArthur River operations, respectively, as did other Indigenous groups. This was communicated directly and emphatically through both YNLR’s written intervention and presentation at the hearing on this matter held in Saskatoon in June 2023.



Cameco was granted licenses for their requested time durations for these three operations; this is stated in the 2023 ROR and was discussed at the meeting in September 2024. This decision is now treated as a foregone conclusion. YNLR would like to reiterate that the Athabasca Basin communities strongly opposed such long license terms and instead advocated for 10- and 5-year licenses for Key Lake and McArthur River and Rabbit Lake, respectively.

2.3 YNLR's Involvement in the CNSC's Independent Environmental Monitoring Program (IEMP)

YNLR appreciates our involvement with the IEMP, now for several years. YNLR conducts interviews with community members to provide input about sampling locations and traditional foods appropriate to the region, and YNLR staff assist with field work. Athabasca Basin residents also have the opportunity to donate samples of traditional foods that they would like to be tested for their safety.

In May 2024, YNLR and CNSC collaborated on a joint presentation about the IEMP at the Turtle Island Indigenous Science Conference in Regina, Saskatchewan. This was a welcome opportunity to showcase YNLR's partnership with the CNSC.

2.4 CNSC's Response to YNLR Feedback

Over the last several years, YNLR has provided suggestions to CNSC on improvements to processes that better serve Indigenous communities. For concerns raised for the 2022 ROR specifically, CNSC's response is detailed in Appendix P of the 2023 ROR. YNLR acknowledges and appreciates CNSC efforts in this regard, both pertaining to the 2022 ROR and more broadly. As an example demonstrating the last point, YNLR typically receives allocations of 10 minutes to speak at hearings. YNLR recently requested longer



speaking time allowances for the upcoming 2023 ROR and Beaverlodge hearings, which has been granted.

3.0 Closing Remarks

We appreciate the progress and collaboration between YNLR and CNSC staff to date; for 2023 specifically, this is described in Appendix O of the 2023 ROR. This includes, but is not limited to: our Terms of Reference and associated regular meetings, work plans, and communications; YNLR involvement in IEMP including the opportunity to deliver a joint presentation at a scientific conference; and securement of two Indigenous Stakeholder and Capacity Funds (ISCF) to (1) support nuclear-related files and to coordinate and participate in CNSC activities, and (2) initiate the development of a resource useful to traditional land users in the Uranium City region.

YNLR acknowledges these initiatives by CNSC staff and how they have contributed to improved relationships and engagement with the Basin communities. We recommend that the CNSC and the Commission continue to further support the establishment of robust and inclusive processes for both themselves and license holders to enable more effective consultation and engagement with Nuhenéné communities and ultimately more optimized decision making for all stakeholders and rightsholders.

YNLR looks forward to further collaboration with the CNSC through our Terms of Reference to assist in identifying solutions to these concerns and to continue the dialogue to improve the regulatory process by which licensees and licensed facilities abide.