

26-H100.A - CNSC Staff Submission

Additional Correspondence between Kebaowek First Nation and Canadian Nuclear Safety Commission Staff on Canadian Nuclear Laboratories' Request to Amend the Licence and Licensing Basis for the Gentilly-1 Waste Facility

Classification	Unclassified
Type of CMD	Supplemental
CMD Number	26-H100.A
Reference CMD(s)	26-H100
Type of report	Information
Public meeting date	July 2026 hearing-in-writing
Summary	This supplementary Commission Member Document (CMD) is submitted in response to a procedural direction issued by the Commission on August 28, 2026, to re-open the record of proceeding for CMD 26-H100 until September 28, 2026.
Actions required	There are no actions requested of the Commission. This CMD is for information only.

26-H100.A - Mémoire du personnel de la CCSN

Correspondance supplémentaire entre Kebaowek First Nation et le personnel de la Commission canadienne de sûreté nucléaire sur la demande des Laboratoires Nucléaires Canadiens de modifier le permis et le fondement d'autorisation de l'installation de gestion des déchets de Gentilly-1

Classification	Non Classifié
Type de CMD	Renseignement supplémentaire
Numéro de CMD	26-H100.A
CMD(s) de référence	26-H100
Type de rapport	Information
Date de la réunion publique	juillet 2026 -Audience par écrit
Sommaire	Ce document à l'intention des commissaires (CMD) supplémentaire est soumis en réponse à une directive procédurale émise par la Commission le 28 août 2026 visant à rouvrir le dossier de séance du CMD 26-H100 jusqu'au 28 septembre 2026.
Mesures requises	Aucune mesure n'est requise de la Commission. Ce CMD est fourni aux fins d'information seulement.



CMD 26-H100.A

Additional Correspondence between Kebaowek First Nation and Canadian Nuclear Safety Commission Staff on Canadian Nuclear Laboratories' Request to Amend the Licence and Licensing Basis for the Gentilly-1 Waste Facility

Signed by:

Greencorn,
X Nancy

Digitally signed by
Greencorn, Nancy
Date: 2026.09.28 11:46:31
-04'00'

Nancy Greencorn acting Director General
on behalf of Karen Owen-Whitred
Director General
Directorate of Nuclear Cycle and Facilities Regulation



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Land acknowledgement

The Canadian Nuclear Safety Commission acknowledges that the Gentilly-1 Waste Facility is located in the traditional territory of the Abenaki people under the council of the W8banaki, and the traditional land of the Wendat people.

1 Overview

The Gentilly-1 Waste Facility (G1WF) is owned by Atomic Energy of Canada Ltd. (AECL) and operated by Canadian Nuclear Laboratories (CNL) under a Class IB Waste Facility Decommissioning Licence. CNL has submitted an application [1] to amend their G1WF licence and authorize the final phase of their decommissioning approach, a phase that includes removal of aboveground and underground structures and the restoration of the site footprint. Commission Member Document (CMD) CMD H100-26 [2] presents CNSC staff's review, including conclusions and recommendations, regarding CNL's application. Subsequently, the Commission issued a procedural direction [3] that directs current hearing participants to bring potentially relevant information to the Commission's attention until September 28, 2026.

2 Response to Procedural Direction

This supplementary CMD was prepared by CNSC staff in response to the procedural direction [3] requesting current hearing participants provide additional information relevant to this proceeding. Accordingly, CNSC staff direct the Commission to correspondence between Kebaowek First Nation (KFN) and CNSC staff that was exchanged subsequent to the publication of the CNSC staff's CMD [2]. Namely, CNSC staff direct the Commission to correspondence from KFN to CNSC staff dated August 6, 2026 [4] as well as related correspondence exchanged between KFN and CNSC staff and which have been appended to this CMD [5,6,7]. This correspondence underscores CNSC staff's commitment, through our ongoing relationship and regular engagement activities with KFN, to discuss and learn more about specific requests and concerns raised by KFN related to the transportation of radioactive waste and the storage of waste at Chalk River Laboratories (CRL). Notwithstanding, CNSC staff maintain that the scope of this hearing does not extend to these matters as they pertain to past activities carried out in accordance with the existing G1WF licensing basis or other matters already authorized by the Commission.

3 Conclusions

In conclusion, this supplementary CMD provides correspondence exchanged between KFN and CNSC staff regarding specific requests and concerns raised by KFN, and underscores CNSC staff's commitment to continue to engage on these matters. CNSC staff maintain that the scope of this hearing does not extend to these matters as they fall outside the scope of CNL's request to amend their G1WF licence [1].

4 References

- [1] Submission from Canadian Nuclear Laboratories Ltd. Application for Licence Amendment to Proceed with Execution of Decommissioning at the Gentilly-1 Waste Facility. July 17, 2024. [\(PDF\)](#)
- [2] CMD 26-H100. Submission from CNSC Staff. Canadian Nuclear Laboratories Ltd. Request to Amend the Licence and the Licensing Basis for Gentilly -1 Waste Facility. April 17, 2026. [\(PDF\)](#)
- [3] CNSC Procedural Direction DIR 26-H100, In the Matter of Canadian Nuclear Laboratories Ltd. Application to Amend the Licence and Licensing Basis for the Gentilly-1 Waste Facility. August 28, 2026. [\(PDF\)](#)
- [4] CMD 26-H100.11A. Letter, Chief Haymond (KFN) to Colin Moses (CNSC), Re: Response to June 23 and July 3, 2026 correspondence regarding the Gentilly-1 Waste Facility Licensing Proceeding, dated August 6, 2026. [\(PDF\)](#)
- [5] Letter, Chief Haymond (KFN) to President Tremblay (CNSC) et al., Demand for respect for KFN's right to be consulted and FPIC obtained prior to the transport, storage, and disposal of hazardous waste on our traditional territories, dated May 14, 2026.
- [6] Letter, Colin Moses (CNSC) to Chief Haymond (KFN), Re: Demand for respect for KFN's right to be consulted and FPIC obtained prior to the transport, storage, and disposal of hazardous waste on our traditional territories, dated June 23, 2026.
- [7] Letter, Colin Moses (CNSC) to Chief Haymond (KFN), RE: Gentilly Waste Facility (G1WF) Licensing Proceeding, dated September 15, 2026

Appendix A

Reference 5 - Letter, Chief Haymond (KFN) to President Tremblay (CNSC) et al., Demand for respect for KFN's right to be consulted and FPIC obtained prior to the transport, storage, and disposal of hazardous waste on our traditional territories, dated May 14, 2026.



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May 14, 2026

Minister of Natural Resources Canada
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Minster of Environment and Climate Change
The Honourable Julie Dabrusin
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Dear Ministers Hodgson and Dabrusin; Presidents Tremblay, Carr, Dermarkar; and the IAAC Compliance Unit:

Re: Demand for respect for KFN's right to be consulted and FPIC obtained prior to the transport, storage, and disposal of hazardous waste on our traditional territories

Kebaowek First Nation (KFN) writes to bring an urgent issue to your attention regarding

breaches of KFN's right to provide free, prior and informed consent (FPIC) prior to the storage and disposal of hazardous on our territories, as recognized by Article 29(2) of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and affirmed by the Federal Court of Canada in *Kebaowek First Nation v Canadian Nuclear Laboratories*.¹

The Canadian Nuclear Safety Commission (CNSC) permitted Canadian Nuclear Laboratories (CNL) to transport of 88 spent fuel bundles stored in 11 concrete silos via road from the Gentilly-1 Waste Facility (G1WF) nuclear site in Quebec to the Chalk River Site in July of last year. According to a report published by the CNSC in December 2025, CNL applied and obtained a license to transport from the CNSC, submitted a transport security plan, and obtained agreement from the International Atomic Energy Agency (IAEA) to move the spent fuel from the G1WF site to Chalk River.² In its report, the CNSC commented it approved the transportation licence on the basis that there would be “minimal impact to the health and safety of workers, the public and the environment, as a result of these activities.”³

Breach of the Duty to Consult and Right to FPIC

KFN was not consulted on the transport of this waste. KFN was not notified or informed about the transport of waste from the G1WF site to the Chalk River site, despite a clear triggering of the duty to consult: the Crown approved a licence for the transport of waste⁴ to Chalk River where it would be stored and disposed of—an activity which poses the risk of potential adverse impacts to KFN's territory. Our Nation had already made the Crown aware that we expect to be consulted prior to the storage and disposal of hazardous waste on our territory, in accordance with Article 29(2) of UNDRIP and as endorsed in the Federal Court's decision less than 5 months prior to the Crown's authorization allowing the transport of waste to the Chalk River site. During this time, we were also meeting regularly with the CNSC and CNL, making the omission to properly consult us even more egregious.

CNSC ignored our requests and proceeded with the transfer. The lack of notification and consultation regarding the transport of waste from G1WF to Chalk River is extremely concerning considering CNL's plans to transport more radioactive waste from other sites across the country, including the Whiteshell and Port Hope facilities, for ultimate storage and disposal at the Chalk River site. KFN is concerned that the Crown will continue to keep our First Nation in the dark as waste accumulates in our territory, contrary to the Crown's constitutional obligations and UNDRIP.

¹ *Kebaowek First Nation v Canadian Nuclear Laboratories*, 2025 FC 319 at para 130 [*Kebaowek*].

² CNSC, [Regulatory Oversight Report for CNL Sites: 2024](#) (Dec 1, 2025)

³ *Ibid*, p 83

⁴ See, *Packing and Transport of Nuclear Substances Regulations*, 2015 (SOR/2015-145), sections 6 and 7, online: [Packaging and Transport of Nuclear Substances Regulations, 2015](#)

KFN has since communicated its concerns about the past transport and storage of waste at Chalk River without notification and sought information disclosures to better understand the ongoing activities at the GW1F site, including any environmental reviews, licence applications, and safety assessments.⁵ The CNSC has not provided any documents or additional information. Our knowledge of the proposed decommissioning activities is limited to the one-page Notice of Intent posted to the IAAC Registry.⁶

In response to our requests, the CNSC has taken the position that the duty to consult is not triggered because the transport, storage, and disposal of hazardous waste from other nuclear facilities is already covered by existing licences bases for the G1WF and Chalk River sites,⁷ and, therefore, there is not “Crown conduct” contemplated. This position is legally incorrect: the Crown issued an authorization for the transport of waste from G1WF to Chalk River site, and the ongoing accumulation of hazardous waste on KFN territory without our knowledge and consent poses the potential for adverse impacts. Our understanding is that intermediate and high-level radioactive waste will be stored in concrete vaults until a deep geological repository is built, and low-level radioactive waste will be deposited into the proposed Near-Surface Disposal Facility, which may directly impact on water sources and waterways. Unfortunately, the CNSC has rationalized the lack of consultation on the basis that the spent fuel from G1WF was already transferred to CRL.⁸ *Post hoc* justifications cannot cure a breach of the duty to consult or FPIC.

The CNSC has unilaterally determined that our concerns “do not fall directly in scope of the G1WF decommissioning activities that are being proposed for this licence amendment.”⁹ The CNSC’s attempt to foreclose consultation on the narrow basis of licencing scopes disregards the multiplicity of past and ongoing breaches of our right to FPIC, and the critical importance of assessing and monitoring the cumulative effects of Crown authorized activities in the past, present, and reasonably foreseeable future.¹⁰ As stated in our letter dated February 5, 2026, all activities related to the transfer, storage, and disposal of hazardous waste on our traditional territories have the potential to adversely impact our section 35 rights. We view all projects which lead to the storage and disposal of hazardous waste on KFN territory as interconnected,

⁵ KFN to CNSC, “RE: Kebaowek First Nation’s comments on the Section 82 Assessment for the Proposed Gentilly-1 Waste Facility Decommissioning Project” (February, 5, 2026); KFN to CNSC, “Federal Assessment under the *Impact Assessment Act* for Gentilly-1” (October 15, 2025); CNSC to KFN “CNSC Staff Response to the Kebaowek First Nation Inquiries on the Section 82 Assessment for the Proposed Gentilly-1 Waste Facility Decommissioning Activities” (January 12, 2026)

⁶ See, <https://iaac-aeic.gc.ca/050/documents/p90092/164173E.pdf>

⁷ CNSC to KFN, “RE: CNSC Staff Response to the Kebaowek First Nation Inquiries on the Section 82 Assessment for the Proposed Gentilly-1 Waste Facility Decommissioning Activities” (12 January 2026); CNSC to KFN, “Subject: CNSC Staff Response to the Kebaowek First Nation’s Comments on the Section 82 Assessment for the Proposed Gentilly-1 Waste Facility Decommissioning Project” (10 April 2026) [April 10, 2026 CNSC letter].

⁸ April 10, 2026 CNSC letter

⁹ April 10, 2026 CNSC letter

¹⁰ KFN, *Rights & Responsibilities Assessment Law* at sections 10.3(e), 16.1(b)(vii), 19.3; *Canadian Environmental Assessment Act*, SC 2012, c 19, sections 4(1)(i), 19(1)(a); and *Impact Assessment Act*, 2019, SC 2019, c 28, sections 6(2), 22(1)(a)(ii).

and expect to be consulted on all activities which engage Article 29(2) of UNDRIP.

As the Federal Court made clear, CNSC *must* consider UNDRIP when assessing whether the duty to consult and the FPIC standard have been both triggered and adequately fulfilled,¹¹ and must align its processes to reflect KFN's laws, knowledge, and processes with the aim of finding mutual agreement.¹²

The CNSC's failure to consider Indigenous perspectives and consult with KFN prior to approving a licence permitting the transport of radioactive waste to our territory has resulted in ongoing and unremedied constitutional, statutory, and regulatory violations.

To reiterate, Article 29(2) of UNDRIP provides that states shall ensure that "no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior, and informed consent." The CNSC continues to allow the licensee to carry out the transport and storage of radioactive waste at the Chalk River site without having first ensured that Crown obligations are being fulfilled. CNSC's conduct falls well below the standard required by the Honour of the Crown. We are extremely concerned that the CNSC's pattern of non-disclosure and indifference to our concerns will persist, as more hazardous nuclear waste is transferred to, stored, and disposed of on our traditional territories without our knowledge or consent.

Enforcement and a Halt of Activities at the Gentilly-1 Nuclear Site is Required

In July of 2025, KFN became aware of CNL's request to seek a licence amendment for the G1WF licence. As we communicated to the CNSC at that time, "KFN was not provided direct notice ... by the CNSC, despite our regular meetings and request for notice of any project triggering section 82 of the Impact Assessment Act."¹³

On December 3, 2025, CNL notified KFN of CNL's application to amend the existing G1WF licence to authorize CNL to proceed with the last phase of decommissioning activities, including the dismantling of all remaining structures and components, as well as the management, packaging and safe storage of resulting radioactive waste. KFN only later learned that the Crown had already issued a licence approving the transport of radioactive waste to the Chalk River site for storage, without any notification or consultation with KFN.

The CNSC's decision to issue a licence for the transport and storage of waste at the Chalk River site without notification to KFN breaches the Honour of the Crown and the duty to consult and

¹¹ *Kebaowek* at para 112.

¹² *Ibid* at para 133.

¹³ Email KFN to CNSC, "202507-00010: Gentilly-1 license Amendment" (July 8, 2025)

Article 29(2) of UNDRIP.

The CNSC's actions also directly conflict with section 82 of the *IAA*, which states a project on federal lands cannot be carried out, *in whole or part*, before an authority makes a determination on the likelihood of significant adverse environment effects:

82 An authority must not carry out a project on federal lands, exercise any power or perform any duty or function conferred on it under any Act of Parliament other than this Act that could permit a project to be carried out, in whole or in part, on federal lands or provide financial assistance to any person for the purpose of enabling that project to be carried out, in whole or in part, on federal lands, unless

(a) the authority determines that the carrying out of the project is not likely to cause significant adverse environmental effects (emphasis added)

A section 82 assessment should have occurred prior to the transport of spent fuel rods from the G1WF to the Chalk River. Instead, CNSC circumvented the application of the *IAA* and issued a transport licence based on its unilateral determination that there would be “minimal impact to the health and safety of workers, the public and the environment, as a result of these activities.”¹⁴

Section 40 of the *Nuclear Safety and Control Act* further that requires that the CNSC hold a public hearing occur prior to the issuance of a licence:

40(5) The Commission shall, subject to any by-laws made under section 15 and any regulations made under section 44, hold a public hearing with respect to

(a) the proposed exercise by the Commission, or by a panel established under section 22, of the power under subsection 24(2) to issue, renew, suspend, amend, revoke or replace a licence

A public hearing should have occurred prior to the transport of spent fuel rods from G1WF to Chalk River and issuance of the transport licence¹⁵ to ensure a robust assessment about the potential adverse effects stemming from the decommissioning activities at G1WF, including the potential adverse effects to our section 35 rights, considering UNDRIP and the FPIC standard.

A hearing in writing on the remaining G1WF decommissioning activities is expected to occur in July 2026.¹⁶ CNL is also seeking a determination of significant environmental effects in keeping with sections 82 and 84 of the *Impact Assessment Act (IAA)*.¹⁷ Given the continued lack of

¹⁴ CNSC, Regulatory Oversight Report for CNL Sites: 2024

¹⁵ <https://laws-lois.justice.gc.ca/eng/regulations/SOR-2015-145/section-6.html>

¹⁶ Canadian Nuclear Safety Commission, [Participant Funding for Canadian Nuclear Laboratories' Application to Amend the Gentilly-1 Waste Facility Licence](#) (2025)

¹⁷ Impact Assessment Agency of Canada, [Decommissioning of the Gentilly-1 Waste Facility](#), Project No 90092

adequate response from the CNSC and the seriousness of these concerns, we request your immediate cooperation and assistance in calling on the CNSC to:

1. Immediately suspend any ongoing or proposed activities related to the G1WF site pending proper engagement and consultation with KFN, in keeping with section 82 of the *Impact Assessment Act*, the Honour of the Crown and section 35 of the *Constitution*; and
2. Demonstrate its willingness to take steps to immediately remedy the above-noted breaches by:
 - a. fulfilling KFN's outstanding information requests, detailed below;
 - b. working collaboratively with KFN to co-develop a Section 82 engagement process under the *IAA*; and
 - c. refraining from issuing any authorizations or making any Crown decisions until a mutually agreeable process is established and consultation is completed; and
3. Commit to not proceed with the decommissioning of the G1WF site without obtaining KFN's FPIC, including with respect to any transfer, storage, and disposal of waste at the Chalk River site.

Outstanding Information and Document Requests

Without any information or documentary disclosure about the G1WF decommissioning project, we cannot accept the CNSC's assertions that our rights and interests will be unaffected given the "scope of the current G1WF licence amendment application" and "the localized nature of potential impacts from the proposed decommissioning activities at the G1WF."¹⁸ Information sharing is a prerequisite for satisfying the duty to consult and seeking our FPIC.

The following document requests remain outstanding:

- copies of any internal Environmental Review(s), Environmental Effects Review(s), or equivalent environmental assessment documents prepared (or currently relied upon), along with any additional information to support the section 82 assessment on federal lands; and
- CNL's licence to transport application, safety analysis of the transportation package,

(2025)

¹⁸ Correspondence from Adam Levine, CNSC dated April 10, 2026; As communicated to the CNSC in our letter dated February 5, 2026, "where the Crown conducts a preliminary assessment on the potential impacts of a project to a First Nation, it must disclose this assessment and provide an opportunity for the First Nation to comment (see, *Sipekne'katik v Alton Gas Storage*, 2020 NSCC 111 at paras [123-129](#)). As stated by the Supreme Court in *Clyde River (Hamlet) v Petroleum Geo-Services Inc.*, 2017 SCC 40 at para 49, consultation is 'talking together for mutual understanding,' including talking with First Nations about the possible impacts to rights."

transport security plan, and agreement obtained from the IAEA to move the spent fuel from the G1WF site to the Chalk River site.

KFN cannot verify whether the CNSC's assessment is justifiable without the disclosure of the above noted documents.

To-date, the CNSC's approach to engagement with our Nation regarding the GW1F Project falls well short of meaningful consultation. Recent correspondence and statements from the CNSC demonstrates the approach to engagement is worsening rather than addressing our concerns. KFN is extremely concerned about the CNSC's flagrant disregard of its obligation to uphold the Honour of the Crown, its lack of transparency and accountability, and its nonconformity with its statutory obligations and licensing regulations.¹⁹

Conclusion

We hold a profound duty to act as stewards of *Anishinaabeg Algonquin Aki* (lands), our sacred sites, and our inherent relationships based on traditional laws. Yet, we have been denied the opportunity to fulfill this responsibility. KFN firmly maintains that the Crown should not have permitted the GW1F transport, storage, and disposal of waste at the Chalk River site without first notifying KFN, engaging in consultation, and asking whether our Nation believes there is the potential for adverse impacts to our rights. The failure to notify KFN about the transport of nuclear waste from the G1WF site for storage at the Chalk River site is a serious breach of:

- KFN's right to provide its FPIC prior to the storage and disposal of hazardous on our territories, as recognized by Article 29(2) of UNDRIP and affirmed by:
 - the United Nation Declaration on the Rights of Indigenous Peoples Act, SC 2021, c 4, which confirms UNDRIP applies in Canadian law and provides the minimum standards against which state conduct must be measured;
 - Sections 9 and 24(4) of the *Nuclear Safety and Control Act*, which direct the CNSC to ensure conformity with international obligations to which Canada has agreed;
 - the Federal Court of Canada's decision in *Kebaowek First Nation v Canadian Nuclear Laboratories*, 2025 FC 319.
- KFN's *Rights & Responsibilities Assessment Law*, ratified on November 27, 2026; and
- the duty to consult and accommodate under section 35 of the *Constitution*.

The CNSC must align its licensing decisions with Section 35 of the *Constitution* and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which mandates Free,

¹⁹ Despite our request that our comments and correspondence to date on this file be shared to the Impact Assessment Agency of Canada Registry, such disclosure – which is critical to building trust in participatory decision-making processes, is ensuring an accurate, update to date and public record – remains outstanding.

Prior, and Informed Consent (FPIC) before hazardous materials can be moved through or stored on our traditional unceded lands. Further the CNSC and all proponents must adhere to KFN's *Rights & Responsibilities Assessment Law*, as set out in a letter dated February 5, 2026.²⁰

We request a meeting with your offices to discuss these critical issues and the Crown's obligations in a context where hazardous radioactive waste is being transported, stored, and disposed of on KFN's territories on an ongoing basis.

Sincerely,



Chief Lance Haymond
Kebaowek First Nation

CC:

CNSC: C. Moses, A. Levine, N. Dormer, A. Bissonnette, K. Sellers, E. Cotnam-Bent, K. Warnock-Juteau

AECL: A. Fournier, M. Page

KFN: J. Roy, M. Fraser, R. Van Schie, K. Blaise, K. Brack, N. McKay, C. Connolly

²⁰ See, KFN, *Rights & Responsibilities Assessment Law* (2025), <https://kebaowek.ca/wp/r/>

Reference 6 - Letter, Colin Moses (CNSC) to Chief Haymond (KFN), Re: Demand for respect for KFN's right to be consulted and FPIC obtained prior to the transport, storage, and disposal of hazardous waste on our traditional territories, dated June 23, 2026



June 23, 2026

Chief Lance Haymond
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Re: Demand for respect for KFN's right to be consulted and FPIC obtained prior to the transport, storage, and disposal of hazardous waste on our traditional territories

Dear Chief Haymond:

Thank you for your letter of May 14th, 2026, sharing your concerns regarding the proposed Gentilly-1 Waste Facility (G1WF) decommissioning activities and related regulatory review process.

As noted in the CNSC staff correspondence to Kebaowek First Nation (KFN) dated January 12th and April 10th, 2026, the scope of Canadian Nuclear Laboratories' (CNL) licence amendment application—and the associated federal lands assessment in accordance with the *Impact Assessment Act*—focuses on the Commission's decision on whether to authorize an amendment to the G1WF licensing basis so that CNL may progress into the active decommissioning phase of their decommissioning strategy, which would involve the dismantling of structures at the G1WF site. Consequently, we have consulted and engaged with Indigenous Nations and communities that may be impacted by or who have expressed interest in this amendment application and authorization, and we remain open to further consultation and engagement with potentially impacted and interested Indigenous Nations and communities.

On May 5th, 2026, CNSC staff notified KFN that the relevant Commission Member Documents for this hearing had been posted on the [CNSC Registry webpage](#).



These include CNSC staff's Environmental Effects Evaluation Form, CNL's G1WF Licence Amendment Application, Environmental Protection Measures for Decommissioning and Demolition (formerly titled Environmental Effects Review Report), and other materials submitted by CNSC staff and CNL regarding CNL's licence amendment application for the G1WF. We remain available to answer questions regarding these documents.

KFN has also requested the following documents:

- CNL's licence to transport application;
- Safety analysis of the transportation package;
- Transport security plan, and
- Agreement obtained from the IAEA to move the spent fuel from the G1WF site to the Chalk River site

These documents fall outside the scope of CNL's licence amendment application and have not been posted to the CNSC's website for this particular licence application. CNSC staff will be providing KFN, through separate correspondence, the letter indicating that the IAEA and the CNSC are satisfied with the Summary of Activities and Safeguards Measures, as well as the transport licence that was issued, and the certificate for the package used during transportation. The remaining documents are CNL owned documents and should be requested directly from CNL.

The CNSC remains open to receiving any additional G1WF specific concerns, perspectives, information, or Indigenous Knowledge relevant to the licence amendment application and the associated federal lands assessment in accordance with the *Impact Assessment Act*. We encourage KFN to share any further submissions with CNSC staff and the Commission through the interventions process, as appropriate.

We would also be pleased to meet with KFN outside the context of the G1WF licence amendment to discuss and learn more about KFN's concerns related to the transport of nuclear substances should that be of interest.



If this is of interest to KFN, please contact Natalie Dormer by email at Natalie.Dormer@cnsccsn.gc.ca.

Yours sincerely,

2026-06-23

X

Signed by: Moses, Colin

Colin Moses

Vice-President, Regulatory Affairs Branch and Chief Communications Officer
Canadian Nuclear Safety Commission
Ottawa, Ontario
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c.c./c.c.: **CNSC:** Adam Levine, Adèle Bissonnette, Natalie Dormer, Nana Kwamena, Mark McLaughlin, Kendra Warnock-Juteau, Kirsten Sellers, Erin Cotnam-Bent
KFN: Roy, Justin
McLaren, Kacie
Van Schie, Rosanne
Blaise, Kerrie
Brack, Katherine
McKay, Nico
Connolly, Charlotte
LaRocque, Erin



Reference:

Response Letter from CNSC to First Nation Inquiries on the Section 82
Assessment for the Proposed Gentilly-1 Waste Facility Decommissioning Activities
January 12, 2026 [2026-01-12 - Letter - CNSC to KFN -
Response to KFN Inquiries on s 82 Assessment for G1WF -January 2026.pdf](#)

CNSC Staff Response to Kebaowek First Nation's Comments on the
Section 82 Assessment for the Proposed Gentilly-1 Waste Facility
Decommissioning Project, April 10, 2026 [2026-04-10 CNSC Response to KFN Letter on
S.82 Comments.pdf](#)

Incoming Letter from Kebaowek First Nation: Demand for respect for KFN's right to be
consulted and FPIC obtained prior to the transport, storage, and disposal of hazardous
waste on our traditional territories Letter May 14, 2026 [2026.05.14 - Letter from KFN re
G1WF Decommissioning Project.pdf](#)

Reference 7 - Letter, Colin Moses (CNSC) to Chief Haymond (KFN), RE: Gentilly Waste Facility (G1WF) Licensing Proceeding, dated September 15, 2026



Security classification

Unclassified

VIA EMAIL

September 15, 2026

Chief Lance Haymond
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Dear Chief Haymond,

Thank you for your letter dated August 6, 2026, regarding the Gentilly-1 Waste Facility (G1WF) licensing proceeding.

With respect to your request that the Commission postpone the G1WF licence amendment hearing and include additional documentation in the hearing record, these are matters to be determined by the panel of the Commission which has been assigned to hear this application. Accordingly, the Commission Registry will address those aspects of your letter in separate correspondence.

The Canadian Nuclear Safety Commission (CNSC) remains committed to continuing to engage with Kebaowek First Nation (KFN) and addressing specific requests and concerns related to the transportation of radioactive waste and the storage of waste at Chalk River Laboratories (CRL) through our ongoing relationship and regular engagement activities.

As noted in the CNSC's letter to KFN dated June 23, 2026, the outstanding documents requested by KFN cannot be disclosed by the CNSC because they are owned by Canadian Nuclear Laboratories (CNL) or other third parties and they contain proprietary information. These documents include:

- **Licence to transport application:** This document belongs to CNL and cannot be disclosed by the CNSC because it contains proprietary information.
- **Safety analysis of the transportation package:** This document belongs to CNL and cannot be disclosed by the CNSC because it contains proprietary information.
- **Transport security plan:** This document belongs to CNL and cannot be disclosed by the CNSC because it contains security-sensitive information.

We encourage KFN to continue to work with CNL to receive summaries of the information included in these requested documents.

With respect to the additional requests outlined in KFN's August 6, 2026 letter, the CNSC can provide the following information:

- **E-DOCS 7371989:** This document contains **PROTECTED** IAEA safeguards information related to spent fuel transfers between the G1WF and CRL, including CNL's safeguards obligations and coordination with the IAEA. The document and its contents belong to the IAEA and cannot be shared or distributed.
- **Transport licence:** The transport licence referenced is **TL-S-15193-48.00/2025**. Canadian Nuclear Laboratories is identified as the licensee in Part II of the licence. This document has been shared with KFN in the email from Kirsten Sellers dated July 3, 2026.

Thank you again for your letter and for your continued engagement on this matter.

Yours sincerely,

2026-09-15

X



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