



# 26-H100 - CNSC Staff Submission

## Canadian Nuclear Laboratories’ Request to Amend the Licence and Licensing Basis for the Gentilly-1 Waste Facility

<b>Classification</b>	Unclassified
<b>CMD Type</b>	Original
<b>CMD Number</b>	26-H100
<b>Reference CMD(s)</b>	N/A
<b>Type of Licensing CMD</b>	Amendment
<b>Hearing</b>	Hearing in writing based solely on written submissions
<b>Date of Hearing</b>	July 2026
<b>SharePoint ID #s Word PDF</b>	4XCU32RMZB7O-1199124922-65 4XCU32RMZB7O-1199124922-148
<b>Summary</b>	<p>This CMD presents information about Canadian Nuclear Laboratories’ application to amend the licence and licensing basis for the Gentilly-1 Waste Facility. The scope of the application includes a request for authorization to transition from a state of storage with surveillance to complete decommissioning and demolition of AECL-owned structures at the Gentilly-1 site, as well as extending the licence term to align with CNL’s projected schedule for completing all decommissioning activities.</p> <p>CNSC staff recommend the Commission consider taking the following actions:</p> <ul style="list-style-type: none"> <li>▪ Determine, pursuant to paragraph 82(a) of the <i>Impact Assessment Act</i>, that the decommissioning of the Gentilly-1 Waste Facility is not likely to cause significant adverse environmental effects.</li> <li>▪ Determine whether the Canadian Nuclear Safety Commission has upheld the honour of the Crown and fulfilled its obligations to consult and, where appropriate, accommodate Indigenous peoples, pursuant to section 35 of the <i>Constitution Act, 1982</i>.</li> </ul>



	<ul style="list-style-type: none"><li>▪ Conclude, pursuant to paragraphs 24(4)(a) and (b) of the <i>Nuclear Safety and Control Act</i>, that the licensee:<ol style="list-style-type: none"><li>1) Is qualified to carry out the activities that the proposed licence would authorize.</li><li>2) Will, in carrying out those activities, 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.</li></ol></li><li>▪ Amend the Gently-1 Waste Facility Decommissioning Licence WFDL-W4-331.00/2034 and authorize a change to the licensing basis according to the edits proposed in this Commission Member Document.</li></ul>
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# 26-H100 – Mémoire du personnel de la CCSN

## Demande des Laboratoires Nucléaires Canadiens visant à modifier le permis et le fondement d'autorisation de l'installation de gestion des déchets de Gentilly-1

<b>Classification</b>	Non Classifié
<b>Type de CMD</b>	Original
<b>Numéro de CMD</b>	26-H100
<b>CMD(s) de référence</b>	S.O
<b>Type de CMD relatif à une décision de permis</b>	Modification de permis
<b>Audience</b>	Audience écrite fondée uniquement sur des documents écrits
<b>Date de l'audience</b>	juillet 2026
<b>SharePoint ID #s Word PDF</b>	4XCU32RMZB7O-1199124922-65 4XCU32RMZB7O-1199124922-148
<b>Résumé</b>	<p>Le présent CMD fournit de l'information sur la demande des Laboratoires Nucléaires Canadiens visant à modifier le permis et le fondement d'autorisation de l'installation de gestion des déchets de Gentilly-1. La portée de la demande de permis comprend une demande d'autorisation pour passer de l'état de stockage sous surveillance au déclassé complet et à la démolition des structures appartenant à EACL sur le site de Gentilly-1, ainsi que la prolongation de la durée du permis afin de l'aligner sur le calendrier prévu par les LNC pour l'achèvement de toutes les activités de déclassé.</p> <p>La Commission pourrait considérer prendre les mesures suivantes :</p> <ul style="list-style-type: none"> <li>▪ Déterminer, conformément à l'alinéa 82a) de la <i>Loi sur l'évaluation d'impact</i>, que le déclassé de l'installation de gestion des déchets de Gentilly-1 n'est pas susceptible d'entraîner des effets négatifs importants sur l'environnement.</li> <li>▪ Déterminer que la Commission canadienne de sûreté nucléaire a préservé l'honneur de la Couronne et s'est acquittée de son obligation de consulter les peuples autochtones et, le cas échéant,</li> </ul>



de prendre des mesures d'accommodement en vertu de l'article 35 de la *Loi constitutionnelle de 1982*.

- Conclure, conformément aux alinéas 24(4)a) et b) de la *Loi sur la sûreté et la réglementation nucléaires*, que le titulaire de permis :
  - 1) est compétent pour exercer les activités qui seraient autorisées par le permis;
  - 2) prendra, dans le cadre de ces activités, les mesures voulues pour protéger l'environnement, préserver la santé et la sécurité des personnes, maintenir la sécurité nationale et respecter les obligations internationales du Canada.
- Modifier le permis de déclasséement d'une installation de gestion des déchets (WFDL-W4-331.00/2034) délivré pour Gentilly-1 et autoriser une modification du fondement de permis conformément aux modifications proposées dans le présent document à l'intention des commissaires.



## **CMD 26-H100**

# **Canadian Nuclear Laboratories' Request to Amend the Licence and Licensing Basis for the Gentilly-1 Waste Facility**

**April 17, 2026**

**Signed by:**

**X**

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**Kimberley Campbell  
Director General (Acting)  
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.

## Plain Language Summary

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. The 250 MWe prototype CANada Deuterium Uranium Boiling Water Reactor at the facility was operated intermittently for a total of 183 effective full power days until 1978 and achieved a safe shutdown state in 1986. Since 1986, the facility has been maintained in a state of storage with surveillance, under which activities have been conducted in support of future decommissioning efforts (e.g. waste characterization and hazard abatement).

CNL has submitted an application to amend the G1WF licence and authorize a change to its licensing basis to proceed from the storage with surveillance phase of their decommissioning approach to the final phase – Phase 3, Decommissioning and Demolition. This phase would include removal of all aboveground and underground structures owned by AECL, and restoration of the site footprint before returning it to Hydro-Québec, who owns the adjacent Gentilly-2 site as well as space in some structures shared with the G1WF. As part of this request, CNL has requested an amendment to the G1WF licence so that it will be valid for 15 years to allow completion of the proposed decommissioning activities. The current G1WF licence expires in 2034.

The transfer of radioactive wastes to licensed off-site waste receivers is an authorized activity under the current G1WF licensing basis. CNL's application for a licence amendment does not request a change to this authorization.

As the proposed licence amendment would authorize the dismantling of structures at the G1WF, CNSC staff's assessment is that there is a low potential for new adverse impacts on Aboriginal and/or treaty rights, and thus the requirements in REGDOC-3.2.2, *Indigenous Engagement*, apply to CNL. Additionally, the Crown's Duty to Consult and accommodate obligations for potentially impacted Indigenous Nations and communities has been raised.

The purpose of this Commission Member Document (CMD) is to outline Canadian Nuclear Safety Commission (CNSC) staff's review of CNL's application, including their conclusions and recommendations, in order to inform the Commission's decision on CNL's request to amend the G1WF licence. Prior to exercising its licensing authority, the Commission must determine whether the proposed project is likely to cause significant adverse environmental effects as per the *Impact Assessment Act* (IAA), since the G1WF is located on lands leased to AECL, a federal Crown corporation. CNSC staff completed a federal lands assessment in accordance with the IAA to inform the Commission on this matter and have appended the associated Environmental Effects Evaluation Form to this CMD. The federal lands assessment was undertaken with support from Health Canada, Environment and Climate Change Canada, and the Department of Fisheries and Oceans.



The public, Indigenous Nations and communities, and other interested parties were invited to participate in this regulatory process. The CNSC Participant Funding Program provided \$76,495 to enable participation.

As further described in this CMD, CNSC staff conclude that:

- The activities to be authorized are not likely to cause significant adverse environmental effects;
- The potential impacts of the licence amendment on Aboriginal and/or Treaty rights have been appropriately assessed, considered and mitigated;
- There is sufficient evidence for the Commission to find that the Canadian Nuclear Safety Commission, as an agent of the Crown, has upheld the honour of the Crown and fulfilled its obligations to consult and, where appropriate, accommodate Indigenous peoples;
- There is sufficient evidence for the Commission to find that CNL is qualified to carry out the activities proposed in their licence amendment application; and
- There is sufficient evidence for the Commission to find that CNL will, in carrying out those activities, 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.

Therefore, CNSC staff recommend that the Commission amend the G1WF Decommissioning Licence according to the edits proposed in this CMD.

Referenced documents in this CMD are available to the public upon request, subject to confidentiality considerations.



## CMD Structure

This Commission Member Document includes the following:

- An overview of the matter being presented
- Overall conclusions and recommendations
- General discussion pertaining to the safety and control areas that are relevant to this submission
- Discussion about other matters of regulatory interest
- Appendices material that complement items 1 through 4
- Current licence
- A proposed change to the licensing period
- Proposed licence
- Draft licence conditions handbook



# 1 Overview

## 1.1 Background

The Gentilly-1 Waste Facility (G1WF) is operated by Canadian Nuclear Laboratories (CNL) under a Class IB Waste Facility Decommissioning Licence (WFDL), WFDL-W4-331.00/2034, on lands owned by Hydro-Québec (HQ) and leased to Atomic Energy of Canada Ltd. (AECL). The facility is located in Bécancour, Québec, along the shores of the St. Lawrence River and adjacent to the Gentilly-2 (G2) facilities. HQ owns and operates the G2 facilities, consisting of a nuclear power reactor in storage with surveillance (SWS) and radioactive waste management facility.

The 250 MWe prototype CANada Deuterium Uranium Boiling Water Reactor at the G1WF was operated intermittently for a total of 183 effective full power days until 1978 and achieved a safe shutdown state in 1986. Since 1986, the facility has been maintained in a state of SWS, during which activities have been conducted in support of future decommissioning efforts (e.g. waste characterization and hazard abatement).

Because the site includes sharing of some support structures between the G1WF and G2, not all structures on the G1WF will be demolished. The structure-specific scope of the G1WF decommissioning and demolition includes:

- The Reactor Building (see Figure 1), including the calandria, bioshield, dome, and containment structure.
- The basement portion of the Service Building<sup>1</sup> (see Figure 2), including the Spent Resin Storage Area within the megadome (see Figure 3).
- The southern portion of the Turbine Building (see Figure 4), including the tunnel to the Reactor Building and the Spent Fuel Canister Area (SFCA).

The structures referenced above are collectively pictured in Figure 5.

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<sup>1</sup> As per CNL's detailed decommissioning plan referenced in their licence amendment application, because the above-grade section of the Service Building belongs to HQ, the G1WF decommissioning scope is limited to the internal decommissioning and decontamination of the AECL-owned portion of the building.



Figure 1 : Reactor Building



Figure 2 : Service Building (bordered by red markings)

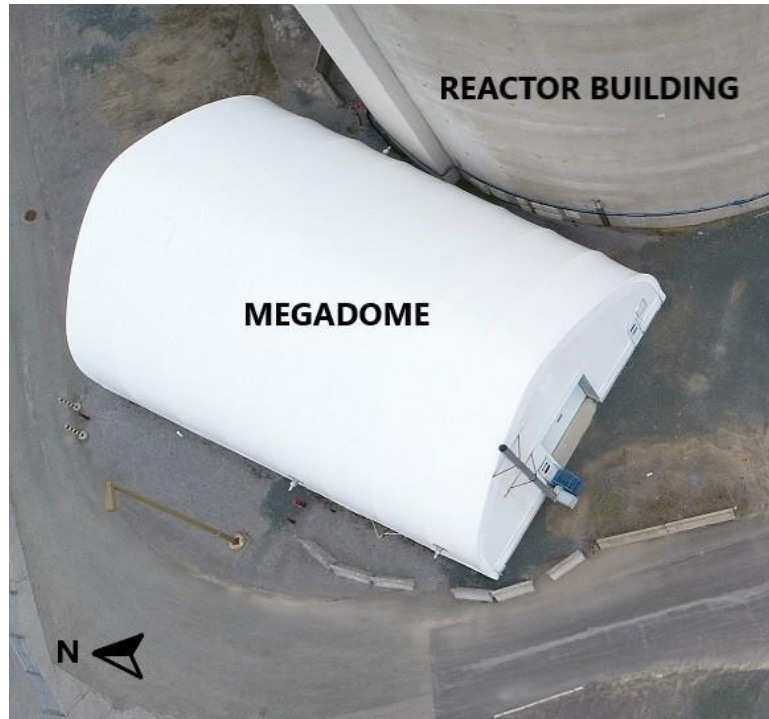


Figure 3 : Spent Resin Storage Area within the Megadome



Figure 4 : Turbine Building (bordered by red markings)

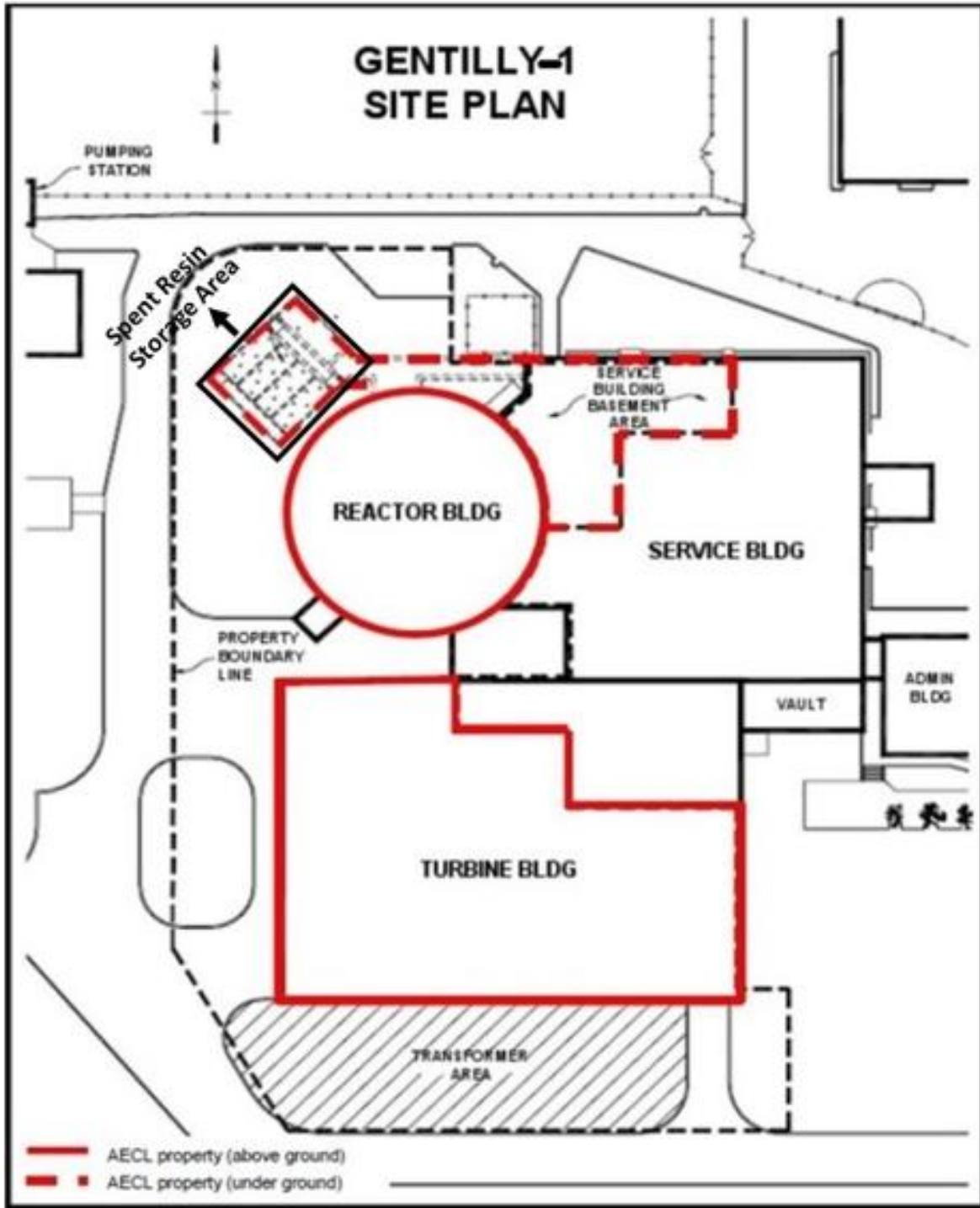


Figure 5 : G1WF Boundary



## 1.2 Highlights

In July 2024, CNL submitted an application to amend the G1WF licence and authorize a change to its licensing basis. The current licensing basis authorizes decommissioning activities that are limited to Phase 2, SWS, of CNL's decommissioning approach for the G1WF. CNL is requesting authorization to change the licensing basis so that they can enter the final phase – Phase 3, Decommissioning and Demolition, which involves progressing beyond SWS to remove all aboveground and underground structures owned by AECL, and restore the site footprint before turning it over to HQ. The adjacent G2 site and its associated facilities are owned by HQ, as is space in some structures shared with the G1WF. In their application, CNL has requested an amendment to the G1WF licence so that it will be valid for a period of 15 years, expiring in 2041 if the Commission amends the licence in 2026. The current G1WF licence was granted in 2019 and expires in 2034. CNL projects that the decommissioning activities will be completed in 2035. The extended licence period would bring it into alignment with the proposed duration required for completion of the requested decommissioning activities, while providing a buffer to account for any scheduling obstacles. CNSC staff support this approach from a project management perspective as resource allocation can be optimized elsewhere in both organizations if a licence renewal is not processed in 2034. CNL anticipates requesting that their WFDL be revoked once Phase 3, Decommissioning and Demolition, is complete.

Although CNL submitted several documents to form part of the record for this licence amendment application, those that impacted CNSC staff recommendations referenced in this CMD included:

- Revised Application for Licence Amendment to Proceed with Execution of Decommissioning at the G1WF [1]
- G1WF Licence Amendment Application Environmental Protection Measures for Decommissioning and Demolition [2]
- The current Environmental Risk Assessment (ERA) for the G1WF [3]
- The current Program Overview Detailed Decommissioning Plan (DDP) for the G1WF [4]
- G1WF DDP Volume 1 Program Overview – Addendum [5]

The following is a summary of pertinent information submitted by CNL in their application:

- The proposed start date for execution of Phase 3 decommissioning activities at the G1WF is 2026, and the proposed completion date is 2035. An extension of the licence period to conclude in 2041 rather than 2034 was requested by CNL to permit completion of all decommissioning activities within a single licence period.
- CNL is proposing an acceleration of Phase 3 decommissioning activities that CNL had previously planned to undertake at a later date. This change in schedule constitutes a change to the G1WF licensing basis as it is currently limited to Phase 2, SWS.
- All G1WF aboveground structures and underground structures, including foundations, owned by AECL will be removed to a minimum depth of one meter below grade, followed by backfilling, grading, and landscaping (with sod or seeded). Any contaminated underground structures and soil will be decontaminated to As Low as Reasonably Achievable (ALARA) levels in accordance with CNL's environmental remediation procedures and criteria agreed upon with HQ who will take possession of the site following revocation of CNL's licence.



- CNL's decommissioning approach and end-state for the G1WF have not changed and include the transfer of all radioactive wastes and non-radiological hazardous wastes to licensed storage or disposal facilities.
  - CNSC staff note that the transfer of nuclear substances, including radioactive wastes, is within the current licensing basis of the G1WF as described in Part IV of the WFDL; therefore, this activity is not described in detail in this CMD or CNL's application. Phase 3 decommissioning activities would generate radioactive wastes to be managed in compliance with existing regulatory requirements – both at the G1WF and by any licensed radioactive waste receivers. Radioactive wastes generated from the G1WF will continue to follow CNL's Transportation of Dangerous Goods Program and be placed in packages compliant with the *Packaging and Transport of Nuclear Substances Regulations, 2015*, and the *Transport of Dangerous Goods Regulations*.
- For planning purposes, CNL assumes that remediation of the G1WF site will be based on industrial reuse criteria, but the exact criteria will be defined by a future agreement between CNL and HQ, and with AECL as appropriate, because the site will transfer to HQ upon completion of decommissioning and termination of the lease. After cleanup to the agreed-upon criteria, CNL anticipates applying to the CNSC for revocation of the G1WF WFDL.
- All used nuclear fuel that was in storage at the G1WF has been transferred to CNL's Chalk River Laboratories (CRL) site for interim storage.
- There is no predicted significant effect on the environment, wildlife, workers, and the public due to the execution of decommissioning at the G1WF.

The purpose of this Commission Member Document (CMD) is to outline CNSC's staff review of CNL's application, including staff conclusions and recommendations, in order to inform the Commission's decision on CNL's request to amend the G1WF licence. The project is being proposed to be carried out on federal lands, as defined by section 2 of the [Impact Assessment Act](#) (IAA), in particular because the lands are ones that the Crown in right of Canada has the power to dispose of. Therefore, in accordance with section 82 of the IAA, the Commission must determine whether the proposed project is likely to cause significant adverse environmental effects prior to exercising its licensing authority. In making this determination, the Commission must consider the factors set out in section 84 of the IAA. CNSC staff completed a federal lands assessment to inform the Commission on this matter and have appended the associated Environmental Effects Evaluation Form to this CMD - see Appendix A. CNSC staff have found that the activities associated with this proposed licence amendment are not likely to cause significant adverse environmental effects.

The proposed licence amendment would not solely enable CNL to undertake activities associated with Phase 3 of their decommissioning approach. The Compliance Verification Criteria (CVC) in the G1WF licence conditions handbook (LCH) related to Licence Condition 13.2, Decommissioning Plan, would be revised to explicitly state the requirement from REGDOC-2.11.2, *Decommissioning*, for CNSC acceptance of DDPs that describe decommissioning activities prior to execution of those activities. This acceptance is carried out at the CNSC staff level and would entail review of DDPs covering the two planning envelopes (A & B) described by CNL for Phase 3:

- Planning Envelope A (approximately 2026-2030): the southern portion of the Turbine Building including the tunnel to the Reactor Building and the SFCA; and the basement portion of the Service Building including the Spent Resin Storage Area (resins have been removed).



- Planning Envelope B (approximately 2027-2034): reactor building clear-out including the calandria and bioshield; and the reactor building dome and containment structure.

## 1.3 Overall Conclusions

CNSC staff determined that CNL's application complies with regulatory requirements and have found that the activities to be authorized are unlikely to cause significant adverse environmental effects.

CNSC staff conclude that there is sufficient evidence for the Commission to find that CNL is qualified to carry out the proposed activities, and that CNL will, in carrying out those activities, continue to 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. The basis for this conclusion is described further in this CMD and summarized in Appendix B with reference to various regulatory requirements. Furthermore, the potential impacts of the licence amendment on Aboriginal and/or Treaty rights have been appropriately assessed, considered and mitigated. A summary of CNSC staff consultation and engagement is presented in Appendix C.

As a result of these conclusions, CNSC staff have drafted a revised licence and LCH, which are captured in Appendix D. During drafting of these documents, CNSC staff took the opportunity to edit licence conditions and their associated language in order to bring them into alignment with standard licence conditions. This opportunity was also used to update the LCH so that CNL's implementation of various licensing basis publications since the last revision of the document are captured.

## 1.4 Overall Recommendations

CNSC staff recommend that the Commission:

1. Determine, pursuant to paragraph 82(a) of the *Impact Assessment Act*, that the decommissioning of the G1WF is not likely to cause significant adverse environmental effects.
2. Determine whether the Canadian Nuclear Safety Commission has upheld the honour of the Crown and fulfilled its obligations to consult and, where appropriate, accommodate Indigenous peoples, pursuant to section 35 of the [Constitution Act, 1982](#).
3. Conclude, pursuant to paragraphs 24(4)(a) and (b) of the [Nuclear Safety and Control Act](#), that the licensee:
  - a) Is qualified to carry out the activities that the proposed licence would authorize.
  - b) Will, in carrying out those activities, 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.
4. Amend the Gentilly-1 Waste Facility Decommissioning Licence WFDL-W4-331.00/2034 and authorize a change to the licensing basis according to the edits proposed in Appendix D of this Commission Member Document.



## 2 Environmental Protection Review

The proposed decommissioning activities at the G1WF are subject to a federal lands assessment in accordance with the IAA because:

- they do not constitute a designated project as per the *Physical Activities Regulations* under the IAA, nor has the proposed project been designated by the Minister;
- they are considered a ‘project’ under section 81 of the IAA (that is, physical activities proposed to be carried out on federal lands in relation to physical work);
- they require a decision by the CNSC as a federal authority (that is, the issuance of a licence amendment);
- they have not been exempted under section 91 of the IAA (that is, this undertaking is not in relation to matters of national security or in response to a national emergency); and
- they are being proposed to be carried out on federal lands.

Therefore, before exercising its authority under the *Nuclear Safety and Control Act* (NSCA) to grant a licence, the Commission must determine whether carrying out the proposed project at the G1WF is likely to cause significant adverse environmental effects, in accordance with section 82 of the IAA. This determination is required before the Commission can exercise its power under the NSCA to authorize a licence amendment.

CNSC staff assessed the potential adverse environmental effects of the proposed project, as well as the proposed mitigation measures to prevent, reduce, or control these effects. While federal authorities have the discretion to decide how to conduct their assessment, for consistency, CNSC staff adopted the approach suggested in the federal guidance document titled: [Projects on federal lands and outside Canada: Guidance document on Sections 81 to 91 of the Impact Assessment Act](#). Federal expertise was sought from Environment and Climate Change Canada, Health Canada, and the Department of Fisheries and Oceans throughout the assessment process.

CNSC staff have found that the carrying out of the proposed project is not likely to cause significant adverse environmental effects, taking into account the implementation of all proposed mitigation measures. Appendix A of this CMD provides CNSC staff’s Environmental Effects Evaluation Form, which highlights CNSC staff’s findings, and the engagement and consultation undertaken for this assessment.

In some instances, an individual project can trigger multiple federal authorities to conduct a federal lands assessment in accordance with the IAA. This is the case for this proposed project, where both the CNSC and AECL are federal authorities and must make independent determinations as to whether the proposed project is likely to cause significant adverse environmental effects. The CNSC and AECL posted a joint [Notice of Intent](#) on the [Canadian Impact Assessment Registry](#) on December 15, 2025, inviting interested parties to provide comments on the proposed project by February 5, 2026. Both the Commission and AECL’s Notices of Determination will be posted to the [Canadian Impact Assessment Registry](#) once they become available.

### 3 General Assessment of SCAs

CNSC staff reviewed and assessed CNL’s proposed measures and controls in each Safety and Control Area (SCA). For impacted SCAs, this included the results of past performance at the G1WF (e.g. inspections and reviews of program compliance) during the current licence period, summaries of which can be found in publicly posted [Regulatory Oversight Reports](#). CNSC staff have also assessed the adequacy of existing CNL programs in the context of Phase 3 decommissioning at the G1WF.

Although CNSC staff’s assessment of CNL’s application considered all SCAs, only those considered to be impacted by the application are discussed in detail in this CMD. A summary to help illustrate this approach is provided in Table 1. A list of all SCAs and their corresponding definitions and safety performance rating levels can be found on the CNSC website at [Safety and control areas](#) and [Rating definitions](#).

The specific areas (SpAs) relevant to impacted SCAs for the scope of CNL’s licence amendment application are identified in subsections below. If SpAs are not listed or assessed in detail for a given SCA in section 3, then a decision was made to encompass them in an overall approach to that SCA.

**Table 1: SCA Impact from CNL’s Application**

SCA	Does the Scope of CNL’s Application Impact this SCA?	Highlights from SCA Discussions Under Section 3
Management System	<p style="text-align: center;"><b>Yes</b></p> <p>See draft LCH Licence Conditions G.1 and 1.1 in Appendix D for more information on Licensing Basis.</p>	Management System SCA section describes CNL’s consideration of operating experience submitted with this application, which would become part of the licensing basis.
Human Performance Management	<p style="text-align: center;"><b>No</b></p> <p>See draft LCH Licence Conditions G.1, 2.1, and 2.2 in Appendix D for more information on Licensing Basis.</p>	N/A
Operating Performance	<p style="text-align: center;"><b>Yes</b></p> <p>See draft LCH Licence Conditions G.1 and 3.1 in Appendix D for more information on Licensing Basis.</p>	Operating Performance SCA section describes the impact on the licensing basis from conduct of proposed licensed activities and lists the CNL documents that would be added to the licensing basis in consideration of these impacts.
Safety Analysis	<p style="text-align: center;"><b>Yes</b></p> <p>See draft LCH Licence Conditions G.1 and 4.1 in Appendix D for more information on Licensing Basis.</p>	Safety Analysis SCA section describes how the current G1WF Safety Analysis Report must be complemented by decommissioning safety analyses in forthcoming DDP submissions that require acceptance from CNSC staff before their associated Phase 3



SCA	Does the Scope of CNL's Application Impact this SCA?	Highlights from SCA Discussions Under Section 3
		decommissioning activities can commence. Once accepted by CNSC staff, these DDPs will be considered licensee documents that require notification of change in the LCH.
Physical Design	<p style="text-align: center;"><b>No</b></p> <p>See draft LCH Licence Conditions G.1 and 5.1 in Appendix D for more information on Licensing Basis.</p>	N/A
Fitness for Service	<p style="text-align: center;"><b>No</b></p> <p>See draft LCH Licence Conditions G.1 and 6.1 in Appendix D for more information on Licensing Basis.</p>	N/A
Radiation Protection	<p style="text-align: center;"><b>Yes</b></p> <p>See draft LCH Licence Conditions G.1 and 7.1 in Appendix D for more information on Licensing Basis.</p>	Radiation Protection SCA section describes how any new radiological characterization data and worker protection measures described in forthcoming DDP submissions require review and DDP acceptance from CNSC staff before their associated Phase 3 decommissioning activities can commence. Once accepted by CNSC staff, these DDPs will be considered licensee documents that require notification of change in the LCH.
Conventional Health and Safety	<p style="text-align: center;"><b>No</b></p> <p>See draft LCH Licence Conditions G.1 and 8.1 in Appendix D for more information on Licensing Basis.</p>	N/A
Environmental Protection	<p style="text-align: center;"><b>Yes</b></p> <p>See draft LCH Licence Conditions G.1 and 9.1 in Appendix D for more information on Licensing Basis.</p>	Environmental Protection SCA section describes how CNL's G1WF Licence Amendment Application Environmental Protection Measures for Decommissioning and Demolition, submitted with this application, serves as a predictive ERA, which constitutes a change to the G1WF licensing basis and is meant to complement the existing G1WF ERA under their Environmental Protection Program.



SCA	Does the Scope of CNL’s Application Impact this SCA?	Highlights from SCA Discussions Under Section 3
Emergency Management and Fire Protection	<p style="text-align: center;"><b>No</b></p> <p>See draft LCH Licence Conditions G.1, 10.1, and 10.2 in Appendix D for more information on Licensing Basis.</p>	N/A
Waste Management	<p style="text-align: center;"><b>Yes</b></p> <p>See draft LCH Licence Conditions G.1, 11.1, and 11.2 in Appendix D for more information on Licensing Basis.</p>	<p>Waste Management SCA section summarizes the estimated quantities of radioactive waste to be generated by G1WF decommissioning and demolition activities, and describes how forthcoming DDP submissions must be reviewed and accepted by CNSC staff before their associated Phase 3 decommissioning activities can commence. Once accepted by CNSC staff, these DDPs will be considered licensee documents that require notification of change in the LCH.</p>
Security	<p style="text-align: center;"><b>No</b></p> <p>See draft LCH Licence Conditions G.1 and 12.1 in Appendix D for more information on Licensing Basis.</p>	N/A
Safeguards and Non-Proliferation	<p style="text-align: center;"><b>No</b></p> <p>See draft LCH Licence Conditions G.1 and 13.1 in Appendix D for more information on Licensing Basis.</p>	N/A
Packaging and Transport	<p style="text-align: center;"><b>No</b></p> <p>See draft LCH Licence Conditions G.1 and 14.1 in Appendix D for more information on Licensing Basis.</p>	N/A <sup>2</sup>

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<sup>2</sup> As mentioned in Section 1.2, the transfer of nuclear substances, including radioactive wastes, is within the current licensing basis of the G1WF as described in Part IV of the WFDL; therefore, this activity is not described in detail in this CMD or CNL’s application. Radioactive wastes generated from the G1WF will continue to follow CNL’s Transportation of Dangerous Goods Program and be placed in packages compliant with the *Packaging and Transport of Nuclear Substances Regulations, 2015*, and the *Transport of Dangerous Goods Regulations*.



## 3.1 Management System

The Management System SCA covers the framework that establishes the processes and programs required to ensure an organization achieves its safety objectives, continuously monitors its performance against these objectives, and fosters a healthy safety culture.

The SpAs comprising this SCA that are relevant to this CMD include:

- Management system
- Operating Experience (OPEX), Problem identification and resolution
- Supply and contractor management

### 3.1.1 Discussion

The current G1WF licensing basis requires CNL to develop, implement, execute, maintain, and continuously improve upon a management system to achieve the safe, reliable and predictable execution of licensed activities at the G1WF.

CNL's application included a list of OPEX events that have been or will be taken into consideration in the planning and execution of Phase 3 decommissioning activities [5]. The OPEX dates back as far as 2002 and includes events internal to CNL, as well as those from domestic and international decommissioning experience. This new information on OPEX will become part of the G1WF licensing basis should the Commission authorize the proposed licensing basis change.

CNSC staff have assessed CNL's existing programs and procedures under the Management System SCA and are satisfied that, aside from the aforementioned supporting information of new OPEX, no changes to the licensing basis are required to execute Phase 3 decommissioning activities. The CNL management system in place addresses the requirements that safety is a clearly recognized value, accountability for safety is clear, safety is integrated into all activities, a safety leadership process exists, and safety culture is learning-driven.

### 3.1.2 Summary

A summary of the licensee's past performance, challenges and proposed improvements are presented in the following subsections.

#### 3.1.2.1 Past Performance

During the current licence period from 2019 to present, CNL has demonstrated effective implementation of a management system at the G1WF. CNSC staff have assessed CNL's programs under the Management System SCA at the G1WF and conclude that during the licence term to date, CNL has met applicable regulatory requirements.

CNL has conducted self-assessments of safety culture periodically as described in in the licensing basis for the G1WF.



### 3.1.2.2 Regulatory Focus

CNSC staff will continue to verify CNL's performance and compliance in all aspects of the Management System SCA with particular focus on the SpAs of OPEX, Problem Identification and Resolution, and Supply and Contractor Management. This verification of CNL's performance will include on-site inspections and reviews of relevant program documentation.

### 3.1.2.3 Proposed Improvements

CNSC staff did not identify any improvements related to the Management System SCA with respect to this proposed amendment.

## 3.1.3 Conclusion

CNSC staff conclude that CNL has adequately assessed the Management System SCA impacts that would result from entering active decommissioning and demolition at the G1WF under Phase 3 of CNL's decommissioning approach. CNL has implemented and maintains a management system that can effectively meet regulatory requirements in carrying out activities proposed under the amended licensing basis.

## 3.2 Human Performance Management

The current licensing basis related to the Human Performance Management SCA is not impacted by CNL's application. CNSC staff have concluded that CNL's existing programs and procedures will adequately address the proposed scope of Phase 3 decommissioning at the G1WF.

## 3.3 Operating Performance

The Operating Performance SCA includes an overall review of the conduct of the licensed activities and the activities that enable effective performance.

The SpAs comprising this SCA that are relevant to this CMD include:

- Conduct of licensed activity
- Procedures

### 3.3.1 Discussion

The current licensing basis for the G1WF authorizes CNL to conduct activities related to SWS at the G1WF. Should the Commission grant CNL's request to authorize a change to the licensing basis in order to progress into Phase 3 of their decommissioning approach, SWS/Phase 2 activities would continue for specific structures until their Phase 3 activities are underway. CNL projects Phase 3 activities will begin in 2026 and they expect to request revocation of the G1WF licence (following completion of decommissioning activities) in 2035 rather than the previous projection of 2053.



In addition to authorizing a change to the licensing basis, CNL has requested that the licence be valid for 15 years, expiring in 2041, if the Commission amends the licence in 2026. The current G1WF licence expires in 2034. CNSC staff support this approach from a project management perspective as resource allocation can be optimized elsewhere in both organizations if a licence renewal is not processed in 2034 only to process a request from CNL to revoke the licence 1-2 years later.

The current G1WF licensed activities authorize CNL to transfer nuclear substances, including radioactive wastes, that are required for, associated with, or arise from the activities at the G1WF. Phase 3 decommissioning activities would generate radioactive wastes to be managed in compliance with existing regulatory requirements – both at the G1WF and by any licensed radioactive waste receivers.

Should the Commission authorize the proposed changes to the G1WF licensing basis, the following documents would be added as new G1WF licensing basis publications:

- Revised Application for Licence Amendment to Proceed with Execution of Decommissioning at the G1WF [1]
- G1WF Licence Amendment Application Environmental Protection Measures for Decommissioning and Demolition [2]
- G1WF DDP Volume 1 Program Overview – Addendum [5]

Although the proposed licensing basis change and licence term change mentioned above are considered relatable to SpAs of the Operating Performance SCA, CNSC staff have assessed CNL's application and are satisfied that no changes to existing programs and procedures under this SCA are required to execute Phase 3 decommissioning activities.

### **3.3.2 Summary**

A summary of the licensee's past performance, challenges and proposed improvements are presented in the following subsections.

#### **3.3.2.1 Past Performance**

During the current licence period from 2019 to present, CNL has demonstrated effective implementation of a program for reporting G1WF activities. CNSC staff have assessed CNL's performance under the Operating Performance SCA at the G1WF and conclude that during the licence term to date, CNL has met the applicable regulatory requirements.

#### **3.3.2.2 Regulatory Focus**

CNSC staff will continue to verify CNL performance and compliance in all aspects of the Operating Performance SCA. This verification will include on-site inspections and reviews of relevant program documentation.

#### **3.3.2.3 Proposed Improvements**

CNSC staff did not identify any improvements related to the Operating Performance SCA with respect to this proposed amendment.



### 3.3.3 Conclusion

CNSC staff conclude that CNL has adequately assessed the Operating Performance SCA impacts that would result from entering active decommissioning and demolition at the G1WF under Phase 3 of CNL's decommissioning approach. CNL has implemented and maintains a program for reporting to the Commission, or a person authorized by the Commission, that can effectively meet regulatory requirements in carrying out activities proposed under the amended licensing basis.

## 3.4 Safety Analysis

The Safety Analysis SCA covers the maintenance of the safety analysis that supports the overall safety case for the facility. Safety analysis is a systematic evaluation of the potential hazards associated with the conduct of a proposed activity or facility and considers the effectiveness of preventative measures and strategies in reducing the effects of such hazards.

The SpAs comprising this SCA that are relevant to this CMD include:

- Deterministic safety analysis
- Hazard analysis

### 3.4.1 Discussion

During the current licensing term, CNSC staff have been satisfied with CNL's implementation and maintenance of a safety analysis program. In support of the program, CNL established internal safety committees to advise on safety issues related to commissioning, operation, and modification activities for the facility. The existing G1WF Safety Analysis Report (SAR) within the current licensing basis forms an important part of the safety analysis program for the facility. The SAR is used to document:

- limits for the safe operation of the facility,
- assessments of proposed changes to the facility,
- the licensee's policies, processes, and procedures for the safe conduct of the licensed activities, and
- confirmation that the design of the facility meets design and safety requirements.

In the SAR, CNL addressed the concept of defence-in-depth when developing the safety analysis for the facility. In accordance with the defence-in-depth concept, CNL performed a deterministic safety analysis and a hazard analysis for normal SWS activities, and for internal and external events that deviate from normal operation and belong to a category of credible abnormal events.

For each of the analyzed events, CNL identified the safety functions, the corresponding systems, structures and components (SSCs) important to safety, and the administrative safety requirements that are used to implement the defence-in-depth concept. CNL derived the operational limits and conditions from the safety analysis.

CNSC staff are satisfied that the SAR and supporting documentation with CNL's application provide sufficient information that demonstrates that the safety goals, objectives and acceptance criteria are met. Furthermore, CNL has committed to producing decommissioning safety analyses that will support forthcoming DDPs related to Phase 3 decommissioning activities at the G1WF. CNSC staff will review these DDPs to ensure regulatory requirements are met and scope is within the authorized licensing basis before CNL starts any related activities. Once accepted by CNSC staff, these DDPs will be considered licensee documents that require notification of change in the LCH.

## **3.4.2 Summary**

A summary of the licensee's past performance, challenges and proposed improvements are presented in the following subsections.

### **3.4.2.1 Past Performance**

During the current licence period from 2019 to present, CNL has demonstrated effective implementation of a safety analysis program at the G1WF. CNSC staff have assessed CNL's programs under the Safety Analysis SCA at the G1WF and conclude that during the licence term to date, CNL has met the applicable regulatory requirements.

### **3.4.2.2 Regulatory Focus**

CNSC staff will continue to verify CNL performance and compliance in all aspects of the Safety Analysis SCA. This will include verification that any future decommissioning safety analyses produced in support of Phase 3 decommissioning activities at the G1WF are compliant with regulatory requirements, supported through on-site inspections and reviews of relevant program documentation.

### **3.4.2.3 Proposed Improvements**

CNSC staff identified through review of this proposed amendment minor inconsistencies in dose rate acceptance criterion referenced in select safety analysis documentation. These inconsistencies have no safety implications. CNL has committed to updating the documentation at the next revision opportunity to correct the identified inconsistencies or at the next scheduled review of the SAR due in 2029.

## **3.4.3 Conclusion**

CNSC staff conclude that CNL has adequately assessed the Safety Analysis SCA impacts that would result from entering active decommissioning and demolition at the G1WF under Phase 3 of CNL's decommissioning approach. CNL has implemented and maintains a safety analysis program that can effectively meet regulatory requirements in carrying out activities proposed under the amended licensing basis.



## 3.5 Physical Design

The current licensing basis related to the Physical Design SCA is not impacted by CNL's application. Changes to the G1WF during decommissioning must be in compliance with the National Building Code of Canada and the National Fire Code of Canada. CNSC staff have concluded that CNL's existing programs and procedures will adequately address the proposed scope of Phase 3 decommissioning at the G1WF.

## 3.6 Fitness for Service

The current licensing basis related to the Fitness for Service SCA is not impacted by CNL's application. CNSC staff have concluded that CNL's existing programs and procedures will adequately address the proposed scope of Phase 3 decommissioning at the G1WF.

## 3.7 Radiation Protection

The Radiation Protection SCA covers the implementation of a radiation protection (RP) program in accordance with the [Radiation Protection Regulations](#). The program must ensure that contamination levels and radiation doses received by individuals are monitored, controlled, and maintained ALARA.

The SpAs comprising this SCA that are relevant to this CMD include:

- Application of ALARA
- Worker dose control
- Radiation protection program performance
- Radiological hazard control

### 3.7.1 Discussion

CNL has implemented its corporate RP program at the G1WF, which meets the requirements of the *Radiation Protection Regulations*. With this program, CNL manages radiological exposures of workers through controls stipulated in its RP program, as well as operational control measures defined through its corporate work permit system and ALARA strategies.

#### **Application of ALARA**

CNL implements a corporate ALARA approach at the G1WF to ensure RP is optimized and worker exposures are kept ALARA. This includes the development of specific work plans, radiation work assessments to document the requirements, and engineering controls to be implemented for all work. It also includes a review of completed projects to help ensure any lessons learned are incorporated into future decommissioning work plans.



## **Radiological Hazard Control**

The G1WF program overview DDP [4] provides a summary of the anticipated radiological hazards at the G1WF during decommissioning. CNL uses direct and indirect contamination surveys for detecting alpha and beta/gamma, as well as dose rate measurements of the interior and exterior of buildings and areas at the G1WF to assign radiological safety zone ratings. CNL will conduct radiological characterization surveys of equipment, systems, buildings and structures at the G1WF to evaluate the radiological risks associated with the decommissioning work for each planning envelope.

## **Worker Dose Control**

The G1WF program overview DDP [4] states that for the DDP associated with each planning envelope, an occupational dose estimate will be prepared based on the work requirements and survey/modelling results of radiological hazards. CNL will use this information in the DDPs and detailed work plans to document the mitigation measures needed to ensure that doses to workers are maintained ALARA.

## **Radiation Protection Program Performance**

In the G1WF program overview DDP [4], CNL commits to continued adherence to all RP program requirements during Phase 3 decommissioning activities, in accordance with its approved RP program. To control worker doses, individual dose control points will be utilized during the work, along with action levels that have been developed for the G1WF in anticipation of Phase 3 decommissioning.

CNSC staff have assessed CNL's existing programs and procedures under the Radiation Protection SCA and are satisfied that no changes to the licensing basis are required to execute Phase 3 decommissioning activities. However, CNSC staff will review RP information submitted in forthcoming DDPs to ensure regulatory requirements are met and scope remains within the authorized licensing basis before CNL starts any related activities. Once accepted by CNSC staff, these DDPs will be considered licensee documents that require notification of change in the LCH.

## **3.7.2 Summary**

A summary of the licensee's past performance, challenges and proposed improvements are presented in the following subsections.

### **3.7.2.1 Past Performance**

A review of past performance in the Radiation Protection SCA during the current licence period, including data presented in annual reports submitted by CNL covering the years 2019 to 2024, demonstrates that CNL is effectively controlling worker exposures at the G1WF. Radiation doses received by Nuclear Energy Workers (NEWs) have been well below the CNSC's regulatory effective dose limits of 50 mSv per one-year dosimetry period, and 100 mSv per five-year dosimetry period. The maximum annual individual effective dose received by a NEW over this period (2019-2024) was 0.36 mSv in 2023.

CNL has not had any radiological occurrences that led to an action level being reached or exceeded during the current licence period.

### 3.7.2.2 Regulatory Focus

CNL will submit additional DDPs covering each decommissioning planning envelope. CNSC staff will review these DDPs to ensure that sufficient detail on radiological characterization, worker dose estimates and associated RP measures have been provided to meet the requirements of [REGDOC-2.11.2, Decommissioning](#), the *Radiation Protection Regulations* and those of CNL's RP program.

CNSC staff will continue to monitor CNL's performance in this SCA through regulatory oversight activities including on-site inspections and reviews of relevant program documentation. CNSC staff's acceptance of DDPs for each planning envelope will be granted only if CNL demonstrates to CNSC staff's satisfaction that appropriate RP measures will be implemented while undertaking the work.

### 3.7.2.3 Proposed Improvements

CNSC staff did not identify any improvements related to the Radiation Protection SCA with respect to CNL's proposed amendment.

## 3.7.3 Conclusion

CNSC staff conclude that CNL continues to implement and maintain an effective RP program at the G1WF in accordance with regulatory requirements. This RP program can effectively support activities proposed under the amended licensing basis.

## 3.8 Conventional Health and Safety

The current licensing basis related to the Conventional Health and Safety SCA is not impacted by CNL's application. CNSC staff have concluded that CNL's existing programs and procedures will adequately address the proposed scope of Phase 3 decommissioning at the G1WF.

## 3.9 Environmental Protection

The Environmental Protection SCA covers programs that identify, control, and monitor all releases of radioactive and hazardous substances and effects on the environment from facilities or as the result of licensed activities.

The SpAs comprising this SCA that are relevant to this CMD include:

- Environmental risk assessment
- Effluent and emissions control (releases)
- Assessment and monitoring
- Protection of people
- Environmental Management System (EMS)

### 3.9.1 Discussion

CNL implements and maintains an Environmental Protection Program at the G1WF in accordance with licence condition 11.1 of their current licence. CNL's corporate Environmental Protection documents provide information about how requirements are met and provide program information about their Environmental Management System, Environmental Risk Assessment, Effluent and Emissions Control and Monitoring, Environmental Monitoring, and their Biodiversity Program, which are applied at each of their sites.

CNL has an Effluent Monitoring Plan at the G1WF, which is based on the requirements in CSA N288.5, *Effluent monitoring programs at Class I nuclear facilities and uranium mines and mills*. CNSC staff have verified that CNL's effluent monitoring plan is in compliance with this standard. CNL will continue monitoring activities under this plan.

As part of this licence amendment application, CNL submitted their current ERA [3] and the G1WF Licence Amendment Application Environmental Protection Measures for Decommissioning and Demolition [2]; the latter of which constitutes a change to the G1WF licensing basis under the Environmental Protection SCA. CNSC staff reviewed these submissions and found that the public and the environment are protected and that this proposed project is unlikely to cause significant adverse environmental effects. CNSC staff have reviewed the environmental interactions predicted as a result of CNL's proposed decommissioning activities and find that there are negligible risks to people and the environment. CNL's application has assessed the potential effects of this project on the current environment and provided a comprehensive plan for each stage of this project that includes how CNL will monitor the environment, report information to the CNSC, and include mitigation measures to ensure that the environment around the G1WF remains protected.

CNL's proposed project does not include releases to surface water so there are no anticipated adverse effects to the aquatic environment. In addition, there are negligible environmental impacts predicted to air quality from this proposed project since CNL's project plan includes mitigation measures to reduce these impacts. For example, CNL will control dust generated by building demolition by using wetting techniques, containment, and HEPA filters. Hazardous and radioactive wastes from this project are predicted to have no interaction with the environment since CNL will be removing and properly disposing of hazardous waste before starting decommissioning and demolition activities and any radioactive waste from the project will be shipped to an appropriate licensed off-site waste management facility.

### 3.9.2 Summary

A summary of the licensee's past performance, challenges and proposed improvements are presented in the following subsections.

#### 3.9.2.1 Past Performance

##### Environmental Risk Assessment

The CNSC's [REGDOC-2.9.1, Environmental Protection: Environmental Principles, Assessments and Protection Measures](#), includes a requirement for an ERA in accordance with CSA N288.6, *Environmental Risk Assessments at Nuclear Facilities and Uranium Mines and Mills*, and outlines expectations that ERAs be updated every 5 years at a minimum.



An ERA is a systematic process used by licensees to identify, quantify and characterize the risk posed by contaminants and physical stressors in the environment on human and other biological receptors, including the magnitude and extent of the potential effects associated with a facility. Risks to human receptors are assessed through a human health risk assessment while ecological receptors (i.e., non-human biota) are addressed through an ecological risk assessment. An ERA can be predictive, retrospective, or include elements of both. The ERA serves as the basis for the development of site-specific environmental protection measures and the tool to determine whether the facility's environmental protection measures are effective. The environmental monitoring data, in turn, provide further updates to refine the ERA conclusions.

CNL submitted a revised ERA for the G1WF to CNSC staff on May 21, 2024. This ERA is a retrospective ERA, covering the time frame of 2019-2024. CNSC staff reviewed CNL's submission against the requirements in REGDOC 2.9.1 and CSA N288.6 and provided technical comments. Following the dispositions of these comments, CNL submitted a revised ERA [3] on May 27, 2025. CNSC staff reviewed the revised ERA and determined that regulatory requirements were met. CNL's ERA concludes that the public and the environment in the vicinity of the G1WF site remain protected.

For the proposed decommissioning activities in this licence application, CNL indicated that their G1WF Licence Amendment Application Environmental Protection Measures for Decommissioning and Demolition [2] provides the required information for a predictive ERA for these activities. CNL's approach was that both this document and the ERA complement each other for their application and CNL committed to updating the ERA in the next iteration to include information from [2]. CNL had also provided a concordance table comparing the requirements of CSA N288.6 and the information provided in the G1WF Licence Amendment Application Environmental Protection Measures for Decommissioning and Demolition and ERA. CNSC staff reviewed this information and found it to be acceptable. The ERA will be updated in 2029 as per the required 5-year review cycle.

### **Effluent and Emissions Control (Releases)**

CNL has implemented and maintains an Effluent Verification Monitoring Program (EVMP) at the G1WF, compliant with CSA 288.5, *Effluent monitoring programs at Class I nuclear facilities and uranium mines and mills*. CNL updated the EVMP in 2021. As per CNSC reporting requirements under REGDOC-3.1.2, *Reporting Requirements, Volume I: Non-Power Reactor Class I Nuclear Facilities and Uranium Mines and Mills*, CNL submits its EVMP results in an annual report to CNSC to confirm compliance with applicable regulations; CNSC staff review and assess the monitoring results.

Although CNL has implemented an EVMP at the G1WMF in the event of a release, there are no planned releases from the facility and, in accordance with criteria in CSA N288.5, no routine monitoring is required.

The G1WF is in a safe and stable shutdown state with no proposed projects requiring airborne emissions monitoring. There continues to be no source or minimal source of radioactivity in airborne emissions from the current operations. Negligible releases of fugitive radioactive emissions have the potential to be released from the reactor building and the turbine building so CNL previously conducted a conservative assessment to estimate the potential fugitive emissions released from these buildings. The assessment confirmed that fugitive emissions are negligible and contribute insignificantly to the annual public dose, and CNSC staff were satisfied with this assessment.

Liquids from the G1WF sumps are collected and transferred into totes and are not discharged directly to the environment. The liquids are sampled, analyzed, and transferred to HQ's G2 effluent system. Before release, G2 ensures that liquid effluent regulatory limits are not exceeded.

CNL monitors hazardous substances from the G1WF to ensure compliance with reporting requirements of the National Pollutant Release Inventory, the Greenhouse Gas Reporting Program, and the Federal Halocarbon Regulations. For the years 2019 to 2024, there were no releases from the G1WF that triggered CNL to report to these programs.

During the proposed project, CNL will continue to implement the Effluent Monitoring Plan that is in place for the G1WF. In addition, CNL has committed to implementing dust and noise monitoring and mitigation activities during decommissioning [2]. This would include monitoring both radiological and non-radiological fugitive emissions for dust generated in air, as well as using mitigation and dust suppression techniques (e.g. wetting, use of tarps, limiting decommissioning activities during high wind conditions) to control dust on site.

CNL has committed to implementing mitigation measures to reduce potential impacts from noise during decommissioning. This includes, for example, limiting demolition activities primarily to the day, ensuring equipment is in proper working order with mufflers in place, and limiting the loudest activities to the interior of the building envelope, which will serve to reduce the level of noise outside the building. Due to the nature of the noise produced by the project activities (e.g. sporadic, short term, no blasting), noise is not expected to result in changes of wildlife distribution that could affect traditional land and resource use, and recreational use.

Based on the reviews and assessments of CNL's EVMP results and CNL's proposed licence amendment, CNSC staff conclude that the G1WF's current EVMP is adequate to continue protecting the public and the environment.

### **Assessment and Monitoring**

Based on the criteria in CSA N288.4, *Environmental monitoring programs at Class I nuclear facilities and uranium mines and mills*, there is no requirement for CNL to implement an EMP for the G1WF. CNSC staff determined that additional data is not needed to support the negligible risk to people and the environment identified in the ERA because there are no effluents and emissions from the operations of this facility to control and monitor. Any environmental impacts originating from the G1WF are minimal and are captured by HQ's comprehensive EMP for its G2 facility.

According to criteria in CSA N288.7, *Groundwater protection programs at Class I nuclear facilities and uranium mines and mills*, and REGDOC-2.9.1, it was demonstrated that a groundwater monitoring program is not required at the G1WF. This was supported by the fact that the facility currently has no effluent or emissions that are likely to have an adverse effect on human health or the environment from the degradation of groundwater from the facility's operations. As decommissioning activities progress, and in accordance with CSA N288.7, a re-evaluation of the need for groundwater monitoring will be conducted prior to deactivating the existing sump system, which collects and diverts any potentially contaminated liquids on site to G2.



## Protection of People

Protection of people ensures that members of the public are not exposed to unreasonable risk with respect to radiological and hazardous substances discharged from nuclear facilities. Between 2019 and 2024, there were no reportable events related to the Environmental Protection SCA for the G1WF. The impact from the G1WF continues to be minimal and CNL does not report the dose to the public for this facility since its impact on public dose is considered negligible. Any contribution from this facility to public dose would be captured by G2's Environmental Protection Program.

## Environmental Management System

The G1WF site operates under CNL's Environmental Management System that meets CNSC requirements outlined in REGDOC 2.9.1. CNL's EMS assesses environmental risks associated with their nuclear activities to ensure their operational activities are conducted in a way that prevents and mitigates adverse environmental effects. CNL's EMS is registered and certified under the International Standards Organization 14001:2004 Standard, *Environmental Management Systems – Requirements with Guidance for Use*. During inspections and desktop reviews, CNSC staff review CNL's annual internal audits, management reviews, environmental goals, targets, and objectives to ensure compliance with REGDOC-2.9.1. The results of these reviews demonstrate that CNL's EMS for the G1WF meets CNSC requirements.

## Independent Environmental Monitoring Program (IEMP)

The CNSC has implemented its IEMP to build Indigenous and public trust in the CNSC's regulation of the nuclear industry via an independent, technical and accessible environmental sampling program around nuclear facilities. This program is complementary to CNSC's ongoing compliance verification activities and involves CNSC staff taking samples from publicly accessible areas around the facilities and analyzing the samples at the CNSC laboratory. The IEMP results from the 2024 IEMP campaign around the G1WF and G2 show the levels of nuclear substances in all samples were below applicable guidelines, below CNSC's internal screening levels, and were within the range of natural background radiation in the environment. The results add to the body of evidence that people and the environment in the vicinity of the G1WF are protected and that there are no anticipated health impacts. The IEMP results for the G1WF are published on the CNSC's website: <https://www.cnsccsn.gc.ca/eng/resources/maps-of-nuclear-facilities/iemp/gentilly/>.

### 3.9.2.2 Regulatory Focus

CNSC staff will continue to monitor and evaluate CNL's Environmental Protection performance at the G1WF through regulatory oversight activities including onsite inspections and desktop reviews of relevant environmental protection program documents. This includes reviewing CNL's DDPs and any other relevant project reports. Prior to deactivation of the sump system, CNL will submit to CNSC staff for review updated rationale to support the continued absence of a groundwater protection or monitoring plan. CNSC staff will also review the next update of the G1WF's ERA expected to be submitted in 2029.

### 3.9.2.3 Proposed Improvements

Over the next licence period, CNSC staff expect that CNL will implement the updated standards/regulatory requirements applicable to the Environmental Protection SCA to improve their Environmental Protection Program and CNL is expected to work towards implementation of [REGDOC-2.9.2, Controlling Releases to the Environment](#).

### 3.9.3 Conclusion

Based on CNSC staff's assessments of CNL's application, supporting documents, and past performance, CNSC staff conclude that CNL has implemented and maintains an effective Environmental Protection Program at the G1WF in accordance with regulatory requirements and that CNL has adequately assessed the Environmental Protection SCA activities proposed under the amended licensing basis.

## 3.10 Emergency Management and Fire Protection

The current licensing basis related to the Emergency Management and Fire Protection SCA is not impacted by CNL's application. CNSC staff have concluded that CNL's existing programs and procedures will adequately address the proposed scope of Phase 3 decommissioning at the G1WF.

## 3.11 Waste Management

The Waste Management SCA covers internal waste-related programs that form part of the facility's operations up to the point where the waste is removed from the facility. This also covers the planning for decommissioning.

The SpAs comprising this SCA that are relevant to this CMD include:

- Waste characterization
- Waste minimization
- Waste management practices
- Decommissioning plans

### 3.11.1 Discussion

CNSC staff reviewed CNL's waste management framework for the G1WF in the context of the proposed amendment to enter Phase 3 of their decommissioning approach. The review considered relevant SpAs listed above.

CNSC staff verified that the plans for Phase 3 activities are appropriately detailed in accordance with the CSA N292 series standards and applicable regulatory requirements. Waste minimization principles are embedded in both planning and execution, with controls in place to limit waste generation and to ensure the appropriate handling, storage, and transfer of radioactive and hazardous waste.



Phase 3 is structured into two planning envelopes (A and B), each to be supported by a DDP. Planning Envelope A will be supported by DDP Volume 2, while Planning Envelope B will be supported by DDP Volume 3. CNL has indicated in the current G1WF program overview DDP (Volume 1) [4] that radioactive wastes generated by these two planning envelopes would follow the existing requirements CNL uses to transfer low- and intermediate-level wastes from the G1WF, and estimates that the radioactive wastes will consist of:

- 428 m<sup>3</sup> of concrete low-level waste
- 371 metric tons of mechanical & electrical low-level waste
- 260 m<sup>3</sup> of concrete intermediate-level waste
- 371 metric tons of intermediate-level waste from mechanical and electrical components, rebar, structural steel, and miscellaneous metals

CNL has committed, within the program overview DDP [4], that no decommissioning work under a given planning envelope will commence until CNSC staff review and accept the associated DDP. CNL will submit these DDPs to CNSC staff outside the scope of their licence amendment application. Commission authorization of activities described under forthcoming DDPs is not required, provided the activities remain within the approved licensing basis, including the information provided in the overview DDP.

CNSC staff have assessed CNL's existing programs and procedures under the Waste Management SCA and are satisfied that no changes to the licensing basis are required to execute Phase 3 decommissioning activities. Once accepted by CNSC staff, forthcoming G1WF DDPs will be considered licensee documents that require notification of change in the LCH.

## 3.11.2 Summary

A summary of the licensee's past performance, challenges and proposed improvements are presented in the following subsections.

### 3.11.2.1 Past Performance

During the current licence period from 2019 to present, CNL has demonstrated effective implementation of a waste management program at the G1WF. CNSC staff have assessed CNL's programs under the Waste Management SCA at the G1WF and conclude that during the licence term to date, CNL has met the applicable regulatory requirements.

### 3.11.2.2 Regulatory Focus

CNSC staff will continue to verify CNL's performance and compliance in all aspects of the Waste Management SCA through ongoing compliance activities, including inspections, reviews of program implementation, and assessment of updates to decommissioning documentation. This will include verification that forthcoming DDPs for the G1WF are compliant with regulatory requirements.

### 3.11.2.3 Proposed Improvements

CNSC staff did not identify any improvements related to the Waste Management SCA with respect to this proposed amendment.

### 3.11.3 Conclusion

CNSC staff conclude that CNL has adequately assessed the Waste Management SCA activities considered under Phase 3 of CNL’s decommissioning approach for the G1WF. CNL has implemented and maintains a waste management program that can effectively meet regulatory requirements in carrying out activities proposed under the amended licensing basis.

### 3.12 Security

The current licensing basis related to the Security SCA is not impacted by CNL’s application. With the removal of all used nuclear fuel from the G1WF in 2025, the facility is no longer considered a high-security site. CNSC staff have concluded that CNL’s existing programs and procedures will adequately address the proposed scope of Phase 3 decommissioning at the G1WF.

### 3.13 Safeguards and Non-Proliferation

The current licensing basis related to the Safeguards and Non-Proliferation SCA is not impacted by CNL’s application. CNSC staff have concluded that CNL’s existing programs and procedures will adequately address the proposed scope of Phase 3 decommissioning at the G1WF.

### 3.14 Packaging and Transport

The current licensing basis related to the Packaging and Transport SCA is not impacted by CNL’s application. CNSC staff have concluded that CNL’s existing programs and procedures will adequately address the proposed scope of Phase 3 decommissioning at the G1WF.

## 4 Consultation and Engagement

### 4.1 Indigenous Consultation and Engagement

The common-law duty to consult with Indigenous Nations and communities applies when the Crown contemplates actions that may adversely affect potential or established Aboriginal and/or treaty rights. The CNSC ensures that all of its licence decisions under the NSCA uphold the honour of the Crown and uphold Indigenous peoples’ potential or established Aboriginal and/or treaty rights pursuant to section 35 of the *Constitution Act, 1982*.

CNSC staff’s considerations include but are not limited to Indigenous Nations and communities’ established or potential rights pertaining to lands and waters in relation to the facility and the expected and/or potential impacts of the activities conducted on the site in accordance with a CNSC issued licence.

The CNSC ensures that its approach to consultation and engagement is aligned and consistent with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the United Nations Declaration Act (UNDA). The UNDRIP and UNDA must be considered when the Commission is assessing the duty to consult and accommodate, as the UNDRIP is an added contextual layer that informs the scope and content of the duty to consult and accommodate.



[REGDOC-3.2.2, Indigenous Engagement](#), sets out requirements and guidance for licensees whose proposed projects may raise the Crown's duty to consult. While the CNSC cannot delegate its obligation, it can delegate procedural aspects of the consultation process to licensees, where appropriate. The information collected and measures proposed by licensees to avoid, mitigate, or offset potential adverse impacts from the proposed licence amendment may be used by CNSC staff in meeting its consultation obligations.

Additionally, because the G1WF is located on lands leased to AECL, which is a federal Crown corporation, the Commission must, prior to exercising its licensing authority, conduct a federal lands assessment in accordance with the IAA to determine whether the proposed project is likely to cause significant adverse environmental effects.

As the licence amendment would permit the dismantling of structures at the G1WF site, CNSC staff's assessment is that there is a low potential for new adverse impacts on Aboriginal and/or treaty rights, and thus the requirements in REGDOC-3.2.2 apply to CNL and the project raises the Crown's Duty to Consult and accommodate obligations for potentially impacted Indigenous Nations and communities.

## 4.1.1 Discussion

### 4.1.1.1 CNSC's Staff's Consultation and Engagement Activities

CNSC staff are committed to building long-term relationships with Indigenous Nations and communities who have interest in CNSC-regulated facilities within their traditional and/or treaty territories. The CNSC's Indigenous engagement practices include sharing information, discussing topics of interest, seeking feedback and input on CNSC processes, and providing opportunities to participate in environmental monitoring programs, such as the CNSC's Independent Environmental Monitoring Program. The CNSC also provides funding support, through its [Participant Funding Program](#) (PFP) and Indigenous and Stakeholder Capacity Fund, for Indigenous peoples to meaningfully participate in Commission proceedings and ongoing regulatory activities.

CNSC staff identified Indigenous Nations and communities that may have an interest in or be potentially impacted by CNL's licence application, due to the proximity of their communities, treaty areas and territories to the G1WF site, in Bécancour, Quebec, or due to expressed interest in being informed of CNSC licensed activities related to the site.

The Indigenous Nations and communities listed below have been identified based on analysis conducted by CNSC staff using Crown Indigenous Relations and Northern Affairs Canada's Aboriginal and Treaty Rights Information System and other mapping tools, as well as through a review of existing CNSC and open resources including records of Indigenous Nations and communities who may have expressed interest in the G1WF site in the past. Should other Indigenous Nations and communities not included in the list identify interest in the licence application moving forward, they will be added as appropriate.

Indigenous Nations and communities potentially impacted by the G1WF include:

- Conseil de La Nation Wendat
- Conseil des Abénakis Wôlinak (represented by the W8banaki)
- Conseil des Abénakis Odanak (represented by the W8banaki)

Indigenous Nations and communities who expressed interest in the G1WF include:

- Kebaowek First Nation (KFN)
- Passamaquoddy Recognition Group Inc. (PRGI)
- Algonquins of Pikwakanagan First Nation (AOPFN)

The duty to consult is owed to the Nations that have been identified as potentially impacted by the activities included in the G1WF licence amendment. CNSC staff endeavors to engage with all Nations who have expressed interest in the project and are open to receiving any and all information relevant and within scope of the licence amendment application that may change the CNSC's assessment of impacted Nations.

A project notification letter was sent to Indigenous Nations and communities potentially impacted by the CNL's application for the G1WF in July 2025. The letters provided information regarding the licence amendment application, opportunities to participate in the Commission's hearing process, and information about the CNSC's PFP funding opportunity to facilitate participation in the hearing and regulatory review process. CNSC staff followed up with these Nations to share further details about the hearing and interventions and to answer any questions regarding the application.

CNSC staff also reached out directly with Indigenous Nations who expressed interest in the G1WF to provide additional information about the application and next steps in the assessment and regulatory process.

The identified Indigenous Nations and communities were encouraged to participate in the regulatory review process and in the Commission hearing through written interventions to advise the Commission directly of any concerns they may have in relation to the application.

Additionally, consultation and engagement also took place in relation to the federal lands assessment in accordance with the IAA. Notification emails were sent to the identified Indigenous Nations and communities, and those who expressed interest in the project, on the posting of the Notice of Intent and associated comment period, as well as in relation to opportunities to comment on CNSC staff's Environmental Effects Evaluation Form via interventions to the Commission. CNSC staff also encouraged Nations to share any issues and concerns, perspectives, information and Indigenous Knowledge relevant to the licence amendment application and associated federal lands assessment.

Although KFN, PRGI, and AOPFN were not initially identified as having a direct interest in relation to the G1WF site and licence application due to the facility and related potential impacts of the proposed activities not being located in their known traditional territory, KFN, PRGI, and AOPFN all expressed an interest in the licence amendment application and applied for Participant Funding to intervene in the hearing and participate in the regulatory review process. CNL's application for a licence amendment was discussed with W8banaki Nation, PRGI and KFN during meetings in 2025. At the time of drafting this CMD, La Nation Wendat had not requested to discuss the project further. AOPFN's interest in the G1WF amendment application was first expressed and shared with CNSC staff in comments AOPFN provided during the comment period for the [Notice of Intent](#) for the federal lands assessment in February 2026.



During a meeting on June 5, 2025, the W8banaki Nation, who represents the two closest First Nations communities to the G1WF site, did not express any specific concerns with regards to the licence amendment application, or any concerns with respect to the federal lands assessment as per the IAA being conducted by the CNSC in accordance with the IAA. However, KFN, PRGI, and AOPFN have expressed specific concerns with regards to CNL's licence amendment application and the regulatory review process.

Discussions were also had with KFN, PRGI, and AOPFN regarding the federal lands assessment throughout the review process. Although CNSC staff had not previously discussed the G1WF with AOPFN directly, as part of ongoing engagement and regular meetings with AOPFN, CNSC staff have discussed and responded to questions and concerns with respect to the potential transfer of waste to the CRL site and waste management activities at the CRL site. The CNSC is committed to providing information and addressing AOPFN's concerns as it relates to the G1WF decommissioning application and related concerns with regards to potential waste transfers and management at the CRL site.

### Concerns Heard to Date

- PRGI expressed concerns that the G1WF is located within Wabanaki Confederacy's territory and shared that all Nations within the Confederacy should be notified of the application. PRGI also expressed interest in participating in the hearing process, as from their perspective the G1WF would be the first reactor of its size to be decommissioned in Canada, and as such is precedent setting in their view.
  - CNSC staff shared that when licence applications are received, an analysis is conducted to identify which Indigenous Nations may be potentially impacted. This assessment draws on available resources, information available to and shared with the CNSC, and previous involvement and expressed interest in similar projects to support the identification of Nations and communities for consultation and engagement. CNSC staff emphasized that they remain open to receiving new information about Indigenous Nations and communities that may wish to be engaged on a project. CNSC staff also noted that engagement is guided by preferences communicated directly by the Nations to the CNSC. If additional Nations express interest in a project, CNSC staff are open to sharing relevant information and facilitating engagement. As to the perspective that this licensing proceeding would be precedent setting, CNSC staff offered to discuss the decommissioning process with PRGI and informed them of the possibility of receiving funding to support those discussions where appropriate. Additional details and correspondence with PRGI on this project can be found in Appendix C.
- KFN expressed that the decommissioning activities have direct bearing on their rights due to the transfer of waste from the G1WF site to CRL. KFN also expressed concerns with the CNSC's approach to engagement regarding the federal lands assessment.
  - CNSC staff noted that the completed transfer of used nuclear fuel from the G1WF site to the CRL site was not in scope for this licence amendment, but reiterated the commitment to keep the Nation notified of next steps in the assessment process for the G1WF, including further discussions on their questions and concerns regarding waste transfers to the CRL site. Additional details and correspondence with KFN on this project can be found in Appendix C.



- CNSC staff shared that the CNSC, as an authority for the federal lands assessment of the G1WF decommissioning project, will provide an opportunity for input from potentially impacted and interested Indigenous Nations and communities and the public through the public comment period on the [Canadian Impact Assessment Registry](#).
- KFN has also raised concerns about the implementation of the UNDRIP and UNDA; CNSC staff continue to consider the UNDRIP and UNDA as a part of every consultation practice and process with potentially impacted Indigenous Nations and communities.
- CNSC staff are committed to continue engagement with KFN on the G1WF decommissioning process, and will work to address their comments and concerns in relation to waste management at CRL through appropriate regulatory process.
- AOPFN expressed that the decommissioning activities have a direct impact on their rights because of the waste that will be potentially transferred from the G1WF to CRL.
  - CNSC staff noted that the completed transfers of used nuclear fuel from the G1WF facility to the CRL site are not in scope for this licence amendment application, but reiterated the commitment to keep AOPFN notified of next steps in the assessment process for the G1WF, including further discussions on their questions and concerns regarding potential waste transfers to the CRL site.
  - CNSC staff are committed to continued engagement with AOPFN on the G1WF decommissioning process, and will work to address their comments in relation to waste management at CRL through appropriate regulatory processes.

Based on the consultation and engagement activities to date, CNSC staff have not been made aware of any specific concerns with regards to potential new impacts to the exercise of rights and interests as a result of the G1WF licence amendment application. However, CNSC staff have encouraged Indigenous Nations and communities to notify CNSC staff and the Commission with regards to their position and any concerns in relation to the licence amendment application through their intervention as well as any comments and submissions relating to the federal lands assessment. CNSC staff are committed to working with each identified and interested Nation to ensure any concerns are addressed through our ongoing engagement and collaboration.

#### 4.1.1.2 CNL's Engagement Activities

In accordance with the requirements of REGDOC-3.2.2, CNL submitted an Indigenous Engagement Plan and a Record of Engagement to inform CNSC staff's consultation process and obligations. At the time of drafting this CMD, CNL's Record of Engagement captured activities up to February 2026. These activities included:

- Reaching out via email to the W8banaki Nation to share updates on the project and keep the Nation informed of the application process and offer to meet and share further information.
- Reaching out via email and meeting with the Wendat Nation to share information about the project and discuss any concerns from the Nation.
- Public information sessions, with invitations sent directly to impacted Nations, to discuss the project.

CNL has noted that their consultation and engagement with the Wendat Nation and the W8banaki has been limited due to the level of interest expressed from each Nation. CNL has had discussions with KFN and PRGI regarding their concerns with the project and federal lands assessment and have responded to information requests submitted to them by each Nation.

CNSC staff have reviewed and assessed CNL's Indigenous Engagement Plan and Record of Engagement and are satisfied with CNL's engagement activities to date. CNL has expressed that they have had and will continue to have meetings with Nations who express an interest in the G1WF decommission process, and will address concerns appropriately. CNSC staff encourage CNL to continue to engage with the identified and interested Nations in relation to this application and activities at the G1WF.

### 4.1.2 Conclusion

CNSC staff have conducted consultation and engagement activities with the identified Indigenous Nations and communities including project application notification, opportunities to meet and discuss, opportunities to apply for funding, engagement on the federal lands assessment, oversight of CNL's engagement activities and encouragement, and support for participating in the Commission hearing process via interventions. In addition, CNSC staff are committed to consider and ensure that its consultation and engagement practices and activities are consistent with the principles of the UNDRIP and UNDA. Based on CNSC staff's consultation and engagement activities to date, CNSC staff have not been made aware of any concerns with respect to potential new impacts to Aboriginal and/or treaty rights in relation to the application.

CNSC staff have considered and responded to all requests and concerns raised by Indigenous Nations to date and are committed to ongoing engagement and collaboration with all Indigenous Nations and communities. CNSC staff will continue to provide opportunities for meaningful long-term engagement and collaboration with respect to activities in relation to the G1WF. CNSC staff have also encouraged CNL to continue engagement with Indigenous Nations and communities regarding their ongoing operations at the G1WF and their other operations.

CNSC staff recommend that the Commission find that the Crown's Duty to Consult and accommodate obligations have been met for CNL's licence amendment application and FLA, notwithstanding the ability for Indigenous Nations and communities to express their position and views with respect to consultation and engagement in relation to this licence application.

## 4.2 Public Consultation and Engagement

The NSCA mandates the CNSC to disseminate objective scientific, technical and regulatory information to the public concerning its activities and the activities it regulates. CNSC staff fulfill this mandate in a variety of ways, including hosting in-person and virtual information sessions and through annual regulatory reports.

In accordance with section 17 of the [Canadian Nuclear Safety Commission Rules of Procedure](#), a Notice of Hearing in Writing was issued and posted on the CNSC website inviting written submissions to the Commission regarding CNL's application.

CNSC staff continue to inform the public and Indigenous communities of our regulatory activities through regular website updates, publicly webcast Commission proceedings, social media, public webinars, and frequent discussion with key audiences near the facility. CNSC staff encourage the public and Indigenous communities to participate in the Commission's hearing in writing.

## 4.3 Licensee Public Information and Engagement

The CNSC requires licensees to maintain and implement public information and disclosure programs (PIDPs), in accordance with CNSC's [REGDOC-3.2.1, Public Information and Disclosure](#). These programs are supported by disclosure protocols that outline the type of facility's information to be shared with the public as well as details on how that information is to be disseminated. This ensures that timely information about the health, safety and security of persons and the environment, and other issues associated with the lifecycle of nuclear facilities, is effectively communicated to the public.

The program must include a commitment to, and protocol for ongoing, timely communication of information related to the licensed facility during the course of the licence period.

CNSC's expectations of a licensee's public information program and disclosure protocol are commensurate with the level of risk of the facility, as well as the level of public interest in the licensed activities. The program and protocol may be further influenced by the complexity of the nuclear facility's lifecycle and activities, and the risks to public health and safety and the environment perceived to be associated with the facility and activities.

CNSC staff monitor CNL's implementation of its PIDP to verify that it communicates regularly with its audiences in a way that is open, transparent, and meaningful to them.

### 4.3.1 Discussion

CNL's PIDP is comprehensive and multi-faceted. With respect to the G1WF, which falls under CNL's fleet-wide PIDP, CNL's G1WF licence amendment public communications plan describes how CNL shares information with the public and interested parties about:

- its application to the CNSC to amend the licence for the G1WF to permit completion of the decommissioning of the facility, and
- how CNL provides opportunities for feedback on that information.

CNL has made ongoing efforts to produce plain-language materials to ensure information is accessible and understandable. These efforts are reflected in CNL communication products, including infographics, online summary documents, and video content. CNL also provides information to the public through webinars, newsletters, media releases, municipal presentations, its corporate website, and participation in community events.

Communications activities related to the G1WF also include promoting public participation in the licence amendment process by providing clear, accessible information and opportunities for feedback.



CNL uses its corporate social media channels to share information about G1WF operations and related activities. Facebook is used particularly effectively for all CNL sites, generating ongoing engagement. The licensee actively monitors social media and responds to inaccurate or misleading information when it arises.

CNL also discloses reportable events through Community Information Bulletins posted on its website ([www.cnl.ca](http://www.cnl.ca)). These disclosures are shared directly with targeted audiences based on their interests, relevance, and feedback.

### 4.3.2 Conclusion

Overall, CNSC staff concluded that CNL maintains and implements a PIDP for the G1WF that complies with the requirements of REGDOC-3.2.1. The program demonstrates that CNL communicates information related to the health, safety and security of people and the environment, as well as other matters relevant to the lifecycle of its facilities, in an effective and accessible manner.

CNSC staff observed that the program supported open and transparent communication with identified audiences and stakeholders. The program ensures that target audiences affected by and interested in the facility and activities are informed on a timely basis about operations, activities, and anticipated effects on the environment and the health and safety of persons.

## 4.4 Participant Funding Program

The CNSC established the PFP in 2011 to:

1. enhance individual, not-for-profit organization and Indigenous Nations and communities participation in the CNSC's environmental assessment and licensing processes for major nuclear facilities (e.g. uranium mines, nuclear power plants, nuclear substance processing, or nuclear waste facilities)
2. assist individuals, not-for-profit organizations and Indigenous Nations and communities to bring value-added information to the Commission through informed and topic-specific interventions related to environmental assessments and licensing (i.e., new, distinctive and relevant information that contributes to a better understanding of the anticipated effects of a project)

### 4.4.1 Discussion

The CNSC initially made available up to \$75,000 through its PFP to support Indigenous Nations and communities, members of the public and other interested parties in providing value-added information to the Commission through informed and topic-specific interventions. This funding was offered to review CNL's application and associated documents, and to prepare written submissions for the Commission's hearing in writing. The deadline for applications was July 11, 2025.

A Funding Review Committee (FRC), independent from CNSC staff, reviewed the funding applications received, and made recommendations on the allocation of funding to eligible applicants. Based on recommendations from the FRC, the CNSC awarded a total of \$76,495, distributed amongst the following recipients:

- Société pour vaincre la pollution



- The Sierra Club Canada Foundation
- Jocelyn Simon Daigle
- Kebaowek First Nation
- Northwatch
- Regroupement des organismes environnementaux en énergie
- Radiation Safety Institute of Canada
- Canadian Coalition for Nuclear Responsibility
- Algonquins of Pikwakanagan First Nation

## 4.4.2 Conclusion

The CNSC continues to actively promote ongoing communication and dissemination of regulatory and scientific information through social media channels, webinars, outreach in the local communities and postings on the CNSC web site. The CNSC has various mechanisms and processes such as the PFP and notifications on the CNSC website to encourage the public to participate in the Commission’s hearing process, as described above. The CNSC has offered assistance to interested members of the public, Indigenous groups, and other stakeholders, through the PFP, to prepare for and participate in the Commission’s hearing process for this licence amendment application.

# 5 Events and Other Matters of Regulatory Interest

## 5.1 Financial Guarantees

Subsection 24(5) of the NSCA empowers the Commission to include in a licence any term or condition the Commission considers necessary for the purposes of the NSCA, including a condition that an applicant provide a financial guarantee in a form that is acceptable to the Commission. Licence Condition 2.2 of the current WFDL for the G1WF requires that CNL provide a valid financial guarantee to fund decommissioning of the facility. The [General Nuclear Safety and Control Regulations](#) (GNSCR), paragraph 3(1)(l), stipulates that “an application for a licence shall contain a description of any proposed financial guarantee related to the activity for which a licence application is submitted.” The financial guarantee for decommissioning is established to fund the activities described in decommissioning plans. These requirements are found in [REGDOC-3.3.1, Financial Guarantees for Decommissioning of Nuclear Facilities and Termination of Licensed Activities](#).

## 5.1.1 Discussion

CNSC staff reviewed the decommissioning cost estimate presented in the G1WF program overview DDP [4], to confirm that it reflects the scope, activities, and end-state objectives of Phase 3 decommissioning activities. Staff verified that the cost estimate aligns with the proposed amendment to enter active decommissioning and demolition of the G1WF. The G1WF program overview DDP [4] states that decommissioning activities under Planning Envelope A are planned to occur during the 2026-2030 period, and Planning Envelope B activities are planned to occur during the 2027-2034 period and are contingent on the preparation, submission, and CNSC staff acceptance of DDP Volumes 2 and 3.

As an agent of His Majesty in Right of Canada, AECL's liabilities are ultimately liabilities of His Majesty in Right of Canada. These liabilities were officially recognized by the Federal Minister of Natural Resources in 2015. The intent of REGDOC-3.3.1 is met for all CNL licences through the obligations of AECL as a Schedule III, Part I Crown corporation and agent of His Majesty in Right of Canada.

This funding approach has been previously communicated to, and accepted by, the Commission through public hearings and documented in Records of Decision for the Nuclear Power Demonstration, Douglas Point, Gentilly-1, Chalk River Laboratories, Whiteshell Laboratories, and Port Hope Area Initiative.

## 5.1.2 Conclusion

CNSC staff conclude that CNL's decommissioning cost estimate regulatory requirements and financial guarantee obligations for the G1WF have been met. Government of Canada legacy liabilities are administered by AECL on behalf of the Government of Canada in a manner that meets the requirements of paragraph 3(1)(I) of the *GNSCR* and the intent of REGDOC-3.3.1.

# 6 Overall Conclusions and Recommendations

CNSC staff conclude that:

- The activities to be authorized are not likely to cause significant adverse environmental effects, pursuant to section 82 of the IAA;
- The potential impacts of the licence amendment on Aboriginal and/or Treaty rights have been appropriately assessed, considered and mitigated;
- There is sufficient evidence for the Commission to find that the Canadian Nuclear Safety Commission, as an agent of the Crown, has upheld the honour of the Crown and fulfilled its obligations to consult and, where appropriate, accommodate Indigenous peoples;
- There is sufficient evidence for the Commission to find that CNL is qualified to carry out the activities proposed in their licence amendment application; and
- There is sufficient evidence for the Commission to find that CNL will, in carrying out those activities, 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.

Therefore, CNSC staff recommend that the Commission:

1. Determine, pursuant to paragraph 82(a) of the [Impact Assessment Act](#), that the project is not likely to cause significant adverse environmental effects.
2. Determine whether the Canadian Nuclear Safety Commission has upheld the honour of the Crown and fulfilled its obligations to consult and, where appropriate, accommodate Indigenous peoples, pursuant to section 35 of the [Constitution Act, 1982](#).
3. Conclude, pursuant to paragraphs 24(4)(a) and (b) of the [Nuclear Safety and Control Act](#), that the licensee:
  - a) Is qualified to carry out the activities that the proposed licence would authorize.
  - b) Will, in carrying out those activities, 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.
4. Amend the Gentilly-1 Waste Facility Decommissioning Licence WFDL-W4-331.00/2034 and authorize a change to the licensing basis according to the edits proposed in this Commission Member Document.



## References

- [1] CNL Letter, Revised Application for Licence Amendment to Proceed with Execution of Decommissioning at the Gentilly-1 Waste Facility, April 15, 2026.
- [2] CNL Report, Gentilly-1 Waste Facility Licence Amendment Application Environmental Protection Measures for Decommissioning and Demolition, 61-03710-ENA-005514, Revision 1.0, April 8, 2026.
- [3] CNL Report, Environmental Risk Assessment for the Gentilly-1 Waste Facility, 61-505210-ASD-001, Revision 2.0, May 26, 2025.
- [4] CNL Report, Gentilly-1 Waste Facility Detailed Decommissioning Plan Volume 1 - Program Overview, 61-508310-DDP-001817, Revision 1, May 30, 2024.
- [5] CNL Report, Gentilly-1 Waste Facility Detailed Decommissioning Plan Volume 1 Program Overview – Addendum, 61-508310-DDP-010801, Revision 0, January 15, 2026.

# Glossary

For definitions of terms used in this document, see [REGDOC-3.6, Glossary of CNSC Terminology](#), which includes terms and definitions used in the [NSCA](#) and the [Regulations](#) made under it, and in [CNSC regulatory documents](#) and other publications.

Additional terms and acronyms used in this CMD are listed below.

AECL	Atomic Energy of Canada Limited
ALARA	As Low as Reasonably Achievable
CINFR	<i>Class I Nuclear Facilities Regulations</i>
CNL	Canadian Nuclear Laboratories
CRL	Chalk River Laboratories
CMD	Commission Member Document
CNSC	Canadian Nuclear Safety Commission
CVC	Compliance Verification Criteria
DDP	Detailed Decommissioning Plan
EMS	Environmental Management System
EVMP	Effluent Verification Monitoring Program
G1WF	Gentilly-1 Waste Facility
G2	Gentilly-2
GNSCR	<i>General Nuclear Safety and Control Regulations</i>
HQ	Hydro-Quebec
IAA	Impact Assessment Act
IEMP	Independent Environmental Monitoring Program
LCH	Licence Conditions Handbook
NSCA	<i>Nuclear Safety and Control Act</i>
OPEX	Operating Experience
PFP	Participant Funding Program
PIDP	Public Information and Disclosure Program
RP	Radiation Protection



SAR	Safety Analysis Report
SCA	Safety and Control Area
SFCA	Spent Fuel Canister Area
SpA	Specific Area
SWS	Storage with Surveillance
UNDA	United Nations Declaration Act
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
WFDL	Waste Facility Decommissioning Licence



# Appendix

## APPENDIX A: Environmental Effects Evaluation Form

Section A: Project identification	
<b>Project title</b>	Decommissioning of the Gentilly-1 Waste Facility
<b>Project location</b>	Gentilly-1 Waste Facility near Bécancour, Québec
<b>Project proponent</b>	Canadian Nuclear Laboratories (CNL)
<b>Lead authority</b>	Canadian Nuclear Safety Commission (CNSC)
<b>Other authorities</b> (if applicable)	Atomic Energy of Canada Ltd. (AECL) is also an authority in this assessment.
	Environment and Climate Change Canada (ECCC) was consulted for their federal expertise on terrestrial species at risk, migratory birds, and the atmospheric environment; Health Canada (HC) was consulted for their federal expertise on air quality and noise.

Section B: Project description
<p>The Gentilly-1 Waste Facility (G1WF) is located in the Gentilly Nuclear Complex on Pointe-aux-Roches, on the south bank of the St. Lawrence River near Bécancour, Québec. The Gentilly Nuclear Complex is located in the traditional territory of the Abenaki people under the council of the W8banaki, and the traditional land of the Wendat people. The Gentilly Nuclear Complex hosts two nuclear facilities, namely the G1WF (the lands are leased to Atomic Energy of Canada Ltd. (AECL) and the facility is operated by Canadian Nuclear Laboratories (CNL)) and the Gentilly-2 (owned and operated by Hydro-Québec). Both the G1WF and Gentilly-2 sites host shutdown nuclear reactors.</p> <p>The G1WF currently consists of a permanently shut down, partially decommissioned Canadian Deuterium Uranium (CANDU) reactor and supporting structures. The nuclear reactor at the G1WF was put into service in 1972 and was operated intermittently for a total of 183 effective full power days, up until 1978 when it was determined that the reactor required considerable repairs and modifications. The reactor was put into a shutdown state in 1980 and in 1983, the decision was made to decommission the reactor. The G1WF is being decommissioned following a three-phased approach which began in the 1980s, and CNL is currently seeking a licence amendment to begin the third and final phase of decommissioning. The proposed activities include the removal of the building structures and associated components and equipment, followed by land remediation to meet the industrial reuse</p>



## Section B: Project description

criteria. Following the conclusion of the phase three decommissioning, the G1WF lands will be returned to Hydro-Québec.

The table below details the different project phases and activities being proposed for the phase three decommissioning of the G1WF, which is anticipated to take approximately 10 years.

Project phase	Project activities/components
Stage 1: Project planning	Acquisition of materials and equipment; staging of the work area; installation of alternative washroom/shower facilities; installation of temporary construction power and lighting, if required; and temporary fire detection and suppression arrangements.
Stage 2: Completion of pre-requisites to decommissioning and demolition	Characterization; decontamination; removal of radioactive and hazardous waste, and cleaning; reconfiguration of services; isolation of obsolete services; and readiness checks.
Stage 3: Physical execution of work package(s)	Physical dismantling and demolition of buildings/structures/systems.
Stage 4: Interim site restoration and project close-out	Removal of any remaining structures; final overall radiation survey; backfill and grade of the entire area; removal of the project's site access control; completion of the project close-out/completion report; and completion of closure paperwork and filing of all records.

## Section C: Description of the baseline environment

The Gentilly Nuclear Complex covers an area of 240 hectares of land and is located within the larger Mixwood Plains Ecozone in the ecoregion of the St. Lawrence Lowlands, with vegetation characterized by mixed wood forests. The region surrounding the Gentilly Nuclear Complex provides a variety of habitat with a high degree of diversity in terrestrial and wetland habitat, home to various terrestrial mammals, waterfowl, and other bird species, including migratory birds. The meteorology in the area is characterized as humid, cold, temperate climate with westerly prevailing winds. Noise levels at the Gentilly Nuclear Complex are comparable to the surrounding industrial area.

The segment of the St. Lawrence River located next to the Gentilly Nuclear Complex is known as a fluvial estuary and is approximately 2 kilometres wide. The flow of the St. Lawrence River varies seasonally and is strongly affected by spring flooding. The tidal influence in this segment of the St. Lawrence River is less than 0.3 metres and salt water does not reach this segment. Two tributaries, the Bécancour River and the Gentilly River, confluence with the St. Lawrence River on the south shore near the Gentilly Nuclear Complex. Nearby areas flooded by the rivers provide swamp and wetland habitat for many species of fish that are attracted to warm waters. Up to 46 species of fish have been reported



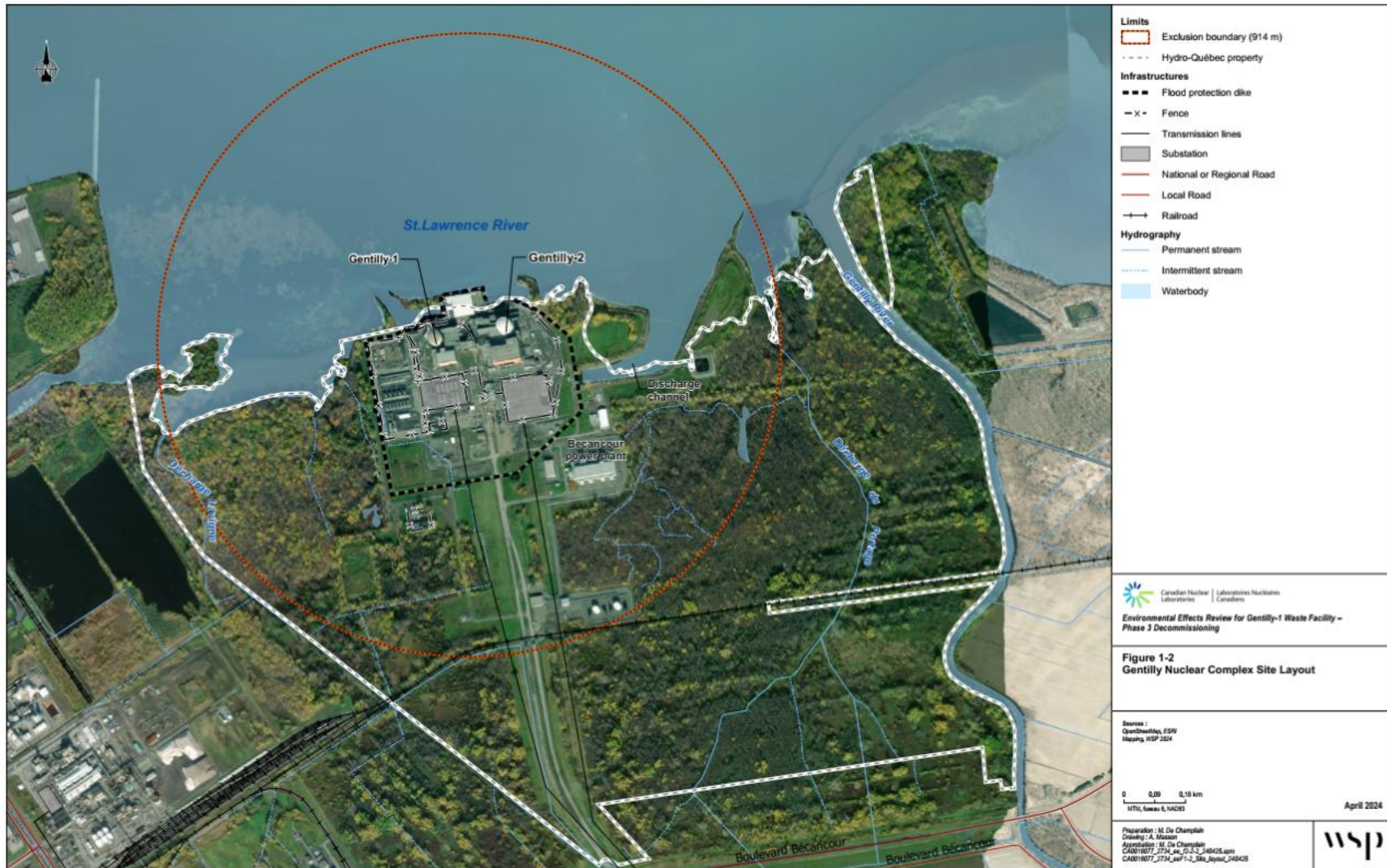
## Section C: Description of the baseline environment

on the south shore of the St. Lawrence River near the Gentilly Nuclear Complex, with sensitive aquatic species at risk having been identified in the St. Lawrence River.

The Gentilly Nuclear Complex is located in the St. Lawrence lowlands tectonic region. It consists primarily of shallow overburden comprised primarily of sands, till, silts, and organic deposits underlain by bedrock, consisting of horizontally bedded shale with small amounts of sandstone and limestone. While groundwater typically flows toward the St. Lawrence River, with flow predominantly through the sand aquifer, the groundwater at the Gentilly Nuclear Complex is strongly influenced by a sump pump system, which lowers the groundwater table to bring it below the foundation of the Reactor Building.

Land use in the vicinity of the Gentilly Nuclear Complex consists primarily of rural residential development, agricultural lands, and industrial lands. The Bécancour Industrial Park is situated immediately to the west of the Gentilly Nuclear Complex and is comprised of approximately 30 companies, ranging from various manufacturers to professional service companies. Few people live within 5 kilometres of the Gentilly Nuclear Complex, with the majority of the population in the region residing in Trois-Rivière, followed by Bécancour.

**Figure 1: Gently Nuclear Complex and Surrounding Lands**



(Source: CNL, Gently-1 Waste Facility Licence Amendment Application: Environmental Protection Measures for Decommissioning and Demolition, Revision 1, April 2026)

### Section D: Potential environmental effects

The federal guidance document titled Projects on federal lands and outside Canada: guidance document on sections 81 to 91 of the Impact Assessment Act (p. 51) defines ‘technically and economically feasible mitigation measures (TEFMM)’ as those that meet the following criteria:

- Technically feasible means an action can be successfully implemented under the specific circumstances of the project and is either generally accepted, common, well documented or tested or, if relatively new, it has a high-estimated probability of successful implementation.
- Economically feasible means that the costs associated with an action are not prohibitively high. In reviewing a proponent’s views regarding the extent to which mitigation measures are economically feasible, the authority should consider, on a case-by-case basis and in the context of the particular project, different economic criteria.

Canadian Nuclear Safety Commission (CNSC) staff used the above guidance document to guide their assessment of CNL’s proposed decommissioning activities at the G1WF, alongside other relevant regulatory documents.

#### Biophysical effects (B)

Does the project have the potential to:	No	Yes, and can be reduced to a non-significant level through TEFMM	Yes, but cannot be reduced to a non-significant level through mitigation measures
Alter, disturb, or destroy vulnerable natural features?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Release a polluting substance into the land, water or air?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alter landscape features (e.g., resource extraction, deforestation, clearing vegetation)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Affect birds, aquatic animals, and wildlife (flora and fauna), including species at risk and their critical habitat?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Result in alteration of water level, quality, flow or management regime in a water body, or result in other important changes to surface or groundwater resources (including well water)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Cause sensory disturbances, such as noise and/or vibrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>



<b>Section D: Potential environmental effects</b>			
Cause any other change to the environment on federal lands or incidental to a federal decision?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Impacts on Indigenous peoples (IP)</b>			
Does the project have the potential to result in changes to the environment that may impact Indigenous peoples, including:	No	Yes, and can be reduced to a non-significant level through TEFMM	Yes, but cannot be reduced to a non-significant level through mitigation measures
Social, economic, and health conditions, including community health specific to Indigenous peoples (e.g., impact to an Indigenous fishery resulting from a change in fish population)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Physical and cultural heritage?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Use of lands and resources for traditional purposes?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any structure, site or thing that is of historical, archaeological, paleontological or architectural significance?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other impacts to Indigenous peoples?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Health conditions (H)</b>			
Does the project have the potential to result in changes to the environment that may affect health conditions? These changes could be on:	No	Yes, and can be reduced to a non-significant level through TEFMM	Yes, but cannot be reduced to a non-significant level through mitigation measures
Air quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Noise exposure and effects of vibration	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Current and future availability of country foods (traditional foods)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Current and future availability of water for drinking, recreational and cultural uses	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other changes that could affect health conditions	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Section D: Potential environmental effects**

**Social conditions (S)**

Does the project have the potential to result in changes to the environment that may affect social conditions? These changes could be on:	No	Yes, and can be reduced to a non-significant level through TEFMM	Yes, but cannot be reduced to a non-significant level through mitigation measures
Services and infrastructure	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Land and resource use and recreation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Navigation	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community well-being	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Structures, sites, things of historical, archaeological, paleontological, or architectural significance	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Economic conditions (E)**

Does the project have the potential to result in changes to the environment that may affect economic conditions? These changes could be on:	No	Yes, and can be reduced to a non-significant level through TEFMM	Yes, but cannot be reduced to a non-significant level through mitigation measures
Forestry and logging operations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial recreational and sport fishing, hunting, trapping	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial outfitters	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial recreation and tourism	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Agriculture, including predicted effects to livestock health and productivity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Section E: Technically and economically feasible mitigation measures**

The following table provides a description of each potential adverse environmental effect identified for the proposed project, along with the proposed mitigation measures, the monitoring that will be put in place to verify the effectiveness of the mitigation measures, and CNSC staff (along with support from the identified federal authorities)'s significance determination for each potential adverse environmental effect.



**Section E: Technically and economically feasible mitigation measures**

Each potential adverse environmental effect identified below is also related to one or multiple of the following components, if it has the potential to cause impacts to an area related to the component: (B) biophysical, (IP) Indigenous Peoples and/or (H) health, socio (S) or economic (E) conditions.

1) Potential adverse environmental effect:	B	IP	H	S	E
The proposed G1WF decommissioning could cause potential adverse environmental effects through fugitive dust emissions.	X	X	X	X	

Description of the potential effect:	Proposed mitigation measures description:
<p>Atmospheric releases of fugitive dust emissions may:</p> <ul style="list-style-type: none"> <li>decrease the quality of air, soils, surface water, vegetation, and wildlife habitat, which may in turn affect traditional land and resource use and recreational use of the area;</li> <li>cause changes to the quality of air, soils, surface water, vegetation, and wildlife habitat, which may in turn affect the health and social conditions of Indigenous Nations and communities; and</li> <li>result in health effects to workers and the public, and ecological receptors.</li> </ul>	<ul style="list-style-type: none"> <li>Implementation of dust management techniques (such as watering) to control dust generated during decommissioning.</li> <li>Use of dust suppression methods during building demolition activities to control airborne emissions and nuisance dust (such as wetting techniques and wind restrictions).</li> <li>Curtailement of activities during periods of adverse meteorological conditions.</li> <li>Road watering and sweeping, when necessary.</li> <li>Removal of accumulations of particulates (such as dirt) on roads.</li> <li>Limitations on idling of vehicles on-site and speed limits on roads on-site.</li> <li>Use of tarps or 3-sided enclosures for raw material storage.</li> <li>Use of contamination immobilization agents, containment, ventilation, and HEPA filters to control airborne emissions.</li> </ul>

Magnitude of residual effect	Geographic extent of residual effect	Frequency of residual effect	Duration of residual effect	Reversibility of residual effect	Timing of residual effect
<input type="checkbox"/> Low amount <input checked="" type="checkbox"/> Medium amount <input type="checkbox"/> High amount	<input type="checkbox"/> Small area <input checked="" type="checkbox"/> Medium area <input type="checkbox"/> Large area	<input type="checkbox"/> Rarely <input checked="" type="checkbox"/> Intermittent <input type="checkbox"/> All the time	<input type="checkbox"/> Short periods <input checked="" type="checkbox"/> Medium periods <input type="checkbox"/> Long periods	<input checked="" type="checkbox"/> High degree <input type="checkbox"/> Medium degree <input type="checkbox"/> Low degree	<input checked="" type="checkbox"/> Not dependant on timing <input type="checkbox"/> Dependant on specific timing

Section E: Technically and economically feasible mitigation measures								
Monitoring to determine effectiveness of mitigation measures:								
Monitoring for this potential adverse environmental effect will be managed through CNL's G1WF Effluent Monitoring Plan.								
2) Potential adverse environmental effect:				B	IP	H	S	E
The proposed G1WF decommissioning could cause potential adverse environmental effects through radiological and non-radiological air emissions.				X	X	X	X	
Description of the potential effect:			Proposed mitigation measures description:					
<p>Atmospheric releases of non-radiological and radiological emissions may:</p> <ul style="list-style-type: none"> <li>decrease the quality of the air, soils, surface water, vegetation and wildlife habitat, which may in turn affect traditional land and resource use and recreational use of the area;</li> <li>cause changes to the quality of air, soils, surface water, vegetation, and wildlife habitat, which may in turn affect the health and social conditions of Indigenous Nations and communities; and</li> <li>result in health effects to workers and the public, and ecological receptors.</li> </ul>			<ul style="list-style-type: none"> <li>Use of contamination immobilization agents, containment, ventilation, shielding, air monitoring, and HEPA filters.</li> <li>Curtailment of activities during periods of adverse meteorological conditions.</li> <li>Referral to approved work plans, waste management plans, an occupational health and safety system, emergency preparedness systems, environmental protection programs, and related work authorizations.</li> <li>Use of tarps of 3-sided enclosures for raw material storage.</li> <li>Packaging of wastes in appropriate containers.</li> <li>Implementation of environmental reviews of decommissioning activities for each planning envelope, including need-for-monitoring assessments, as applicable.</li> </ul>					
Magnitude of residual effect	Geographic extent of residual effect	Frequency of residual effect	Duration of residual effect	Reversibility of residual effect	Timing of residual effect			
<input type="checkbox"/> Low amount <input checked="" type="checkbox"/> Medium amount <input type="checkbox"/> High amount	<input checked="" type="checkbox"/> Small area <input type="checkbox"/> Medium area <input type="checkbox"/> Large area	<input type="checkbox"/> Rarely <input checked="" type="checkbox"/> Intermittent <input type="checkbox"/> All the time	<input type="checkbox"/> Short periods <input checked="" type="checkbox"/> Medium periods <input type="checkbox"/> Long periods	<input checked="" type="checkbox"/> High degree <input type="checkbox"/> Medium degree <input type="checkbox"/> Low degree	<input checked="" type="checkbox"/> Not dependant on timing <input type="checkbox"/> Dependant on specific timing			



Section E: Technically and economically feasible mitigation measures									
<b>Monitoring to determine effectiveness of mitigation measures:</b>									
Monitoring for this potential adverse environmental effect will be managed through CNL's G1WF Effluent Monitoring Plan.									
<b>3) Potential adverse environmental effect:</b>					<b>B</b>	<b>IP</b>	<b>H</b>	<b>S</b>	<b>E</b>
The proposed G1WF decommissioning could cause potential adverse environmental effects through liquid releases of chemical and radiological contaminants.					X	X	X	X	
<b>Description of the potential effect:</b>					<b>Proposed mitigation measures description:</b>				
<p>Liquid releases of chemical and radiological contaminants may:</p> <ul style="list-style-type: none"> <li>decrease the quality of soils, groundwater, surface water, vegetation, and wildlife habitat, which may in turn affect traditional land and resource use and recreational use of the area;</li> <li>cause changes to the quality of soils, groundwater, surface water, vegetation, and wildlife habitat, which may in turn affect the health and social conditions of Indigenous Nations and communities; and</li> <li>result in health effects to workers, the public, and ecological receptors.</li> </ul>					<ul style="list-style-type: none"> <li>Referral to a characterization survey to confirm the presence of contaminated liquids and sludge in oil, tanks, pipes, or drums and abandoned chemical and/or active drains.</li> <li>Referral to approved work plans, waste management plans, an occupational health and safety system, emergency preparedness systems, environmental protection programs, and related work authorizations.</li> <li>Monitoring and characterization of any radiological waste to determine appropriate disposal route, if discovered.</li> <li>Maintenance of vehicles and equipment, including use of shutoff switches.</li> <li>Sampling of any accumulated water in soil excavation areas.</li> <li>Isolation or covering of buildings and storm drains.</li> <li>Referral to acceptability criteria for routine and non-routine discharge of liquids.</li> <li>Presence of standalone spill kits and an approved spill response plan.</li> <li>Use of secondary containment and confinement systems, if needed, in the case of systems or equipment failure.</li> </ul>				



Section E: Technically and economically feasible mitigation measures								
Magnitude of residual effect	Geographic extent of residual effect	Frequency of residual effect	Duration of residual effect	Reversibility of residual effect	Timing of residual effect			
<input checked="" type="checkbox"/> Low amount <input type="checkbox"/> Medium amount <input type="checkbox"/> High amount	<input type="checkbox"/> Small area <input checked="" type="checkbox"/> Medium area <input type="checkbox"/> Large area	<input type="checkbox"/> Rarely <input checked="" type="checkbox"/> Intermittent <input type="checkbox"/> All the time	<input type="checkbox"/> Short periods <input checked="" type="checkbox"/> Medium periods <input type="checkbox"/> Long periods	<input checked="" type="checkbox"/> High degree <input type="checkbox"/> Medium degree <input type="checkbox"/> Low degree	<input checked="" type="checkbox"/> Not dependant on timing <input type="checkbox"/> Dependant on specific timing			
<b>Monitoring to determine effectiveness of mitigation measures:</b>								
Monitoring for this potential adverse environmental effect will be managed through CNL's G1WF Effluent Monitoring Plan.								
<b>4) Potential adverse environmental effect:</b>				<b>B</b>	<b>IP</b>	<b>H</b>	<b>S</b>	<b>E</b>
The proposed G1WF decommissioning could cause potential adverse environmental effects through the generation and management of decommissioning waste.				X	X	X	X	
<b>Description of the potential effect:</b>				<b>Proposed mitigation measures description:</b>				
<p>The generation and management of liquid and solid, non-radioactive, hazardous, and non-hazardous waste may:</p> <ul style="list-style-type: none"> <li>decrease the quality of soils, surface water, vegetation, and wildlife habitat, which may in turn affect traditional land and resource use and recreational use of the area;</li> <li>cause changes to the quality of soils, surface water, vegetation, and wildlife habitat, which may in turn affect the health and social conditions of Indigenous Nations and communities; and</li> <li>result in health effects to workers, the public, and ecological receptors.</li> </ul>				<ul style="list-style-type: none"> <li>Characterization of all waste, including contaminated soil from excavations.</li> <li>Labelling of all liquid waste containers.</li> <li>Waste sorting and size reduction.</li> <li>Storage and transport of radioactive or chemically contaminated sludge in drums or other suitable containers.</li> <li>Referring to the asbestos handling procedure for material containing asbestos.</li> <li>Referral to waste management plans for the handling of hazardous waste.</li> </ul>				



**Section E: Technically and economically feasible mitigation measures**

Magnitude of residual effect	Geographic extent of residual effect	Frequency of residual effect	Duration of residual effect	Reversibility of residual effect	Timing of residual effect
<input checked="" type="checkbox"/> Low amount <input type="checkbox"/> Medium amount <input type="checkbox"/> High amount	<input checked="" type="checkbox"/> Small area <input type="checkbox"/> Medium area <input type="checkbox"/> Large area	<input type="checkbox"/> Rarely <input checked="" type="checkbox"/> Intermittent <input type="checkbox"/> All the time	<input type="checkbox"/> Short periods <input checked="" type="checkbox"/> Medium periods <input type="checkbox"/> Long periods	<input checked="" type="checkbox"/> High degree <input type="checkbox"/> Medium degree <input type="checkbox"/> Low degree	<input checked="" type="checkbox"/> Not dependant on timing <input type="checkbox"/> Dependant on specific timing

**Monitoring to determine effectiveness of mitigation measures:**

Monitoring for this potential adverse environmental effect will be managed through CNL's G1WF Effluent Monitoring Plan.

**5) Potential adverse environmental effect:**

	B	IP	H	S	E
The proposed G1WF decommissioning could cause potential adverse environmental effects through increase noise levels and potential sensory disturbances.	X	X		X	

Description of the potential effect:	Proposed mitigation measures description:
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<p>Sensory disturbances and increased noise levels may:</p> <ul style="list-style-type: none"> <li>• affect the quality of wildlife habitat, causing displacement of wildlife (including species at risk);</li> <li>• cause changes to wildlife habitat, which may in turn affect the health and social conditions of Indigenous Nations and communities; and</li> <li>• affect traditional land and resource use and recreational use of the area.</li> </ul>	<ul style="list-style-type: none"> <li>• Limiting of decommissioning activities to daytime hours, with noise production being short-term and sporadic.</li> <li>• Avoidance of potentially destructive or disruptive activities during sensitive periods.</li> <li>• Implementation of exclusion measures, as needed.</li> <li>• Implementation of avoidance measures if sensitive species are discovered, in addition to consultation with the Canadian Wildlife Service for additional guidance, if needed.</li> <li>• Adhering to a controlled manner for decommissioning activities, with the loudest activities limited to the interior if the building envelope.</li> <li>• Maintenance of all equipment and mufflers.</li> </ul>
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**Section E: Technically and economically feasible mitigation measures**

Magnitude of residual effect	Geographic extent of residual effect	Frequency of residual effect	Duration of residual effect	Reversibility of residual effect	Timing of residual effect
<input checked="" type="checkbox"/> Low amount <input type="checkbox"/> Medium amount <input type="checkbox"/> High amount	<input checked="" type="checkbox"/> Small area <input type="checkbox"/> Medium area <input type="checkbox"/> Large area	<input type="checkbox"/> Rarely <input checked="" type="checkbox"/> Intermittent <input type="checkbox"/> All the time	<input type="checkbox"/> Short periods <input checked="" type="checkbox"/> Medium periods <input type="checkbox"/> Long periods	<input checked="" type="checkbox"/> High degree <input type="checkbox"/> Medium degree <input type="checkbox"/> Low degree	<input type="checkbox"/> Not dependant on timing <input checked="" type="checkbox"/> Dependant on specific timing

**Monitoring to determine effectiveness of mitigation measures:**

Monitoring for this potential adverse environmental effect will be managed through CNL’s Environmental Protection Program and CNL’s plan for the management of land, habitat, and wildlife. Additional follow-up measures have been proposed by CNL for sensitive species, including visual inspections for Barn Swallows, monitoring for noise around Cliff Swallow nesting areas, bat monitoring using ultrasonic wildlife recorders and visual observations, noise monitoring by the forest during sensitive periods, and inspections by a migratory bird specialist, if needed.

6) Potential adverse environmental effect:	B	IP	H	S	E
The proposed G1WF decommissioning could cause potential adverse environmental effects through the demolition of above-ground buildings.	X				

Description of the potential effect:	Proposed mitigation measures description:
The demolition of above-ground buildings may: <ul style="list-style-type: none"> <li>cause potential loss or alteration of wildlife habitat (including for species at risk) from demolition of the above ground buildings and from surface water runoff;</li> <li>impact surface water runoff; and</li> <li>disturb wildlife species and species at risk, primarily bird and bat species.</li> </ul>	<ul style="list-style-type: none"> <li>Use of pre-disturbance surveys to confirm the potential for presence of bat roosts and cliff swallow nests, and pre-disturbance searches for hibernating bats and bird species.</li> <li>Initiation of species-appropriate barriers and mitigations if bat maternity roosts are identified.</li> <li>Avoidance of potentially destructive or disruptive activities during sensitive periods, such as breeding season, and in sensitive locations for birds.</li> <li>Implementation of appropriate preventative and mitigation measures to minimize risks of bycatches for migratory bird populations.</li> </ul>



**Section E: Technically and economically feasible mitigation measures**

	<ul style="list-style-type: none"> <li>• Implementation of exclusion practices if species of bats at risk are detected.</li> <li>• Use of erosion and sediment control practices around disturbed areas.</li> <li>• Use of nesting prevention methods, if needed.</li> <li>• Implementation of avoidance measures if bird species at risk are detected.</li> </ul>
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Magnitude of residual effect	Geographic extent of residual effect	Frequency of residual effect	Duration of residual effect	Reversibility of residual effect	Timing of residual effect
<input checked="" type="checkbox"/> Low amount <input type="checkbox"/> Medium amount <input type="checkbox"/> High amount	<input checked="" type="checkbox"/> Small area <input type="checkbox"/> Medium area <input type="checkbox"/> Large area	<input type="checkbox"/> Rarely <input type="checkbox"/> Intermittent <input checked="" type="checkbox"/> All the time	<input type="checkbox"/> Short periods <input type="checkbox"/> Medium periods <input checked="" type="checkbox"/> Long periods	<input type="checkbox"/> High degree <input type="checkbox"/> Medium degree <input checked="" type="checkbox"/> Low degree	<input checked="" type="checkbox"/> Not dependant on timing <input type="checkbox"/> Dependant on specific timing

**Monitoring to determine effectiveness of mitigation measures:**

Monitoring for this adverse potential environmental effect will be managed through CNL's Environmental Protection Program and CNL's plan for the management of land, habitat, and wildlife. Additional follow-up measures have been proposed by CNL for sensitive species, including visual inspections for Barn Swallows, monitoring of noise around Cliff Swallow nesting areas, bat monitoring using ultrasonic wildlife recorders and visual observations, noise monitoring by the forest during sensitive periods, and inspections by a migratory bird specialist, if needed.

<b>7) Potential adverse environmental effect:</b>	B	IP	H	S	E
The proposed G1WF decommissioning could cause potential adverse environmental effects through the contamination of groundwater.	X	X			

<b>Description of the potential effect:</b>	<b>Proposed mitigation measures description:</b>
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Section E: Technically and economically feasible mitigation measures								
<p>Release of contaminants into the groundwater may:</p> <ul style="list-style-type: none"> <li>• impact groundwater quality and quality in the area during decommissioning and potentially post-decommissioning; and</li> <li>• cause changes to the quality of groundwater, which may in turn affect the health and social conditions of Indigenous Nations and communities.</li> </ul>		<ul style="list-style-type: none"> <li>• Sump pump system to prevent groundwater from being impacted by potential releases, to be run until contaminated structures and soil have been brought to free-release levels by decommissioning, as verified by the final status survey.</li> <li>• Removal of contaminated materials or managed to free-release levels, if some contaminated soils cannot be removed.</li> <li>• Decontamination of structures deeper than 1 metre below grade that cannot be safely removed.</li> <li>• Execution of a final status survey, including both remaining structures and soil, to confirm the site meets free-release criteria.</li> </ul>						
Magnitude of residual effect	Geographic extent of residual effect	Frequency of residual effect	Duration of residual effect	Reversibility of residual effect	Timing of residual effect			
<input checked="" type="checkbox"/> Low amount <input type="checkbox"/> Medium amount <input type="checkbox"/> High amount	<input type="checkbox"/> Small area <input type="checkbox"/> Medium area <input checked="" type="checkbox"/> Large area	<input type="checkbox"/> Rarely <input type="checkbox"/> Intermittent <input checked="" type="checkbox"/> All the time	<input type="checkbox"/> Short periods <input type="checkbox"/> Medium periods <input checked="" type="checkbox"/> Long periods	<input type="checkbox"/> High degree <input type="checkbox"/> Medium degree <input checked="" type="checkbox"/> Low degree	<input checked="" type="checkbox"/> Not dependant on timing <input type="checkbox"/> Dependant on specific timing			
Monitoring to determine effectiveness of mitigation measures:								
Monitoring for this potential adverse environmental effect will be managed through CNL's G1WF Effluent Monitoring Plan.								
8) Potential adverse environmental effect:				B	IP	H	S	E
The proposed G1WF decommissioning could cause potential adverse environmental effects through the impacts of external environmental hazards.				X	X	X	X	
Description of the potential effect:				Proposed mitigation measures description:				



**Section E: Technically and economically feasible mitigation measures**

External environmental hazards, including tornadoes and extreme winds, flooding, seismic hazards, and other extreme weather, may:

- result in releases that could decrease the quality of air, soils, surface water, vegetation, and wildlife habitat, which may in turn affect traditional land and resource use and recreational use of the area;
- cause changes to the quality of air, soils, surface water, vegetation, and wildlife habitat, which may in turn affect the health and social conditions of Indigenous Nations and communities; and
- result in health effects to workers and the public, and ecological receptors.

- Curtailment of activities during periods of adverse meteorological conditions.
- Referral to approved work plans, waste management plans, an occupational health and safety system, emergency preparedness systems, environmental protection programs, and related work authorizations.
- Routine inspections and maintenance of perimeter dyke, stormwater conveyance systems, and related infrastructure.
- Implementation of environmental reviews of decommissioning activities for each planning envelope, including need-for-monitoring assessments, as applicable.
- Referral to acceptability criteria for routine and non-routine discharge of liquids.
- Presence of standalone spill kits and an approved spill response plan.
- Use of secondary containment and confinement systems, if needed, in the case of systems or equipment failure.

Magnitude of residual effect	Geographic extent of residual effect	Frequency of residual effect	Duration of residual effect	Reversibility of residual effect	Timing of residual effect
<input checked="" type="checkbox"/> Low amount <input type="checkbox"/> Medium amount <input type="checkbox"/> High amount	<input checked="" type="checkbox"/> Small area <input type="checkbox"/> Medium area <input type="checkbox"/> Large area	<input checked="" type="checkbox"/> Rarely <input type="checkbox"/> Intermittent <input type="checkbox"/> All the time	<input type="checkbox"/> Short periods <input checked="" type="checkbox"/> Medium periods <input type="checkbox"/> Long periods	<input checked="" type="checkbox"/> High degree <input type="checkbox"/> Medium degree <input type="checkbox"/> Low degree	<input checked="" type="checkbox"/> Not dependant on timing <input type="checkbox"/> Dependant on specific timing

**Monitoring to determine effectiveness of mitigation measures:**

Monitoring for this potential adverse environmental effect will be managed through CNL’s Emergency Response Plan, along with CNL’s Effluent Monitoring Plan and Airborne Emissions Monitoring Plan.



## Section F: Consideration of factors 84(1)(a) to (d) of the *Impact Assessment Act*

### **84(1)(a) – Does the project have the potential to have any adverse impacts on the rights of the Indigenous peoples of Canada recognized and affirmed by section 35 of the Constitution Act, 1982?**

Yes  No

As CNL's requested licence amendment for the G1WF would permit the dismantling of structures at the current site, and considering these activities have the potential for impacts on the environment, CNSC staff's assessment is that there is a low potential for new adverse impacts on Aboriginal and/or Treaty Rights. Thus, the duty to consult was triggered for this proposed project.

The Indigenous Nations and communities listed below have been identified based on analysis conducted by CNSC staff using Crown Indigenous Relations and Northern Affairs Canada's Aboriginal and Treaty Rights Information System and other mapping tools, as well as through a review of existing CNSC and open resources.

Indigenous Nations and communities potentially directly impacted by the G1WF decommissioning include:

- La Nation Wendat
- Abénakis de Wolinak (represented by the W8banaki)
- Première Nation des Abenakis D'Odanak (represented by the W8banaki)

On December 15, 2025, pursuant to subsection 86(1) of the *Impact Assessment Act* (IAA), the Notice of Intent for the conduct of a federal lands assessment in accordance with the IAA was posted to the Canadian Impact Assessment Registry.

The CNSC sent notification emails to the above identified Indigenous Nations and communities on December 24, 2025, as well as to other Indigenous Nations and communities who have expressed interest in the project; namely, Kebaowek First Nation (KFN) and the Passamaquoddy Recognition Group Inc. (PRGI) on behalf of the Peskotomuhkati Nation, as to the posting of the Notice of Intent and the associated comment period. The notification email also provided information on upcoming opportunities to comment on CNSC staff's findings and recommendations via interventions to the Commission. CNSC staff also encouraged Indigenous Nations and communities to share any issues and concerns, perspectives, information, and Indigenous Knowledge relevant to the licence amendment application and associated federal lands assessment.

To date, the Indigenous Nations and communities that have been identified as being potentially directly impacted by the activities included in CNL's licence amendment application have not expressed any specific concerns with regards to the G1WF application, or any concerns with respect to the federal lands assessment being conducted by the CNSC.

Through regular meetings and the comment period of the Notice of Intent for the federal lands assessment, an additional Indigenous Nation, the Algonquins of Pikwakanagan First Nation, expressed interest in the project.



## Section F: Consideration of factors 84(1)(a) to (d) of the *Impact Assessment Act*

The comments provided by the interested Indigenous Nations and communities on the Notice of Intent and the federal lands assessment touched on the following key concerns and topics:

- the CNSC's policies, processes, and practices, including the CNSC's implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and participant funding;
- the potential management of G1WF waste at the Chalk River Laboratories site;
- the transport of nuclear waste;
- the scoping of rights-bearing and interested Indigenous Nations and communities in relation to the G1WF; and
- the proposed project not being considered a designated project and therefore not being subject to an integrated assessment as per the IAA.

Though these concerns are not directly within scope of this proposed project or this federal lands assessment, CNSC staff have taken steps to respond to and address these concerns by engaging in dialogue, responding directly to Indigenous Nations and communities to respond to their questions, concerns, and comments, following up with the proponent to identify comments and concerns that should be addressed by CNL, and offering opportunities to meet and collaboratively explore solutions with the concerned Nations. CNSC staff remain committed to working with Indigenous Nations and communities to find effective approaches to addressing key issues and concerns raised with respect to the G1WF, the current licence application, the CNSC's processes for assessing projects on federal lands, and broader policy and regulatory concerns.

CNSC staff acknowledge that efforts to address and respond to concerns are based on the information received to date and recognize that the upcoming public Commission hearing provides an opportunity for Indigenous Nations and communities to express their views directly to the Commission through written interventions. The hearing process is an important part of the CNSC's overall engagement and consultation process; the Commission carefully considers all submissions from Indigenous Nations and communities alongside submissions from CNSC staff, AECL, CNL, and other intervenors. Additional details on the comments received by Indigenous Nations and communities throughout the consultation and engagement activities for this licence amendment request can be found within section 4 of the CNSC Staff's Commission Member Document.

The CNSC has made funding available through its Participant Funding Program (PFP) for Indigenous Nations and communities, members of the public, non-governmental organizations, and other interested parties to support interventions relating to the proposed project. All interventions received ahead of the hearing in writing will be considered by the Commission when making the section 82 determination in accordance with the IAA and the licensing decision.

**84(1)(b) – Was Indigenous knowledge provided with respect to the project?**    Yes    No

The Indigenous Nations and communities who provided comments or have expressed concerns with respect to the proposed project did not provide any Indigenous knowledge or traditional land use information for consideration as part of the assessment to date. CNSC staff continue to encourage Indigenous Nations and communities to share any Indigenous Knowledge and Traditional Land Use data applicable to the application and associated federal lands assessment, where applicable.



## Section F: Consideration of factors 84(1)(a) to (d) of the *Impact Assessment Act*

**84(1)(c) – Was community knowledge provided with respect to the project?**  Yes  No

Individuals and non-governmental organizations who have provided comments or have expressed concerns with respect to the proposed project did not provide any community knowledge for consideration.

**84(1)(d) – Did the public provide feedback on the project?**  Yes  No

Approximately 40 comments were received on the Notice of Intent for the proposed project between December 15, 2025 and February 5, 2026 from members of the public, non-governmental organizations, and Indigenous Nations and communities. The comments received from members of the public and non-governmental organizations highlighted two main areas of concern that were within scope of the assessment:

- demolition activities and contaminated materials having the potential to impact adjacent lands and the St. Lawrence River; and
- danger to workers due to exposure to radioactive dust.

Additional concerns outlined by members of the public and non-governmental organizations were outside the scope of this assessment. The concerns touched on the following areas and topics:

- the proposed project not being considered a designated project and therefore not being subject to an integrated assessment as per the IAA;
- CNL's environmental protection information within the Gentilly-1 Waste Facility Licence Amendment Application: Environmental Protection Measures for Decommissioning and Demolition report not being publicly available to support the public comment period;
- the exclusion of transportation and management of G1WF waste at Chalk River Laboratories from the federal lands assessment;
- the opportunity for simultaneous decommissioning of both the G1WF and the Gentilly-2 site;
- the government-owned and contractor-operated model, namely in relation to the management of the project being led by a United States consortium; and
- the Commission proceedings being held as a hearing in writing as opposed to a hybrid hearing with oral interventions.

CNSC staff have not been made aware of any concerns from members of the public or non-governmental organizations with respect to potential environmental effects or associated impacts of the project that are not appropriately mitigated through CNL's planned mitigation measures.

The CNSC has made funding available through its Participant Funding Program for Indigenous Nations and communities, members of the public, non-governmental organizations, and other interested parties to support interventions relating to the proposed project. All interventions received ahead of the hearing in writing will be considered by the Commission when making the section 82 determination in accordance with the IAA and the licensing decision.



## Section F: Consideration of factors 84(1)(a) to (d) of the *Impact Assessment Act*

**Are other federal authorities being consulted?**  Yes  No

Both Environment and Climate Change Canada (ECCC) and Health Canada (HC) supported CNSC staff in the technical assessment of CNL's Gentilly-1 Waste Facility Licence Amendment Application: Environmental Protection Measures for Decommissioning and Demolition report for the proposed G1WF decommissioning. ECCC provided technical expertise on terrestrial species at risk, migratory birds, and the atmospheric environment, while HC provided technical expertise on air quality and noise.

The Department of Fisheries and Oceans (DFO) was also contacted and informed CNSC staff that due to the proposed project not involving physical works being conducted within water bodies, DFO found that the proposed project does not pose a risk to fish and fish habitat and therefore DFO's expertise was not required for this assessment.



## Section G: Resources

The following resources were consulted to complete this form.

- Impact Assessment Agency of Canada, *Projects on federal lands and outside Canada - Guidance document on Sections 81 to 91 of the Impact Assessment Act*, December 2021, [Projects on federal lands and outside Canada: Guidance on Sections 81 to 91 of the Impact Assessment Act - Canada.ca](#).
- Canadian Nuclear Laboratories, *Gentilly-1 Waste Facility Licence Amendment Application: Environmental Protection Measures for Decommissioning and Demolition*, Revision 1, April 2026.
- Canadian Nuclear Safety Commission, *REGDOC-2.9.1: Environmental Protection: Environmental Principles, Assessments and Protection Measures*, Version 1.2, September 2020, [REGDOC-2.9.1, Environmental Protection: Environmental Principles, Assessments and Protection Measures, Version 1.2](#).
- Government of Canada, *Impact Assessment Act*, August 2019, [Impact Assessment Act](#).
- Government of Canada, *Nuclear Safety and Control Act*, May 2000, [Nuclear Safety and Control Act](#).
- Government of Canada, *Species at Risk Act*, amended July 2025, [Species at Risk Act](#).
- Government of Canada, *Species at risk public registry*, accessed February 13, 2026, [Species at risk public registry - Canada.ca](#).
- Canadian Nuclear Laboratories, *Environmental Risk Assessment for the Gentilly-1 Waste Facility*, Revision 2, May 2025.
- Canadian Nuclear Laboratories, *Gentilly-1 Waste Facility Effluent Monitoring Plan for Gentilly-1 Decommissioning*, Revision 1.1, October 2024.
- Canadian Nuclear Laboratories, *Management and Monitoring of Effluents and Emissions*, Revision 1, December 2022.
- Canadian Nuclear Laboratories, *Management of Land, Habitat and Wildlife*, Revision 0, April 2018.
- Canadian Nuclear Laboratories, *Gentilly-1 Waste Facility: Determination of Groundwater Protection and Groundwater Monitoring Requirements*, Revision 0, 2021.
- Hydro-Québec, *Résultats de la surveillance de l'environnement des installations de Gentilly-2*, April 2022.
- Government of Canada, *Strategic Assessment of Climate Change*, October 2020, [Strategic Assessment of Climate Change - Canada.ca](#).
- Government of Canada, *Air quality processes research*, 2018, [Air quality processes research - Canada.ca](#).

## Section G: Resources

- Government of Canada, *Air pollution from cars, trucks, vans, and SUVs*, 2018, [Air pollution from cars, trucks, vans and SUVs - Canada.ca](#).
- Government of Canada, *Acid Rain: Causes and Effects*, 2018, [Acid rain: causes and effects - Canada.ca](#).
- Canadian Standards Association Group, *Guidelines for modelling radionuclide environmental transport, fate, and exposure associated with the normal operation of nuclear facilities*, March 2020.
- Government of Canada, *Barn Swallow (Hirundo rustica): COWEWIC assessment and status report 2021, 2022*, [Barn Swallow \(Hirundo rustica\): COSEWIC assessment and status report 2021 - Canada.ca](#).
- Government of Canada, *Recovery strategy for the Chimney Swift (Chaetura pelagica) in Canada*, 2023, [Recovery strategy for the Chimney Swift \(Chaetura pelagica\) in Canada.: En3-4/365-2023E-PDF - Government of Canada Publications - Canada.ca](#).
- Government of Canada, *Recovery strategy for the bank swallow (Riparia riparia) in Canada*, 2022, [Recovery strategy for the bank swallow \(Riparia riparia\) in Canada.: En3-4/353-2022E-PDF - Government of Canada Publications - Canada.ca](#).
- Government of Canada, *Recovery Strategy for the Bobolink (Dolichonyx oryzivorus) in Canada [proposed]*, 2022, [Bobolink \(Dolichonyx oryzivorus\): recovery strategy \[proposed\] 2022 - Canada.ca](#).
- Government of Canada, *Recovery Strategy for the Little Brown Myotis (Myotis lucifugus), the Northern Myotis (Myotis septentrionalis), and the Tri-colored Bat (Perimyotis subflavus) in Canada*, 2018, [Little Brown Myotis \(Myotis lucifugus\), the Northern Myotis \(Myotis septentrionalis\), and the Tri-colored Bat \(Perimyotis subflavus\): recovery strategy 2018 - Canada.ca](#).
- Government of Canada, *Recovery Strategy for the Common Nighthawk (Chordeiles minor) in Canada*, 2016, [Recovery Strategy for the Common Nighthawk \(Chordeiles minor\) in Canada - 2016 - Canada.ca](#).
- Canadian Standards Association Group, *Environmental risk assessments at nuclear facilities and uranium mines and mills*, February 2022.
- National Parks Service, *Effects of Noise on Wildlife*, 2025, [Effects of Noise on Wildlife - Natural Sounds \(U.S. National Park Service\)](#).
- Canadian Nuclear Safety Commission, *REGDOC-3.2.2: Indigenous Engagement*, Version 1.2, February 2022, [REGDOC-3.2.2, Indigenous Engagement, Version 1.2](#).
- Crown-Indigenous and Northern Affairs Canada, *Aboriginal Consultation and Accommodation – Updated Guidelines for Federal Officials to Fulfill the Duty to Consult*, March 2011, [Aboriginal Consultation and Accommodation - Updated Guidelines for Federal Officials to Fulfill the Duty to Consult - March 2011](#).



**Section H: Determination**

Taking into account the implementation of the technically and economically feasible mitigation measures outlined in Section E and the other section 84 factors under the IAA, outlined in Section F, CNSC staff are recommending that the Commission determine this project is:

**Not likely** to cause significant adverse environmental effects (the authority can carry out the project, exercise a power, perform a duty or function, or provide financial assistance that could permit or enable the project to proceed.)

**Likely** to cause significant adverse environmental effects (the authority may choose not to make any decision or take any action that may permit or enable the project to be carried out; or refer the project to the GiC to determine whether the significant adverse environmental effects are justified in the circumstances under subsection 90(3).)

**Comments**

A federal lands assessment in accordance with the IAA was conducted by the CNSC for the proposed G1WF decommissioning, with federal technical expertise provided by ECCC and HC. The CNSC also sought comments and feedback from Indigenous Nations and communities and members of the public through the public comment period hosted on the [Notice of Intent](#) through the [Canadian Impact Assessment Registry web page](#).

CNSC staff recommend that the Commission determine that the G1WF decommissioning is not likely to cause significant adverse environmental effects.

# APPENDIX B:

## Basis for the Recommendation(s)

### Detailed Summary of CNSC Assessment of Application

CNSC staff’s assessment of CNL’s licence amendment application included a completeness check, a sufficiency check, and a technical assessment against regulatory requirements. The completeness check verified whether the application included the prescribed information in accordance with the [NSCA](#) and applicable Regulations. For all facilities (i.e., Class I and Class II facilities), it is important to consider and address all licence application requirements within the applicable CNSC regulations. As an application for a licence amendment, CNL’s application is subject to the requirements pursuant to sections 3 and 6 of the [GNSCR](#), as well as sections 3 and 7 of the [CINFR](#).

The sufficiency check verified whether the application included sufficient and quality information for CNSC staff to conduct the technical assessment. The technical assessment verified whether the application included adequate safety and control measures to address CNSC requirements. Documents originally submitted as part of the application may have been revised, updated, or replaced over the course of the assessment to address CNSC requirements.

Pursuant to Identified Sections of the <a href="#">GNSCR and CINFR</a>	Location in Application or Supporting Document(s) as Noted by CNL	Complete?	Sufficient?	Adequate?
<b><i>GNSCR Section 3 (1) An application for a licence shall contain the following information:</i></b>				
(a) the applicant’s name and business address;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> </ul>	Yes	Yes	Yes
(b) the activity to be licensed and its purpose;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> <li>▪ Gentilly-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview</li> </ul>	Yes	Yes	Yes



Pursuant to Identified Sections of the <a href="#">GNSCR</a> and <a href="#">CINFR</a>	Location in Application or Supporting Document(s) as Noted by CNL	Complete?	Sufficient?	Adequate?
(c) the name, maximum quantity, and form of any nuclear substance to be encompassed by the licence;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> <li>▪ Gentilly-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview</li> </ul>	Yes	Yes	Yes
(d) a description of any nuclear facility, prescribed equipment, or prescribed information to be encompassed by the licence;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> <li>▪ Gentilly-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview</li> </ul>	Yes	Yes	Yes
(e) the proposed measures to ensure compliance with the <a href="#">Radiation Protection Regulations</a> , the <a href="#">Nuclear Security Regulations</a> and the <a href="#">Packaging and Transport of Nuclear Substances Regulations, 2015</a> ;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> </ul>	Yes	Yes	Yes
(f) any proposed action level for the purpose of section 6 of the <a href="#">Radiation Protection Regulations</a> ;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> </ul>	Yes	Yes	Yes
(g) the proposed measures to control access to the site of the activity to be licensed and the nuclear substance, prescribed equipment, or prescribed information;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> </ul>	Yes	Yes	Yes
(h) the proposed measures to prevent loss or illegal use, possession, or removal of the nuclear substance, prescribed equipment, or prescribed information;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> </ul>	Yes	Yes	Yes



Pursuant to Identified Sections of the <a href="#">GNSCR</a> and <a href="#">CINFR</a>	Location in Application or Supporting Document(s) as Noted by CNL	Complete?	Sufficient?	Adequate?
(i) a description and the results of any test, analysis or calculation performed to substantiate the information included in the application;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> </ul>	Yes	Yes	Yes
(j) the name, quantity, form, origin and volume of any radioactive waste or hazardous waste that may result from the activity to be licensed, including waste that may be stored, managed, processed, or disposed of at the site of the activity to be licensed, and the proposed method for managing and disposing of that waste;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> <li>▪ Gently-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview</li> </ul>	Yes	Yes	Yes
(k) the applicant's organizational management structure insofar as it may bear on the applicant's compliance with the <a href="#">NSCA</a> and the regulations made under it, including the internal allocation of functions, responsibilities and authority;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> </ul>	Yes	Yes	Yes
(l) a description of any proposed financial guarantee relating to the activity to be licensed;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> </ul>	Yes	Yes	Yes



Pursuant to Identified Sections of the <a href="#">GNSCR and CINFR</a>	Location in Application or Supporting Document(s) as Noted by CNL	Complete?	Sufficient?	Adequate?
(m) any other information required by the <a href="#">[NSCA]</a> or the regulations made under it for the activity to be licensed and the nuclear substance, nuclear facility, prescribed equipment or prescribed information to be encompassed by the licence.	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> </ul>	Yes	Yes	Yes
<b>GNSCR Section 6 An application for the amendment, revocation, or replacement of a licence shall contain the following information:</b>				
(a) a description of the amendment, revocation or replacement and of the measures that will be taken and the methods and procedures that will be used to implement it;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> </ul>	Yes	Yes	Yes
(b) a statement identifying the changes in the information contained in the most recent application for the licence;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> <li>▪ Gentilly-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview</li> </ul>	Yes	Yes	Yes
(c) a description of the nuclear substances, land, areas, buildings, structures, components, equipment and systems that will be affected by the amendment, revocation or replacement and of the manner in which they will be affected; and	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> <li>▪ Gentilly-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview</li> </ul>	Yes	Yes	Yes



Pursuant to Identified Sections of the <a href="#">GNSCR</a> and <a href="#">CINFR</a>	Location in Application or Supporting Document(s) as Noted by CNL	Complete?	Sufficient?	Adequate?
(d) the proposed starting date and the expected completion date of any modification encompassed by the application.	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> </ul>	Yes	Yes	Yes
<p><b>CINFR Section 3</b> An application for a licence in respect of a Class I nuclear facility, other than a licence to abandon, shall contain the following information in addition to the information required by section 3 of the <i>GNSCR</i>:</p>				
(a) a description of the site of the activity to be licensed, including the location of any exclusion zone and any structures within that zone;	<ul style="list-style-type: none"> <li>▪ Gently-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview</li> </ul>	Yes	Yes	Yes
(b) plans showing the location, perimeter, areas, structures and systems of the nuclear facility;	<ul style="list-style-type: none"> <li>▪ Gently-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview</li> <li>▪ G1WF Licence Amendment Application Environmental Protection Measures for Decommissioning and Demolition</li> </ul>	Yes	Yes	Yes
(c) evidence that the applicant is the owner of the site or has authority from the owner of the site to carry on the activity to be licensed;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> <li>▪ Existing G1WF licence</li> </ul>	Yes	Yes	Yes
(d) the proposed management system for the activity to be licensed, including measures to promote and support safety culture;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> </ul>	Yes	Yes	Yes



Pursuant to Identified Sections of the <a href="#">GNSCR</a> and <a href="#">CINFR</a>	Location in Application or Supporting Document(s) as Noted by CNL	Complete?	Sufficient?	Adequate?
(d.1) the proposed human performance program for the activity to be licensed, including measures to ensure workers' fitness for duty.	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> </ul>	Yes	Yes	Yes
(e) the name, form, characteristics and quantity of any hazardous substances that may be on the site while the activity to be licensed is carried on;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> <li>▪ Gently-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview</li> </ul>	Yes	Yes	Yes
(f) the proposed worker health and safety policies and procedures;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> </ul>	Yes	Yes	Yes
(g) the proposed environmental protection policies and procedures;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> <li>▪ G1WF Licence Amendment Application Environmental Protection Measures for Decommissioning and Demolition</li> </ul>	Yes	Yes	Yes
(h) the proposed effluent and environmental monitoring programs;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> <li>▪ G1WF Licence Amendment Application Environmental Protection Measures for Decommissioning and Demolition</li> </ul>	Yes	Yes	Yes



Pursuant to Identified Sections of the <a href="#">GNSCR</a> and <a href="#">CINFR</a>	Location in Application or Supporting Document(s) as Noted by CNL	Complete?	Sufficient?	Adequate?
(i) if the application is in respect of a nuclear facility referred to in paragraph 2(b) of the Nuclear Security Regulations, the information required by section 3 of those Regulations;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> <li>▪ Gentilly-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview</li> </ul>	Yes	Yes	Yes
(j) the proposed program to inform persons living in the vicinity of the site of the general nature and characteristics of the anticipated effects on the environment and the health and safety of persons that may result from the activity to be licensed; and	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> </ul>	Yes	Yes	Yes
(k) the proposed plan for the decommissioning of the nuclear facility or of the site.	<ul style="list-style-type: none"> <li>▪ Gentilly-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview</li> </ul>	Yes	Yes	Yes
<b><i>CINFR</i> Section 7 An application for a licence to decommission a Class I nuclear facility shall contain the following information in addition to the information required by section 3:</b>				
(a) a description of and the proposed schedule for the decommissioning, including the proposed starting date and the expected completion date of the decommissioning and the rationale for the schedule;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> <li>▪ Gentilly-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview</li> </ul>	Yes	Yes	Yes



Pursuant to Identified Sections of the <a href="#">GNSCR</a> and <a href="#">CINFR</a>	Location in Application or Supporting Document(s) as Noted by CNL	Complete?	Sufficient?	Adequate?
(b) the nuclear substances, hazardous substances, land, buildings, structures, systems and equipment that will be affected by the decommissioning;	<ul style="list-style-type: none"> <li>▪ Gently-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview</li> </ul>	Yes	Yes	Yes
(c) the proposed measures, methods and procedures for carrying on the decommissioning;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> <li>▪ Gently-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview</li> </ul>	Yes	Yes	Yes
(d) the proposed measures to facilitate Canada's compliance with any applicable safeguards agreement;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> </ul>	Yes	Yes	Yes
(e) the nature and extent of any radioactive contamination at the nuclear facility;	<ul style="list-style-type: none"> <li>▪ Gently-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview</li> </ul>	Yes	Yes	Yes
(f) the effects on the environment and the health and safety of persons that may result from the decommissioning, and the measures that will be taken to prevent or mitigate those effects;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> <li>▪ Gently-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview</li> <li>▪ G1WF Licence Amendment Application Environmental Protection Measures for Decommissioning and Demolition</li> </ul>	Yes	Yes	Yes



Pursuant to Identified Sections of the <a href="#">GNSCR</a> and <a href="#">CINFR</a>	Location in Application or Supporting Document(s) as Noted by CNL	Complete?	Sufficient?	Adequate?
(g) the proposed location of points of release, the proposed maximum quantities and concentrations, and the anticipated volume and flow rate of releases of nuclear substances and hazardous substances into the environment, including their physical, chemical and radiological characteristics;	<ul style="list-style-type: none"> <li>▪ Gently-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview</li> <li>▪ G1WF Licence Amendment Application Environmental Protection Measures for Decommissioning and Demolition</li> </ul>	Yes	Yes	Yes
(h) the proposed measures to control releases of nuclear substances and hazardous substances into the environment;	<ul style="list-style-type: none"> <li>▪ Gently-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview</li> <li>▪ G1WF Licence Amendment Application Environmental Protection Measures for Decommissioning and Demolition</li> </ul>	Yes	Yes	Yes
(i) the proposed measures to prevent or mitigate the effects of accidental releases of nuclear substances and hazardous substances on the environment, the health and safety of persons and the maintenance of national security, including an emergency response plan;	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> <li>▪ G1WF Licence Amendment Application Environmental Protection Measures for Decommissioning and Demolition</li> </ul>	Yes	Yes	Yes
(j) the proposed qualification requirements and training program for workers; and	<ul style="list-style-type: none"> <li>▪ Compliance verification matrix appended to application cover letter</li> <li>▪ Gently-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview</li> </ul>	Yes	Yes	Yes



Pursuant to Identified Sections of the <a href="#">GNSCR and CINFR</a>	Location in Application or Supporting Document(s) as Noted by CNL	Complete?	Sufficient?	Adequate?
(k) a description of the planned state of the site on completion of the decommissioning;	▪ Gently-1 Waste Facility Detailed Decommissioning Plan Volume 1: Program Overview	Yes	Yes	Yes

## Technical Basis

The technical basis for the recommendations presented in this CMD includes regulatory documents and national standards specified in the applicable sections of the G1WF LCH (see Appendix D).

## Specific Areas for this Facility Type

The following table identifies SCA specific areas considered to be of relevance by CNSC staff in Section 3 of the CMD as a result of CNL’s application.

SPECIFIC AREAS FOR THIS FACILITY TYPE		
Functional Area	Safety and Control Area	Specific Areas
Management	Management System	<ul style="list-style-type: none"> <li>▪ Management System</li> <li>▪ Operating Experience (OPEX), Problem Identification and Resolution (PI&amp;R)</li> <li>▪ Supply and Contractor Management</li> </ul>
	Operating Performance	<ul style="list-style-type: none"> <li>▪ Conduct of Licensed Activity</li> <li>▪ Procedures</li> <li>▪ Reporting and Trending</li> </ul>
Facility and Equipment	Safety Analysis	<ul style="list-style-type: none"> <li>▪ Deterministic Safety Analysis</li> <li>▪ Hazard Analysis</li> </ul>
Core Control Processes	Radiation Protection	<ul style="list-style-type: none"> <li>▪ Application of ALARA</li> <li>▪ Worker Dose Control</li> <li>▪ Radiation Protection Program Performance</li> <li>▪ Radiological Hazard Control</li> </ul>
	Environmental Protection	<ul style="list-style-type: none"> <li>▪ Effluent and Emissions Control (releases)</li> <li>▪ Environmental Management System (EMS)</li> <li>▪ Assessment and Monitoring</li> <li>▪ Protection of People</li> <li>▪ Environmental Risk Assessment</li> </ul>
	Waste Management	<ul style="list-style-type: none"> <li>▪ Waste Characterization</li> <li>▪ Waste Minimization</li> <li>▪ Waste Management Practices</li> <li>▪ Decommissioning Plans</li> </ul>

# Appendix C:

## Consultation and Engagement Logs

### Consultation and Engagement activities with the W8banaki (representing both Abénakis de Wolinak, and la Première Nation des Abenakis D’Odanak)

Information about consultation activities and engagement conducted with the W8banaki since June 2025 is included in the table below. Activities were related to either the G1WF licence amendment application and/or the FLA.

Date	Consultation Activity
<b>June 5, 2025</b>	On June 5, 2025, CNSC staff met with the W8banaki to discuss the G1WF licence amendment. No issues were raised by the Nations.
<b>July 4, 2025</b>	On July 4, 2025, CNSC staff sent the W8banaki an official notification email indicating that CNL had submitted their application to amend the G1WF licence.
<b>August 12, 2025</b>	On August 12, 2025, CNSC staff shared with the W8banaki the summary from the meeting that occurred on June 5, 2025, and additional resources on the G1WF amendment application. Included was a reminder to the Nations that CNSC staff were open to hearing any issues and concerns the Nations may have with the project, and would continue to keep the Nations notified of further developments.
<b>December 24, 2025</b>	On December 24, 2025, CNSC staff sent a notification email to the W8banaki indicating that the Notice of Intent for the federal lands assessment in accordance with the IAA had been posted and was open for comment until February 5, 2026.

### Consultation and Engagement Activities with la Nation Wendat

Information about consultation activities and engagement conducted with la Nation Wendat since June 2025 is included in the table below. Activities were related to either the G1WF licence amendment application and/or the FLA.

Date	Consultation Activity
<b>July 4, 2025</b>	On July 4, 2025, CNSC staff sent la Nation Wendat an official notification email indicating that CNL had submitted their application to amend the G1WF licence.
<b>December 24, 2025</b>	On December 24, 2025, CNSC staff sent a notification email to la Nation Wendat indicating that the Notice of Intent for the federal lands assessment in accordance with the IAA had been posted and was open for comment until February 5, 2026.

### Engagement Activities with the Passamaquoddy Recognition Group Inc. (PRGI)

Information about engagement conducted with PRGI since June 2025 is included in the table below. Activities were related to either the G1WF licence amendment application and/or the FLA.

Date	Consultation Activity
<b>July 9, 2025</b>	PRGI sent an email to CNSC staff indicating they had an interest in the G1WF licence amendment application. They expressed concerns at not being one of the Nations notified and stated a responsibility under the W8banaki Confederation.
<b>July 18, 2025</b>	PRGI sent an email to CNSC staff requesting the G1WF's current operating licence.
<b>July 23, 2025</b>	On July 23, 2025, CNSC staff sent PRGI a copy of the G1WF licence and specified what part of the licence authorized CNL's transfer of nuclear substances. Staff also explained that all high-level radioactive waste had already been shipped to CNL's CRL site from the G1WF.
<b>July 24, 2025</b>	On July 24, 2025, CNSC staff sent an email responding to PRGI's request for CNSC to request to CNL to provide the decommissioning plan on behalf of PRGI. CNSC staff explained that outside of the CNSC hearing process, it is the responsibility of the licensee for sharing their documents publicly. CNSC staff offered to share the CNL contact if PRGI would like to request the documents from CNL directly.



Date	Consultation Activity
<b>July 30, 2025</b>	On July 30, 2025, CNSC staff met with PRGI to discuss the G1WF licence amendment application. PRGI raised what activities triggered the federal lands assessment in accordance with the IAA. PRGI raised their interest in the G1 application as it is within the Wabanaki Confederacy territory and the impact of the decision on Point Lepreau decommissioning. PRGI also raised concern that CNSC excludes Indigenous Nations from participation through funding opportunities. CNSC staff responded to and addressed the concerns raised.
<b>July 31, 2025</b>	On July 31, 2025, CNSC staff emailed the meeting transcript and an overview of next steps regarding meeting action items following the meeting on July 30, 2025.
<b>August 1, 2025</b>	On August 1, 2025, PRGI emailed the Registry requesting licence application documents for both the G1WF and G2 projects within 10 days. The documents included: Current and Proposed Licence and Licence Conditions Handbook; Unredacted copies of the Preliminary and Detailed Decommissioning Plan; Any documentation regarding the licensee’s Waste Management Plans and Environmental Protection Programming; and All documents referenced in the licence applications (i.e. all documents noted in the Reference List or Footnotes).
<b>August 6, 2025</b>	On August 6, 2025, CNSC staff emailed PRGI with the list of Nations that CNSC sent notification letters to regarding the G1WF licence application, hearing information and Participant Funding Program opportunity.
<b>August 6, 2025</b>	On August 6, 2025, PRGI sent a letter to CNSC staff requesting clarity on the CNSC’s role and responsibility under the Impact Assessment Act regarding the G1WF and preferred next steps and immediate requests.
<b>August 12, 2025</b>	On August 12, 2025, CNSC staff emailed PRGI with responses to questions raised by PRGI during the July 30 <sup>th</sup> meeting with CNSC staff. This information included information regarding what triggered the s 82 assessment, information sharing process pertaining to the transport of nuclear materials.
<b>August 14, 2025</b>	On August 14, 2025, the CNSC Registry emailed PRGI in response to the August 1, 2025 document request. The email clarified that the Registry is able to provide PRGI with documents which are on the record with the Registry. The email included links to the G1WF application and notice of hearing.



Date	Consultation Activity
<b>August 14, 2025</b>	On August 14, 2025, PRGI requested the accompanying LCH for the G1WF, and all references (except 5 and 8).
<b>August 14, 2025</b>	On August 14, 2025, the CNSC Registry emailed PRGI explaining they do not have the information being requested on the record yet and asking CNSC staff to follow-up with PRGI regarding the information being requested.
<b>August 15, 2025</b>	On August 15, 2025, CNSC staff emailed PRGI with copies of references 1-4 and 10. CNSC staff noted they will follow-up with PRGI on the remaining references.
<b>October 27, 2025</b>	On October 27, 2025, CNSC staff replied to PRGI's August 6 <sup>th</sup> letter regarding the federal lands assessment for the G1WF.
<b>December 24, 2025</b>	On December 24, 2025, CNSC staff emailed PRGI to inform them of the Posting of the Notice of Intent for the Decommissioning of the Gentilly-1 Waste Facility as per the IAA. CNSC have offered to have further discussions with PRGI on this matter to address any outstanding questions and concerns.
<b>February 5, 2026</b>	PRGI commented on the Notice of Intent for the federal lands assessment in accordance with the IAA. The Nation indicated their concerns were related to the federal lands assessment and regulatory processes. CNSC staff have offered to further discuss and respond to their questions and concerns on this matter.
<b>April 10, 2026</b>	On April 10, 2026 CNSC sent a response letter to PRGI's comments on the Notice of Intent for the federal lands assessment in accordance with the IAA. The CNSC indicated that the concerns raised by the Nation were outside the scope of the licence application, and offered discussions to address their questions and concerns on the matter through the appropriate process.

Candace Salmon  
Commission Registrar, Canadian Nuclear Safety Commission  
280 Slater St, PO Box 1046 Stn B, Ottawa ON K1P 5S9

via email: [registry-greffe@cnsccsn.gc.ca](mailto:registry-greffe@cnsccsn.gc.ca)

August 06, 2025

**Re: Federal Lands Assessment for Gentilly-1 Waste Facility**

Dear Ms. Salmon,

The Peskotomuhkati are writing to request immediate clarity from the Canadian Nuclear Safety Commission (CNSC) regarding its role and responsibilities under the *Impact Assessment Act*, SC 2019, c 28, s 1 (“IAA”), in relation to the Gentilly-1 Waste Facility.

The Peskotomuhkati were never consulted when nuclear developments began in Peskotomuhkati homeland and the nuclear operations at the Point Lepreau site in New Brunswick continue without our free, prior and informed consent. This remains a pressing concern as nuclear waste stockpiles grow, despite our best efforts to bring this to the attention of all levels of government and engage in good faith.

In your recent funding notice, the CNSC stated:

These proposed activities are also subject to a federal lands assessment under the Impact Assessment Act. The CNSC will be acting as an authority for this assessment. As a prerequisite to the licensing decision, the Commission must make a decision as to whether the proposed activities are likely to cause significant adverse environmental effects.”<sup>1</sup>

This is a project for which the Peskotomuhkati have a direct interest and as this statement raises significant questions about the CNSC’s statutory role, the process it intends to follow, and how obligations under the IAA and the Crown’s duty to consult Indigenous peoples will be fulfilled, we are reaching out.

**I. Clarification Requested on the CNSC’s Role and Legal Mandate**

We request the CNSC provide the following information:

- What is the CNSC’s statutory role under section 82 of the IAA?
- What precedents exist for the CNSC acting as the authority for section 82 assessments? Please provide examples and documentation.
- How has the CNSC interpreted its duty to consult in the context of section 82 assessments?

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<sup>1</sup> Online: <https://www.cnsccsn.gc.ca/eng/the-commission/participant-funding-program/opportunities/2025-07-cnlgentilly-1-waste-facility/>

- What policy or internal guidance documents govern the CNSC’s role in Indigenous consultation under the *IAA*?
- What steps does the CNSC take to ensure that section 84 factors—including Indigenous rights, knowledge systems, and community input—are meaningfully considered?

To date, there has been no formal notice or transparent process communicated regarding the Gentilly-1 assessment. This lack of information undermines both the procedural fairness and legal predictability required under the *IAA* and the Crown’s constitutional and international obligations.

## II. Legal Framework and Required Consultation Standards

The *Impact Assessment Act* requires that federal authorities, including the CNSC, carry out assessments in a careful and precautionary manner in order to avoid significant adverse environmental effects. Under section 84 of the *IAA*, the CNSC must also consider:

- (a) any adverse impact that the project may have on the rights of the Indigenous peoples of Canada recognized and affirmed by section 35 of the Constitution Act, 1982;
- (b) Indigenous knowledge provided with respect to the project;
- (c) community knowledge provided with respect to the project;
- (d) comments received from the public under subsection 86(1); and
- (e) the mitigation measures that are technically and economically feasible and that would mitigate any significant adverse environmental effects of the project that the authority is satisfied will be implemented.

To our knowledge, the CNSC has not publicly released a clear or accessible consultation framework outlining:

- how and when Indigenous Nations will be notified;
- the method of engagement;
- timelines for participation and decision-making;
- how Indigenous input will be incorporated into environmental and licensing decisions.

We request that the CNSC share any internal policy, protocols, or guidance documents that describe how it conducts section 82 assessments and upholds the Crown’s duty to consult. These documents are essential for ensuring transparency and accountability in the assessment process.

## III. Next Steps and Immediate Requests

Given the importance of this project and its potential environmental and rights-based implications, we call on the CNSC to:

- **Pause any decision-making** related to the Gentilly-1 federal lands assessment until meaningful engagement with Indigenous Nations can occur.

- **Clarify its statutory authority** and share precedents for CNSC-led section 82 assessments.
- **Publish a written framework** outlining consultation protocols, decision-making triggers, and transparency measures.
- **Ensure compliance** with Article 29.2 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), which requires free, prior, and informed consent before the storage or disposal of hazardous materials on Indigenous lands.

The obligations set out in both domestic and international law require more than procedural formalities. They demand a good faith process grounded in transparency, respect for Indigenous governance systems, and a commitment to honouring the Crown's legal and constitutional duties.

We look forward to your prompt response and remain committed to participating in a process that upholds Peskotomuhkati inherent rights and responsibilities to protect the lands and waters within the homeland.

Sincerely,



K. Reeder  
Energy File  
Passamaquoddy Recognition Group Inc



October 22, 2025

e-Doc # 7565864

Kim Reeder  
Passamaquoddy Recognition Group Inc  
[Kim.Reeder@qonaskamkuk.com](mailto:Kim.Reeder@qonaskamkuk.com)

**Subject: CNSC Staff Response to the Passamaquoddy Recognition Group Inc. Inquiries on the Section 82 Assessment for the Proposed Gentilly-1 Waste Facility Decommissioning Activities**

Dear Ms. Reeder,

Thank you for reaching out to the Canadian Nuclear Safety Commission (CNSC) on August 6, 2025 with inquiries relating to the section 82 assessment that is being conducted in accordance with the [Impact Assessment Act](#) (IAA) for the proposed Gentilly-1 Waste Facility (G1WF) decommissioning activities.

On July 17, 2024, CNSC staff received an application from Canadian Nuclear Laboratories (CNL) for a licence amendment to proceed with the execution of decommissioning activities at the G1WF site. The decommissioning activities encompassed in this request include the removal of all buildings and structures at the site that are owned by Atomic Energy of Canada Limited (AECL). Before CNL may proceed with these decommissioning activities, they will require an amendment to their current licence to be granted by the Commission pursuant to section 24 of the [Nuclear Safety and Control Act](#) (NSCA). In addition, because the G1WF is located on lands leased to AECL, which is a federal Crown corporation, the CNSC must, prior to exercising its licensing authority, conduct a section 82 assessment as per the IAA to determine whether the proposed project is likely to cause significant adverse environmental effects.

Please find CNSC staff's responses to Passamaquoddy Recognition Group Inc. (PRGI)'s inquiries below.

**I. Clarification requested on the CNSC's role and legal mandate**

**1. What is the CNSC's statutory role under section 82 of the IAA?**

The CNSC is acting as an "authority", specifically as a "federal authority", as defined by sections 2 and 81 of the IAA, for the proposed G1WF decommissioning project.

Pursuant to section 82 of the IAA, as an authority, the CNSC must not exercise any power or perform any duty or function conferred on it under any Act of Parliament that could permit a project to be carried out, in whole or in part, on federal lands unless the CNSC determines that the carrying out of the project is not likely to cause significant adverse environmental effects. In other words, the CNSC cannot grant a licence amendment to CNL for their proposed decommissioning activities unless it conducts a section 82 assessment and the Commission determines that the project is not likely to cause significant adverse environmental effects. While conducting its assessment, the CNSC must take into account the factors set out at section 84 of the IAA.

AECL will also be acting as an authority for this assessment and will need to make their own separate determination as per the IAA.

2. What precedents exist for the CNSC acting as the authority for section 82 federal lands assessments?

While this is the first time that the CNSC is acting as an authority for the purposes of section 82 of the IAA, the CNSC has acted as an authority for the assessment of proposed projects on federal lands under the [Canadian Environmental Assessment Act, 2012](#) (CEAA 2012). As stated by the Impact Assessment Agency of Canada, the overall approach for the review of projects on federal lands has not changed with the IAA when compared to the former CEAA 2012. Rather, what has changed is that the IAA includes additional provisions that aim to enhance the transparency and rigour of the environmental effect determination process.

The CNSC acted as an authority in the federal lands assessment (under CEAA 2012) for CNL's application to amend a previous licence for the Douglas Point Waste Facility to include additional decommissioning activities. The Commission's [Record of Decision](#) provides the Commission's conclusions on the CEAA 2012 assessment and licence request.

3. How has the CNSC interpreted its duty to consult in the context of section 82 assessments?

The common-law duty to consult and, where appropriate, accommodate Indigenous Nations and communities applies when the Crown contemplates actions that may adversely affect potential or established Indigenous and/or Treaty Rights. The Commission, as an agent of the Crown, must ensure that all licensing decisions under the NSCA and decisions under other applicable legislation uphold the honour of the Crown and uphold Indigenous peoples' potential or established Indigenous and/or Treaty Rights, pursuant to section 35 of the [Constitution Act, 1982](#). This is done in a matter consistent with the whole of government approach to implementing the Act.

When the CNSC receives a licence application, CNSC staff conduct an initial assessment to determine whether there are any potential new impacts on the rights of Indigenous Nations and communities and therefore engaging the Crown's duty to consult and, where appropriate, accommodate Indigenous Nations and communities. If the duty to consult is engaged, the CNSC then assesses the depth of the duty to consult and, where appropriate, accommodate. The CNSC uses resources such as Crown-Indigenous Relations and Northern Affairs Canada's [Aboriginal and Treaty Rights Information System](#) (ATRIS), information regarding Indigenous and Treaty Rights shared by Indigenous Nations and communities through interventions or submissions, as well as information gathered by proponents or licensees.

In the context of section 82 assessments as per the IAA, the CNSC will evaluate the proposed project and its effects through the above-mentioned methods and determine the most appropriate path forward on consultation and/or engagement with the effected or potentially effected Indigenous Nations and communities. This may include, but is not limited to, notification of the proposed project, meetings to discuss the project and processes, discussions and engagement on potential concerns and impacts of the project, potential options to mitigate and address concerns and potential impacts, the opportunity to provide comments through the project's Canadian Impact Assessment Registry (Registry) web page, and the opportunity to intervene in the Commission proceeding.

4. What policy or internal guidance documents govern the CNSC's role in Indigenous consultation under the IAA?

The CNSC's approach to Indigenous consultation and engagement is informed by a combination of federal policies, legal obligations, and public statements and commitments, including:

- the [United Nations Declaration on the Rights of Indigenous Peoples](#) (UNDRIP)
- the [United Nations Declaration on the Rights of Indigenous Peoples Act](#) (UNDA)
- the Crown's legal duty to consult and, where appropriate, accommodate Indigenous interests
- Canada's [Aboriginal Consultation and Accommodation – Updated Guidelines for Federal Officials to Fulfill the Duty to Consult](#) (March 2011)
- the CNSC's [Commitment to Indigenous Consultation and Engagement](#)
- the CNSC's statement on [Reconciliation](#)

Together, these federal policies, legal obligations, and public statements and commitments provide the foundation for how the CNSC consults and engages with Indigenous Nations and communities in a respectful, consistent, and informed manner, consistent with the rest of the federal government.

5. What steps does the CNSC take to ensure that section 84 factors, including Indigenous Rights, knowledge systems, and community input, are meaningfully considered?

As an authority for the section 82 assessment of the G1WF decommissioning project, the CNSC will provide an opportunity for input from potentially impacted Indigenous Nations and communities through the public comment period on the project's Registry page. These comments, and any Indigenous Knowledge and community input shared by Indigenous Nations and communities, help inform the final version of the CNSC's environmental effects evaluation form and CNSC staff's recommendations to the Commission. Indigenous Nations and communities will also have the opportunity to submit interventions directly to the Commission to inform their decision-making.

Additionally, the CNSC:

- Can discuss issues and concerns surrounding the section 82 assessment during topic-specific meetings with PRGI.
- Will capture relevant comments and concerns raised through engagement activities and reflecting these areas of interest in the Commission Member Document (CMD) for the proposed project.
- Has made available funding support through the Participant Funding Program (PFP) to enable informed participation in Commission proceedings.
- Will accept interventions on the G1WF decommissioning proceedings.

## II. Legal framework and required consultation standards

When conducting section 82 assessments as per the IAA, CNSC staff will adhere to guidance and best practices shared by the Impact Assessment Agency of Canada. More specifically, CNSC staff will follow the guidance in [Projects on federal lands and outside Canada: Guidance on Sections 81 to 91 of the Impact Assessment Act](#), in addition to the requirements outlined in the IAA. As mentioned above, the CNSC's consultation standards are subject to section 35 of the [Constitution Act, 1982](#), section 84 of the IAA, and support the whole of government approach by using the guiding principles outlined above.

We have included in Appendix 1 the generic template of our environmental effects evaluation form for section 82 assessments under the IAA, so PRGI can familiarize themselves with how CNSC staff will be sharing their findings and recommendations to the Commission. CNSC staff will share the link to the project Registry page with PRGI once it is available and can inform PRGI once the public comment period through the Registry begins.

## III. Next steps and immediate requests

CNSC staff are committed to consulting and engaging with Indigenous Nations and communities who have rights and interests related to the G1WF throughout this process. We recognize the importance of considering Indigenous Knowledge and perspectives, when shared with CNSC staff, in our recommendations to the Commission. Currently, the CNSC does not have plans to pause the G1WF section 82 and licensing assessments. However, there remain many opportunities for PRGI to participate in the process and provide comments to both CNSC staff and the Commission.

The Commission will hold a public hearing based on written submissions in July 2026. For this hearing in writing, the Commission will consider written submissions from CNL and from CNSC staff, as well as written interventions from Indigenous Nations and communities and the public. Requests to intervene must be filed with the Commission Registry by June 17, 2026. The Commission will consider all the information received when making their decision on both the section 82 assessment and the licence application.

CNSC staff will continue to keep PRGI informed regarding CNL's licence application and the related regulatory and assessment processes. If you wish to arrange a meeting to discuss these topics further, please contact Natalie Dormer, Policy Officer for the CNSC's Indigenous Consultation and Engagement Division, by email at [natalie.dormer@cnsccsn.gc.ca](mailto:natalie.dormer@cnsccsn.gc.ca).

Sincerely,

Levine, Adam

Digitally signed by Levine, Adam  
DN: C=CA, O=GC, OU=CNSC-CCSN, CN="Levine, Adam"  
Reason: I am the author of this document  
Location:  
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Adam Levine  
Director  
Indigenous Consultation and Engagement Division

# Wylie, Doug



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Doug Wylie  
A/Director  
Environmental Review Division

**c.c.:** CNSC: A. Levine, D. Wylie, K. Warnock-Juteau, N. Dormer, D. Beaton, J. Samson  
PRGI: H. Akagi, K. Blaise, J. Ames, S. O'Donnell, W. E. Altvater



## Appendix 1: Template environmental effects evaluation form for s.82 assessments as per the *Impact Assessment Act*

Section A: Project identification	
Project start date	
Project end date	
Project location	
Lead authority	Canadian Nuclear Safety Commission (CNSC)
Contact name, title, telephone no. and email	
Other authorities (if applicable)	

Section B: Project description	
Project phase	Project activities / components

Section C: Description of the baseline environment

<b>Section D: Potential environmental effects</b>			
Please note: <ul style="list-style-type: none"> <li>Answers of “Yes and can be reduced to a non-significant level through technically and economically feasible mitigation measures (TEFMM)” should be addressed in <b>Section F</b>.</li> <li>Answers of “Yes but cannot be reduced to a non-significant level through technically and economically feasible mitigation measures” would result in the project likely causing significant adverse environmental effects. Therefore, the authority may not take any action or make any decision that would enable the project to proceed unless the Governor in Council (GIC) determines that those effects are justified in the circumstances under subsection 90(3) of the IAA.</li> </ul>			
<b>Biophysical effects</b>			
Does the project have the potential to:	No	Yes, and can be reduced to a non-significant level through TEFMM	Yes, but cannot be reduced to a non-significant level through mitigation measures
Alter, disturb, or destroy vulnerable natural features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Release a polluting substance into the land, water or air?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alter landscape features (e.g. resource extraction, deforestation, clearing vegetation)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Affect birds, aquatic animals, and wildlife (flora and fauna), including species at risk and its critical habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Result in alteration of water level, quality, flow or management regime in a water body, or result in other important changes to surface or groundwater resources (including well water)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cause sensory disturbances, such as noise and/or vibrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cause any other change to the environment on federal lands or incidental to a federal decision?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If so, please describe:			
<b>Impacts on Indigenous peoples</b>			
Does the project have the potential to result in changes to the environment that may impact Indigenous peoples, including:	No	Yes, and can be reduced to a non-significant level through TEFMM	Yes, but cannot be reduced to a non-significant level through mitigation measures
Social, economic, and health conditions, including community health specific to Indigenous peoples (e.g. impact to an Indigenous fishery resulting from a change in fish population)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Physical and cultural heritage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Use of lands and resources for traditional purposes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any structure, site or thing that is of historical, archaeological, paleontological or architectural significance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other impacts to Indigenous peoples.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If so, please describe:			
<b>Health conditions</b>			
Does the project have the potential to result in changes to the environment that may affect health conditions? These changes could be on:	No	Yes, and can be reduced to a non-significant level through TEFMM	Yes, but cannot be reduced to a non-significant level through mitigation measures
Air quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Noise exposure and effects of vibration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Current and future availability of country foods (traditional foods)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Current and future availability of water for drinking, recreational and cultural uses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other changes that could affect health conditions. If so, please describe:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Social conditions</b>			
Does the project have the potential to result in changes to the environment that may affect social conditions?:	No	Yes, and can be reduced to a non-significant level through TEFMM	Yes, but cannot be reduced to a non-significant level through mitigation measures
Services and infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Land and resource use and recreation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Navigation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community well-being	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Structures, sites, things of historical, archaeological, paleontological or architectural significance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other If so, please describe:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Economic conditions</b>			
Does the project have the potential to result in changes to the environment that may affect economic conditions?:	No	Yes, and can be reduced to a non-significant level through TEFMM	Yes, but cannot be reduced to a non-significant level through mitigation measures
Forestry and logging operations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial recreational and sport fishing, hunting, trapping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial outfitters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial recreation and tourism	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Agriculture, including predicted effects to livestock health and productivity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other If so, please describe:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>Section E: Technically and economically feasible mitigation measures</b>									
Instructions:									
<ul style="list-style-type: none"> <li>Replicate this table for each adverse environmental effect identified in Section D.</li> <li>Identify if the environmental effect(s) identified above relate(s) to biophysical effects (B), Indigenous peoples (IP) and/or health (H), social (S) or economic (E) conditions by checking the corresponding box for each effect.</li> </ul>									
<b>Potential adverse environmental effect:</b>					<b>B</b>	<b>IP</b>	<b>H</b>	<b>S</b>	<b>E</b>
<b>Description of the potential effect:</b>				<b>Proposed mitigation measure description:</b>					
<b>Magnitude of residual effect</b>	<b>Geographic extent of residual effect</b>	<b>Frequency of residual effect</b>	<b>Duration of residual effect</b>	<b>Reversibility of residual effect</b>	<b>Timing of residual effect</b>				

<input type="checkbox"/> Low amount <input type="checkbox"/> Medium amount <input type="checkbox"/> High amount	<input type="checkbox"/> Small area <input type="checkbox"/> Medium area <input type="checkbox"/> Large area	<input type="checkbox"/> Rarely <input type="checkbox"/> Often <input type="checkbox"/> All the time	<input type="checkbox"/> Short periods <input type="checkbox"/> Medium periods <input type="checkbox"/> Long periods	<input type="checkbox"/> High degree <input type="checkbox"/> Medium degree <input type="checkbox"/> Low degree	<input type="checkbox"/> Not dependant on timing <input type="checkbox"/> Dependant on specific timing							
<b>Potential residual effects after the technical and economically feasible mitigation measures are considered</b>												
<b>Monitoring to determine effectiveness of mitigation measures</b>												
<b>Potential adverse environmental effect:</b>					<b>B</b>	<b>IP</b>	<b>H</b>	<b>S</b>	<b>E</b>			
<b>Description of the potential effect:</b>					<b>Proposed mitigation measure description:</b>							
<b>Magnitude of residual effect</b>	<b>Geographic extent of residual effect</b>	<b>Frequency of residual effect</b>	<b>Duration of residual effect</b>	<b>Reversibility of residual effect</b>	<b>Timing of residual effect</b>							
<input type="checkbox"/> Low amount <input type="checkbox"/> Medium amount <input type="checkbox"/> High amount	<input type="checkbox"/> Small area <input type="checkbox"/> Medium area <input type="checkbox"/> Large area	<input type="checkbox"/> Rarely <input type="checkbox"/> Often <input type="checkbox"/> All the time	<input type="checkbox"/> Short periods <input type="checkbox"/> Medium periods <input type="checkbox"/> Long periods	<input type="checkbox"/> High degree <input type="checkbox"/> Medium degree <input type="checkbox"/> Low degree	<input type="checkbox"/> Not dependant on timing <input type="checkbox"/> Dependant on specific timing							
<b>Potential residual effects after the technical and economically feasible mitigation measures are considered</b>												
<b>Monitoring to determine effectiveness of mitigation measures</b>												
<b>Potential adverse environmental effect:</b>								<b>B</b>	<b>IP</b>	<b>H</b>	<b>S</b>	<b>E</b>
<b>Description of the potential effect:</b>								<b>Proposed mitigation measure description:</b>				
<b>Magnitude of residual effect</b>	<b>Geographic extent of residual effect</b>	<b>Frequency of residual effect</b>	<b>Duration of residual effect</b>	<b>Reversibility of residual effect</b>	<b>Timing of residual effect</b>							
<input type="checkbox"/> Low amount <input type="checkbox"/> Medium amount <input type="checkbox"/> High amount	<input type="checkbox"/> Small area <input type="checkbox"/> Medium area <input type="checkbox"/> Large area	<input type="checkbox"/> Rarely <input type="checkbox"/> Often <input type="checkbox"/> All the time	<input type="checkbox"/> Short periods <input type="checkbox"/> Medium periods <input type="checkbox"/> Long periods	<input type="checkbox"/> High degree <input type="checkbox"/> Medium degree <input type="checkbox"/> Low degree	<input type="checkbox"/> Not dependant on timing <input type="checkbox"/> Dependant on specific timing							
<b>Potential residual effects after the technical and economically feasible mitigation measures are considered</b>												

Monitoring to determine effectiveness of mitigation measures

<b>Section F: Consultation</b>
<p><b>84(1)(a) – Does the project have the potential to have any adverse impacts on the rights of the Indigenous peoples of Canada recognized and affirmed by section 35 of the Constitution Act, 1982?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No  <i>(Describe the process for engaging with Indigenous peoples, and summarize any comments received, and how they were addressed.)</i></p>
<p><b>84(1)(b) – Was Indigenous knowledge provided with respect to the project?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No  <i>(Summarize comments received and how they were addressed.)</i></p>
<p><b>84(1)(c) – Was community knowledge provided with respect to the project?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No  <i>(Summarize comments received and how they were addressed.)</i></p>
<p><b>84(1)(d) – Did the public provide feedback on the project?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No  <i>(Describe the process for engaging with the public, and summarize any comments received, and how they were addressed.)</i></p>
<p><b>Are other federal authorities being consulted?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No  <i>(If yes, explain which ones and why.)</i></p>

<b>Section G: Resources</b>
<p>The following resources were consulted to complete this form.</p> <ul style="list-style-type: none"> <li>• CNSC, Regulatory Document, <i>REGDOC 2.9.1, Environmental Protection: Environmental Principles, Assessments and Protection Measures</i>, version 1.2, 2020, <a href="http://nuclearsafety.gc.ca/eng/acts-and-regulations/regulatory-documents/published/html/regdoc2-9-1-vol1-2/index.cfm">http://nuclearsafety.gc.ca/eng/acts-and-regulations/regulatory-documents/published/html/regdoc2-9-1-vol1-2/index.cfm</a></li> <li>• Government of Canada, Designated Classes of Projects Order (SOR/2019-323), <a href="https://laws.justice.gc.ca/PDF/SOR-2019-323.pdf">https://laws.justice.gc.ca/PDF/SOR-2019-323.pdf</a></li> <li>• Government of Canada, <i>Impact Assessment Act, 2019</i>, <a href="https://www.laws-lois.justice.gc.ca/eng/acts/I-2.75/page-1.html">https://www.laws-lois.justice.gc.ca/eng/acts/I-2.75/page-1.html</a></li> <li>• Government of Canada, Species at Risk Public Registry, <a href="https://species-registry.canada.ca/index-en.html#/species?sortBy=commonNameSort&amp;sortDirection=asc&amp;pageSize=10">https://species-registry.canada.ca/index-en.html#/species?sortBy=commonNameSort&amp;sortDirection=asc&amp;pageSize=10</a>, [insert date]</li> <li>• Impact Assessment Agency of Canada, <i>Projects on federal lands and outside Canada – Guidance on sections 81 to 91 of the Impact Assessment Act</i>, June 2021, <a href="https://www.iaa.ca/en/Projects-on-federal-lands-and-outside-Canada-Guidance-on-Sections-81-to-91-of-the-Impact-Assessment-Act-Canada.ca">Projects on federal lands and outside Canada: Guidance on Sections 81 to 91 of the Impact Assessment Act - Canada.ca</a></li> <li>• [insert]</li> <li>• [insert]</li> <li>• [insert]</li> </ul>

<b>Section H: Determination</b>
<p>Taking into account the implementation of the technically and economically feasible mitigation measures outlined in Section E and the other section 84 factors under the IAA, outlined in Section F, this project is:</p>

<p><b>Not likely</b> to cause significant adverse environmental effects (the authority can carry out the project, exercise a power, perform a duty or function, or provide financial assistance that could permit or enable the project to proceed.)</p>	<p style="text-align: center;"><input type="checkbox"/></p>
<p><b>Likely</b> to cause significant adverse environmental effects (the authority may choose not to make any decision or take any action that may permit or enable the project to be carried out; or refer the project to the GiC to determine whether the significant adverse environmental effects are justified in the circumstances under subsection 90(3).)</p>	<p style="text-align: center;"><input type="checkbox"/></p>
<p><b>Comments</b></p>	
<p> </p>	



Candace Salmon  
Commission Registrar  
[registry-greffe@cnscccsn.gc.ca](mailto:registry-greffe@cnscccsn.gc.ca)

Adam Levine, Director  
Indigenous Consultation and Engagement Division  
[Adam.Levine@cnscccsn.gc.ca](mailto:Adam.Levine@cnscccsn.gc.ca)

November 14, 2025

**Re: Response to CNSC Letter Dated October 22, 2025 and Emails dated October 23, 2025 and November 7, 2025**

Federal Lands Assessment for Gentilly-1 Waste Facility and Proposed Change to NB Power's Preliminary Decommissioning Plan and Financial Guarantee

Dear Ms. Salmon and Mr. Levine,

Thank you for your correspondence of October 22, 2025, regarding the section 82 assessment for the Gentilly-1 Waste Facility (G-1) decommissioning activities. As the only Nation east of Quebec with a nuclear facility on our territory, we have a relevant and keen interest in this process.

While we appreciate the responses provided, several substantive issues raised in our original letter of August 6, 2025, remain unaddressed and conflicting advice from the CNSC staff has also been given to the Peskotomukati (PRGI) regarding next steps and our participation.

We ask, given the ongoing nature of this project and closely related concerns regarding changes proposed for the Point Lepreau Nuclear Generating Station (PLNGS), that our requests set out in this letter be addressed in an appropriate and timely manner. Further, we aim to provide clarity on our expectations for this process and on any activities that may take place or be contemplated on our territory in future by the CNSC.

### **1 - Unannounced Second Authority and Lack of Notification**

Your letter of October 22, 2025, states that "AECL will also be acting as an authority for this assessment and will need to make their own separate determination as per the IAA." This is new information that

was not disclosed in earlier notices nor in outreach to us. The existence of two separate authorities raises procedural concerns for us, including on coordination and consultation, and significantly increases our engagement burden. To date, AECL has not contacted PRGI nor informed us of this project and their role as a federal authority.

In light of this new information, we seek clarity from the CNSC as to how it will consider the determination by AECL within its licensing decision and what procedures are in place, should the two authorities come to conflicting decisions on a finding of ‘significant adverse environmental effects.’<sup>1</sup> We again remind the CNSC and additionally AECL, that notice is a basic, first step, and meaningful engagement requires that PRGI be provided with a clear, transparent, and organized process to participate.

## **2 – Evaluating “Impacts on Indigenous Peoples” Cannot Occur Without Indigenous Participation**

We also wish to underscore a deeply concerning issue within the CNSC’s approach to the section 82 environmental effects determination. The CNSC’s own environmental effects evaluation form, attached as Appendix 1 to the October 22 letter, includes a dedicated section for assessing “Impacts on Indigenous peoples.” This section requires the authority to evaluate whether the project may result in changes to the environment that affect Indigenous peoples’ social, economic, and health conditions; physical and cultural heritage; use of lands and resources for traditional purposes; and sites and structures of cultural significance.

These are not neutral, technical, or desk-based determinations and it would not be honourable for the CNSC to move ahead with these determinations, absent PRGI’s full and informed participation in this determination. This is a classic example of “*about us, without us*”.

PRGI holds relevant information on Indigenous law, Indigenous knowledge, and Indigenous experience that must be considered in this project. The CNSC, as the Crown, cannot fulfill its obligations when Indigenous Nations, including PRGI are not provided the resources, information, or support necessary to be meaningfully engaged.<sup>2</sup>

## **3 – Gentilly Licensing Decisions Set Precedent for Point Lepreau Nuclear Site**

While your letter from October 22, 2025, states that Participant Funding Program (PFP) support “has been made available” just one day after receiving your letter, PRGI received an email from the CNSC denying our funding request, on the basis our proposed engagement was “out of scope,” and our interest “unclear” due to “distance” from the project. However, if our interest was “unclear” the

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<sup>1</sup> *Impact Assessment Act*, s 82

<sup>2</sup> *Clyde River (Hamlet) v. Petroleum Geo-Services Inc.*, 2017 SCC 40 at paras. 22 -24.

expectation would be for the CNSC to ask for further clarification, as is normal practice between CNSC and PRGI and, as is best practice.

To be clear, there is too much evidence to ignore that the Canadian government’s determinations, including decisions made by the CNSC on one project, provide powerful guidance and set precedent for projects and licensing decisions to follow. Accepting this fact implicates the CNSC to therefore understand that the CNSC’s decisions regarding Gentilly 1 and 2 will indeed set the standard for what happens at Point Lepreau Nuclear Generating Station.

The nuclear energy cycle is highly interconnected, and the regulatory standards and licensing precedents for waste management, decommissioning, financial guarantees and oversight established at Gentilly directly inform and shape the oversight applied to Point Lepreau, where PRGI continues to have a direct interest and from whom consent has never been sought nor granted. Gentilly and Point Lepreau share in having a CANDU lineage, with accompanying radioactive spent fuel and decommissioning wastes. That means the challenges faced and lessons learned at Gentilly – being that much further along the various stages of licensing, operations and oversight, and what is approved or normalized at Gentilly - become the reference case for how equivalent risks and liabilities are managed at Point Lepreau.

As a federal regulator and a court of record,<sup>3</sup> the CNSC’s decisions at one site do not remain confined to provincial boundaries—they establish regulatory standards that have direct bearing on the impacts borne by PRGI in its own territory. For the CNSC to exclude PRGI from the support necessary to allow us to intervene in the Gentilly proceeding on the basis of ‘distance’ and us being ‘unclear,’ we reiterate our interest in this project and subsequent decisions. If we need to reapply for the PFP application activities to be within what CNSC has determined as ‘scope,’ we can do so. Our interest has been repeatedly demonstrated and documented in submissions we have made to the Commission and CNSC Staff, emphasizing that decisions which have bearing on PRGI’s rights, interests, and stewardship obligations necessitate our inclusion. To deny PRGI’s participation perpetuates a system of decisions ‘about us, without us’—and reaffirms the CNSC’s continued reticence to uphold and respect the doctrine of reconciliation and the UN Declaration’s principles requiring our free, prior, and informed consent.

We again reiterate, the PRGI has a relevant, direct and necessary role to play in the CNSC’s assessment of processes related to G-1 and G-2 and should be funded as such. Had PRGI been engaged in the CNSC’s ‘Listening Tour’ these facts may have become ‘clearer’ to the CNSC staff.

As a timely example, on November 7, 2025, PRGI received a related communication from the CNSC staff indicating changes have been made to NB Power’s Point Lepreau Preliminary Decommissioning Plan and Financial Guarantee. The CNSC staff notified that they provided this information “at the earliest possible opportunity” but have never informed us that there was a pilot program underway, and/or that it was considering changes to the PDP/PDCE process, though the program has been running “for years”.

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<sup>3</sup> Section 20(1) of the *Nuclear Safety and Control Act* notes “The Commission is a court of record.”

Additionally, the CNSC staff stated they “wanted to advise you at the earliest possible opportunity of this update in the process for Financial Guarantees.” However, we were provided no date and no option to participate in this decision-making process. It is important to note that even though there is a short amount of time offered at hearings to present, the PRGI holds this issue of such importance, it included the topic in its oral presentation at the PLNGS 2022 relicensing hearing.

The statement from CNSC staff that, “there is little to no interest from the public and Indigenous Nations and communities in most Financial Guarantee proceedings” completely ignores statements shared with the CNSC staff and Commissioners at past PLNGS re-licensing hearings and regulatory oversight report meetings. This is an egregious mischaracterization that must be rescinded and corrected by the Commission.

What’s more, the CMD from CNSC Staff on the matter (CMD-25-H1119) opens with a land acknowledgement, recognizing the Point Lepreau site is situated within the traditional territory of the Peskotomuhkati peoples. To systemically deny the participation of the Indigenous peoples who are themselves ‘acknowledged’ in the CNSC’s opening statement is disingenuous and indicative of a failure to move beyond *symbolic* recognition toward the substantive participation and shared decision-making envisioned in UNDRIP and the Truth and Reconciliation Commission’s Calls to Action. In particular, Calls to Action #43 and #92 that call on all levels of government to fully adopt and implement the UN Declaration and Articles 18 and 29 of the UN Declaration that require our meaningful engagement in decision-making processes that affect our lands, resources, and rights.

It seems conspicuous to us that at the exact timing the CNSC is informed of a Nation who has indicated interest, *AND* there is a PDP and PDCE renewal to be considered, the CNSC staff are recommending the process be changed. We remind the CNSC of the discussion that took place at the 2022 PLNGS hearing, I said, the possibility of the CNSC choosing to extend hearing intervals

*...will guarantee that this will be the last time you need hear my voice in these hearings. If you plot a graph of how one-year intervals become two-year intervals and then three-year interval and five-year intervals, only to have industry request 25-year intervals, the curve violates any precautionary approach to safety relying on projections by the industry itself, which is simply giving the fox the keys to the henhouse. In financial circles, this is known as risk management....*

*To ask to be part of any decisions moving forward would require a quantum leap of faith after reviewing the previous track record of this country with Indigenous peoples. If this Commission wishes to truly convince me that our voice will be heard and have input into future decisions, it would need only return the following message; there will be no further extensions to the intervals and a review to include decommissioning will be considered in any future hearings...*

Additionally, the mix of future, past and present tense in the November 7, 2025 communication, leaves us confused regarding whether the Commissioners have already deliberated and changed the process regarding hearings for PDPs and PDCEs – without any transparency or public accountability - or, if this decision has not been made, when will the hearing take place for PLNGS, and will there be funding made available to support our participation?

Noting the communication also stated, “I’ve included CNSC staff’s Commission Member Document for your awareness, presuming you’d be interested in seeing it.” It would follow that the CNSC staff would also ‘presume’ PRGI would be interested in copies of all references, in the CMD, but because they weren’t attached, **PRGI now presumes it must request those documents, therefore, please forward.**

As a final note regarding the November 7, 2025 communication, the mischaracterization of a PDP and/or PDCE as a “...largely administrative” undertaking, reinforces the CNSC staff’s misunderstanding of Peskotomuhkati relation to homeland, which is likely also the basis of the CNSC decision to exclude the PRGI from funding related to G-1 and G-2, as well as their decision to shut down hearings related to PDPs and PDCEs just in time for the PRGI to again be excluded.

We provide this example as a case in point of our deepening objection to the positions being taken by the CNSC that activities at the Gentilly site do not engage PRGI’s rights and interests and licensing amendments at Point Lepreau are of ‘no interest.’ **It remains our position that any licensing change or decision at either Gentilly or Point Lepreau must include our full and equitable participation, reflecting the fact that PRGI rights and interests are directly impacted and that we have been left out of all decision-making in this regard.**

**In closing, we request the CNSC:**

1. Provide clarification on dual-authority decision-making, including how two determinations will be weighed and accounted for, and engagement coordinated;
2. Address all the remaining substantive issues raised in our original letter of August 6, 2025;
3. Recognize that decisions and process related to the G-1 and G-2 sites have relevance to PRGI and that our participation is critical to developing appropriate methodology and processes that may be applied in our homeland;
4. Confirm our input on how to conduct and implement the assessment on “Impacts to Indigenous Peoples” as set out in Appendix 1 of the letter dated Oct 22, 2025, will not occur without constructively and collaboratively working with PRGI to ensure our interests, experience and concerns are meaningfully considered;

5. Reconsider the Participant Funding decision such that our views can be seriously considered and respected, and decision-making only proceed once PRGI is fully informed and engaged on the issues.
6. Forward PDF versions of the REGDOCs mentioned in CMD 25-H119;
7. Forward all references related to document CMD 25-H119; and
8. Issue a Notice of Hearing with associated participant funding and written and oral intervention opportunities for the renewal of the PLNGS PDP and PDCE.
9. Publicly post our letter as part of the (1) 'documents' forming the record of the s. 82 federal assessment for the Gently site on the Impact Assessment Agency of Canada [Registry](#) and (2) hearing submissions for both G-1 and PLNGS.
10. Forward the remaining documents related to G-1 and G-2, PRGI document request of August 1, 2025.

Sincerely,



Chief Hugh Akagi  
Passamaquoddy Nation at Skutik  
Passamaquoddy Recognition Group Inc.

cc

**Arielle Jean**

Senior Policy Officer, Reconciliation Policy and Public Programs Division  
CNSC Registry  
[arielle.jean@cnsccsn.gc.ca](mailto:arielle.jean@cnsccsn.gc.ca)

**Adrienne Fournier**

Director, Indigenous Relations  
Atomic Energy of Canada Limited  
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**Kathleen Duguay**

Manager, Community Affairs and Nuclear Regulatory Protocol  
NB Power  
[kduguay@nbpower.com](mailto:kduguay@nbpower.com)



Indigenous Consultation and Engagement Division

VIA EMAIL

2025-12-16

Chief Hugh Akagi  
Passamaquoddy Recognition Group Inc (PRGI)  
[hugh.akagi@qonaskamkuk.com](mailto:hugh.akagi@qonaskamkuk.com)

Dear Chief Hugh Akagi,

**Re: CNSC Staff Response to PRGI Letter 2025-11-14**

Thank you for your November 14 letter and for sharing your thoughts on the section 82 assessment for the Gentilly-1 Waste Facility (G1WF) and related issues. We appreciate the time you've taken to outline your concerns and perspectives.

We want to acknowledge the points you raised and reaffirm our commitment to providing clear information and supporting meaningful participation in CNSC processes. PRGI is welcome to take part in the Commission's process for the G1WF and for Gentilly-2 (G2), including submitting an intervention, and we encourage your involvement to ensure your views are considered.

Below, you'll find our responses to the requests outlined in your letter:

- 1. Provide clarification on dual-authority decision-making, including how two determinations will be weighed and accounted for, and engagement coordinated:** The CNSC and Atomic Energy of Canada Ltd. (AECL) each have responsibilities under the *Impact Assessment Act* (IAA) for the section 82 assessment of the G1WF, as both the CNSC and AECL are acting as authorities in the assessment process. Both federal authorities must make their own determination as to whether the proposed project is likely/not likely to cause significant adverse environmental effects. The CNSC's determination will be made by the Commission following the Hearing in writing and will consider all information received throughout the process, including through interventions and through comments provided through the project's Canadian Impact Assessment Registry (Registry) web page. If AECL's section 82 determination is reached prior to the Commission Hearing, it will also be considered by the Commission, alongside CNSC staff's findings and recommendations.

If an authority determines that the carrying out of a project on federal lands or outside Canada is likely to cause significant adverse environmental effects, the authority may refer the project to the Governor in Council (GIC). The GIC decides whether those effects are justified in the circumstances and must inform the authority of its decision, prior to the authority taking any action or making a decision that would allow the project to proceed.

For information regarding the CNSC's approach for consultation and engagement in the context of section 82 assessments, including our policies and internal guidance and steps the CNSC takes to ensure Indigenous Rights, knowledge systems and community input are meaningfully considered, please see our letter to PRGI from October 22, 2025, which details these items.

For questions related to AECL and their processes for engagement and consultation, we recommend contacting Adrienne Fournier with AECL directly at [afournier@aecl.ca](mailto:afournier@aecl.ca).

2. **Address all the remaining substantive issues raised in our original letter of August 6, 2025:** CNSC staff provided a detailed response to PRGI's August 6, 2025, letter on October 27, 2025, addressing each of the requests outlined in that correspondence.
3. **Recognize that decisions and process related to the G-1 and G-2 sites have relevance to PRGI and that our participation is critical to developing appropriate methodology and processes that may be applied in our homeland:** We acknowledge your interest and confirm your participation is welcome. Please note that CNSC staff are following direction from the Commission that each application in front of the Commission is assessed on its own merits. Commission decisions do not establish precedent.
4. **Confirm our input on how to conduct and implement the assessment on "Impacts to Indigenous Peoples" as set out in Appendix 1 of the letter dated Oct 22, 2025, will not occur without constructively and collaboratively working with PRGI to ensure our interests, experience and concerns are meaningfully considered:** As noted in our letter from October 22, 2025, CNSC staff will share the link to the project Registry page with PRGI once it is available and notify you when the public comment period begins. We welcome and encourage PRGI's participation in the G1WF process and value opportunities to work constructively with PRGI to ensure your perspectives are heard and understood.

There remain many opportunities for PRGI to participate in the process and provide comments to both CNSC staff and the Commission. The Commission will hold a public hearing based on written submissions in July 2026. Please note that requests to intervene must be filed with the Commission Registry by June 17, 2026. The Commission will consider all the information received when making their decision on both the section 82 assessment, consultation and engagement activities conducted to date and the licence application.

5. **Reconsider the Participant Funding decision such that our views can be seriously considered and respected, and decision-making only proceed once PRGI is fully informed and engaged on the issue:** As noted in our e-mail to PRGI from October 31, 2025, CNSC staff and the independent Funding Review Committee (FRC) had the information needed to come to a funding recommendation. Regardless of the funding decision, PRGI is still able to and welcome to participate in the Commission proceeding through a written intervention.
6. **Forward PDF versions of the REGDOCs mentioned in CMD 25-H119:** The REGDOCs referenced in CMD 25-H119 are available through the document, which provides direct links to web-based versions of each REGDOC for easy access. Due to the large file sizes, we recommend accessing them online. If there is a specific reason you require PDF copies, please let us know and we will explore options to accommodate your request.

7. **Forward all references related to document CMD 25-H119:** References [3], [5] and [6] are CNSC documents.

Reference [3] is available online here: <https://api.cnscccsn.gc.ca/dms/digital-medias/cmd22-h2-1.pdf/object>

Reference [5] was sent to PRGI on October 3, 2025 (please see the e-mail from Destiny Hartgerink).

Reference [6] is attached to this e-mail.

The remainder of the references cited in CMD 25-H119 include materials provided by NB Power, some of which contain sensitive financial information. CNSC Staff have reached out to NB Power to request that they provide the documents that do not contain sensitive financial information directly to PRGI. We recommend PRGI follow up with NB Power regarding this request at [KDuguay@nbpower.com](mailto:KDuguay@nbpower.com).

8. **Issue a Notice of Hearing with associated participant funding and written and oral intervention opportunities for the renewal of the PLNGS PDP and PDCE:** CNSC staff note that Registry responded to this request in a separate communication to PRGI sent Monday, December 8, 2025.
9. **Publicly post our letter as part of the (1) ‘documents’ forming the record of the s. 82 federal assessment for the Gentilly site on the Impact Assessment Agency of Canada Registry and (2) hearing submissions for both G-1 and PLNGS:** For (1), CNSC staff recommend posting the letter during the public comment period. As noted in our October 22, 2025, letter and in response to request #4 above, we will share the link to the project Registry page with PRGI once it is available and notify you when the comment period begins. For (2), CNSC staff recommend that PRGI’s letter, and any additional information you would like included, be submitted as part of your intervention for the G1WF hearing, should you choose to participate. This ensures they form part of the official hearing record.
10. **Forward the remaining documents related to G-1 and G-2, PRGI document request of August 1, 2025:** PRGI’s e-mail on August 1, 2025, requested the following for G1WF and G2:
- *Current and Proposed Licence and Licence Conditions Handbook*  
The current G1WF licence and current G1WF Licence Conditions Handbook (LCH) was shared with PRGI on August 15, 2025.  
The current licence for G2 was shared with PRGI on July 23, 2025. The current LCH for G2 is attached to this e-mail. Should PRGI like the LCH translated into a language other than French, CNSC staff recommend contacting Hydro-Québec. Please let us know if PRGI requires a contact for Hydro-Québec.  
The draft LCHs for both facilities will be prepared, and subsequently included, as part of CNSC staff’s submission for the licence applications and PRGI may access it when it’s available online here: [Download Hearing Documents](#) by navigating to the appropriate hearing.
  - *Unredacted copies of the Preliminary and Detailed Decommissioning Plan*
  - *Any documentation regarding the licensee's Waste Management Plans and Environmental Protection Programming*

Outside of CNSC hearing processes, licensees are responsible for any public sharing of their documents. To avoid delays and ensure accuracy, we recommend that PRGI request these documents directly from Hydro-Québec and Canadian Nuclear Laboratories (CNL).

Regarding G1, we understand CNL has already provided G1's Detailed Decommissioning Plan (DDP), which superseded the Preliminary Decommissioning Plan. For any further information, we recommend PRGI reach out directly to CNL at [communicationsG1@cnl.ca](mailto:communicationsG1@cnl.ca).

Regarding G2, CNSC staff note that G2's redacted DDP will be available online in the months leading up to the hearing. PRGI may access G2's DDP when it's available online here: [Download Hearing Documents](#) by navigating to the appropriate hearing. Should PRGI like the DDP unredacted or translated into a language other than French, CNSC staff recommend contacting Hydro-Québec directly.

- *All documents referenced in the licence applications (i.e all documents noted in the Reference List or Footnotes)*

CNSC staff note that PRGI stated the following in their August 14, 2025, e-mail: "Regarding the references for G-1 (copied below for ease), we request copies of all except items 5 and 8." CNSC staff shared references [1], [2], [3], [4], and [10] on August 15, 2025. We understand CNL provided reference [6] when PRGI reached out directly. PRGI may access [7] when it's available online here: [Download Hearing Documents](#) in mid-April by navigating to the appropriate hearing. CNL noted they are not open to us sharing reference [9] in its entirety with PRGI and have asked that PRGI reach out to them directly for a likely redacted copy of that document at [communicationsG1@cnl.ca](mailto:communicationsG1@cnl.ca).

We'd be happy to set up a conversation to go over your questions and talk about how we can support your participation in upcoming processes. Please let us know if you would be open to a meeting.

We appreciate and value our relationship with PRGI and look forward to our ongoing engagement and work together.

Sincerely,

X

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Adam Levine  
Director, Indigenous Consultation and Engagement Division  
Canadian Nuclear Safety Commission



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February 5, 2026

**Re: Response to Notice of Intent - Decommissioning of the Gently-1 Waste Facility  
Federal Lands Assessment Reference Number 90092**

Dear Ms. Salmon, Mr. Levine and the Federal Authorities,

This submission is made by the Passamaquoddy Recognition Group Inc. (PRGI), on behalf of the Peskotomuhkati Nation in Canada. We represent the interests of Rights holders and the Peskotomuhkati ecosystem. Our duty is to protect our lands, waters, and environment for all present and future generations. This submission responds to the Notice of Intent posting for Decommissioning of the Gently-1 Waste Facility (“G-1 Project”) and sets out our concerns that the process to date remains legally and procedurally incapable of fulfilling obligations under the *Impact Assessment Act* and the meaningful engagement of our Nation.

## **1 – Significant Procedural Deficiencies Must be Remedied Before Assessment Proceeds**

On November 14, 2025, PRGI wrote to the Canadian Nuclear Safety Commission (CNSC), seeking clarity regarding the section 82 federal lands assessment for the G-1 Project. In a response dated December 16, 2025, CNSC staff acknowledged PRGI's correspondence and provided explanations regarding process and participation. However, despite this exchange and our best attempt to seek clarity and necessary supporting information in advance of this comment deadline, substantive legal and procedural concerns remain unresolved that we submit, must be remedied before this assessment proceeds.

As our November 14, 2025 letter was copied to Atomic Energy of Canada Limited (AECL), another federal authority for this project, and we raised a number of concerns regarding their role and conduct, we direct the following questions and comments to both CNSC and AECL.

*First*, neither the CNSC nor AECL have provided a clear, transparent, or coordinated framework explaining how dual federal authorities will conduct their respective section 82 determinations in a manner that is coherent, fair, and respectful of Indigenous participation. While the December 16, 2025 CNSC response confirms that each authority must make its own determination, it does not address PRGI's concern, first raised in the November 14, 2025 letter, regarding the absence of early notice, the multiplication of consultation burdens, or how potentially divergent determinations will be reconciled. Nor does it explain how PRGI is expected to meaningfully engage in two parallel processes without a coordinated consultation structure.

*Second*, neither the CNSC nor AECL have resolved PRGI's concern—explicitly raised in its November 14, 2025 correspondence—that impacts on Indigenous peoples cannot lawfully be assessed without Indigenous participation in the assessment itself. Although the December 16, 2025 CNSC response emphasizes that PRGI is welcome to submit comments and interventions, it does not explain how the CNSC can make determinations regarding impacts to Indigenous rights, cultural heritage, health, or land use without collaboratively developing assessment methodologies with PRGI. The response relies on future opportunities to comment, rather than addressing the core issue of decision-making *about* Indigenous impacts occurring absent Indigenous co-development.

*Third*, the CNSC has not reconciled its encouragement of PRGI's participation with its prior denial of participant funding, an issue raised directly in PRGI's November 14, 2025 letter. While the December 16, 2025 response states that PRGI is still able to participate notwithstanding the funding decision, it does not address the practical reality that denying us funding to participate, effectively bars our participation and shifts the burden to PRGI, to fulfill the Crown's Constitutional obligations.

As we recently shared with the CNSC as part of our comments on their Regulatory Oversight Report for Nuclear Generating Sites:

PRGI has experienced a systematic denial and reduction of participant funding that has materially impaired our access to participate in these proceedings. Although funding envelopes remain available under multiple Participant Funding Program (PFP) streams for G-1 and G-2, and despite

the absence of any Indigenous Nations among approved recipients, PRGI was still denied funding. Even when PRGI has appealed these decisions by CNSC, we have been denied further support.

*Fourth*, the CNSC's position, reiterated in the December 16, 2025 response, that Commission decisions do not establish precedent fails to engage with the concern raised by PRGI in its November 14, 2025 letter regarding regulatory reality. In practice, determinations related to nuclear waste management, decommissioning standards, financial guarantees, and environmental thresholds are routinely relied upon to inform future licensing and oversight decisions. The CNSC has not explained how decisions related to the G-1 project will not influence future regulatory approaches at related sites, including Point Lepreau, which lies within PRGI's territory and remains the subject of longstanding concerns.

*Fifth*, PRGI is also concerned that the current approach creates an inherent conflict by virtue of the proponent seeking the authorization (CNL) also being listed as the contact for the federal authority, and not AECL. Given the significance of the project being proposed - both in its potential to cause harm and severity of risk it involves - the highest degree of independence is needed and assurances that decision-making is not being overseen, influenced or otherwise conducted by the entity that is also the proponent, that stands to directly benefit.

*Finally*, neither the CNSC nor AECL have substantively addressed PRGI's overarching concern, raised throughout its correspondence including the November 14, 2025 letter, that a section 82 federal lands assessment is structurally incapable of addressing the scale, duration, and cumulative impacts of the Gentilly-1 Waste Facility (see more on this in Part 3 below). While the December 16, 2025 CNSC response points to upcoming hearings and intervention opportunities, it does not respond to PRGI's position that the project's significance—particularly in relation to Indigenous rights, intergenerational impacts, and precedent-setting effects—requires the safeguards and participatory design of a full impact assessment under the *Impact Assessment Act*.

## **2 - Requirements of the *Impact Assessment Act* are not Satisfied**

Section 82 of the *Impact Assessment Act* (IAA) applies to any physical activity proposed on federal lands that is not already a designated project under the IAA's main environmental assessment regime.

Under section 82, a federal authority (in this instance, both AECL and CNSC) must not carry out the project, exercise any power or function that would permit it, or provide financial assistance for it, unless one of two conditions is met:

- the authority determines that the carrying out of the project is not likely to cause significant adverse environmental effects; or
- the authority determines that the carrying out of the project is likely to cause significant adverse environmental effects, and the Governor in Council subsequently decides that those effects are justified in the circumstances.

In making the environmental effects determination under section 82, authorities must look to the *IAA*'s definition of "environmental effects," which includes changes to the environment *and* the impacts of those changes on Indigenous peoples of Canada, human health, and social or economic conditions.

Authorities are also expected to consider the list of factors set out in section 84 of the *IAA* when making this determination.

Those factors include, among others:

- adverse impacts of the project on the rights of Indigenous peoples recognized and affirmed by section 35 of the *Constitution Act, 1982*;
- Indigenous knowledge and community knowledge in respect of the project;
- comments received from the public about the project; and
- technically and economically feasible mitigation measures to prevent, reduce, or offset significant adverse environmental effects.

While section 82 assessments are less formal than full IAs for designated projects, authorities must still identify and assess environmental effects associated with the project. The environmental effects evaluated under section 82 may extend beyond the boundaries of federal lands if they cause effects outside that area.

In practice, this means authorities responsible for federal lands projects must:

- post a notice of intent to make a determination on the Canadian Impact Assessment Registry, inviting public and Indigenous comments;
- engage meaningfully with Indigenous peoples and the public in seeking and considering their knowledge and concerns about environmental effects; and
- post their determination, including any mitigation measures taken into account, no less than 30 days after the notice of intent.

Overall, section 82 is not merely a "check-the-box" step; it requires a formal consideration of environmental effects — including on Indigenous rights — before any federal authority can proceed with projects on federal lands.

It is our submission that none of these factors, required for consideration under the *IAA*, can be met in light of no information regarding the projects and its environmental effects having first been shared. Furthermore, no findings regarding "Impacts on Indigenous peoples" for section 82 assessments can be made in the absence of PRGI's active, informed, and resourced participation.

Currently, just one record exists on the IA Registry and with it, just 1 page of information about the project. As this is the first decommissioning project of a nuclear reactor in Canada – it is deeply

concerning that the federal authorities have accepted this to be the degree of rigour necessary for this review. It is our respectful submission that the process and information to date only serves to advance our distrust in Canada's nuclear regulator and reinforce our unfortunate experience that they are neither a willing nor engaged Crown consultation partner.

### **3 – Impact Assessment for All Nuclear Projects, including Decommissioning, Ought to Be Required**

It remains PRGI's position that the decommissioning of nuclear sites, including the downstream management of radioactive wastes and liabilities, ought to be subject to impact assessment and not simply review under s. 82 of the *IAA*.

We have consistently maintained that nuclearized Indigenous communities must be engaged in decommissioning decision-making. Indigenous communities disproportionately bear the environmental and health burden of nuclear and extractive industries throughout Canada. As a 'nuclearized' nation that will forever live with the radiation contaminated lands and endure Peskotomuhkati rights being impacted on the basis of lands being compromised for Peskotomuhkati occupation and use because of the nuclear industry in Canada, we are particularly concerned by CNSC and AECL's lack of recognition of affected communities.

As we have previously shared and again reiterate, to begin resolving the many social, economic and environmental issues related to the oversight of radioactive waste in Canada, we submit that Peskotomuhkati and other nuclearized Indigenous nations must be engaged in decommissioning decision-making. This includes the development of policies and law, their oversight and any decisions stemming from their implementation.

The lack of federal impact assessment for the decommissioning of nuclear facilities perpetuates the short-sighted approach of the last 75 years, wherein nuclear operations have proceeded absent end-of-life planning. To assist in remedying this gap, PRGI submits that a federal impact assessment must occur before any decommissioning licence can be issued.

#### **In closing, we submit:**

- This section 82 process for the Gentilly-1 Project cannot lawfully proceed until the identified procedural deficiencies are remedied, including the establishment of a transparent and coordinated framework between federal authorities, the provision of adequate information about the Project and its effects, and the resourcing of PRGI to participate meaningfully in the assessment of impacts on Indigenous peoples;
- The requirements of the *Impact Assessment Act* are not satisfied where determinations regarding environmental effects and impacts on Indigenous rights are contemplated in the absence of Indigenous co-development, Indigenous knowledge, and informed participation, and where the record before decision-makers is demonstrably insufficient to support findings under sections 82 and 84 of the Act; and

- The decommissioning of nuclear facilities, including Gentilly-1, must be subject to federal impact assessment, as reliance on section 82 alone is structurally incapable of addressing the scale, duration, cumulative effects, and intergenerational impacts of nuclear decommissioning, and is inconsistent with the purposes of the *Impact Assessment Act*, the Honour of the Crown, and Canada's obligations to Indigenous Nations.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Kim Reeder". The signature is written in a cursive, flowing style.

Kim Reeder

PRGI



April 10, 2026

Kim Reeder  
Passamaquoddy Recognition Group Inc.  
[kim.reeder@gonaskamkuk.com](mailto:kim.reeder@gonaskamkuk.com)

**Subject: CNSC Staff Response to PRGI's Response to Notice of Intent –  
Decommissioning of the Gentilly-1 Waste Facility Federal Lands Assessment  
Reference Number 90092**

Ms. Reeder,

Thank you for your comments submitted on behalf of the Passamaquoddy Recognition Group Inc. (PRGI) to the Canadian Nuclear Safety Commission (CNSC) on February 5, 2026, regarding the Notice of Intent for the federal lands assessment that is being conducted in accordance with the [Impact Assessment Act](#) (IAA) for the proposed Gentilly-1 Waste Facility (G1WF) decommissioning activities.

CNSC staff have evaluated PRGI's concerns and have determined that due to the scope of the current G1WF licence amendment application, the distance of the G1WF from PRGI's traditional territory, the localized nature of potential impacts from the proposed decommissioning activities at the G1WF, and that the spent fuel from G1WF was already transferred to CRL in accordance with the licence conditions and licensing bases for both existing licences, PRGI's concerns do not fall directly in scope of the G1WF decommissioning activities that are being proposed for this licence amendment.

CNSC staff are committed to addressing in more detail the concerns that PRGI has outlined in their comments during the next scheduled meeting between CNSC staff and PRGI.

CNSC staff remain open to learning of any new project specific issues, concerns, perspectives, information, and Indigenous knowledge relevant to the licence amendment application and associated federal lands assessment in accordance

with the IAA and further encourage PRGI to share any outstanding or additional concerns on this project with the Commission through interventions for the proceeding, as appropriate.

Yours sincerely,

X

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Adam Levine

Director, Indigenous Consultation and Engage...

Adam Levine  
Director, Indigenous Consultation and Engagement Division  
Ottawa, Ontario  
K1P 5S9

## Engagement Activities with Kebaowek First Nation (KFN)

Information about engagement conducted with KFN since June 2025 is included in the table below. Activities were related to either the G1WF licence amendment application and/or the FLA.

Date	Consultation Activity
<b>July 8, 2025</b>	On July 8, 2025, KFN emailed CNSC staff requesting an extension on the deadline to apply for participant funding for the G1WF licence amendment application.
<b>July 8, 2025</b>	On July 8, 2025, CNSC staff emailed KFN in response to their request for an extension on the G1WF licence amendment application participant funding opportunity. CNSC staff provided KFN with an extension to August 11, 2025, to submit their funding application.
<b>July 9, 2025</b>	On July 9, 2025, KFN sent a letter to AECL and CNL, copying CNSC staff, outlining their comments on the proposed fuel storage tank removal project and assessment of environmental effects under the IAA.
<b>August 12, 2025</b>	On August 12, 2025, following an in-person Near Surface Disposal Facility tripartite meeting, KFN, AECL, CNL and CNSC met to discuss CNL and AECL's approach to projects assessed on federal lands and learn more about the CNSC's approach when a licence application to the CNSC triggers a federal lands assessment in accordance with the IAA and CNSC is the designated authority.
<b>November 4, 2025</b>	On November 4, 2025, CNSC staff and KFN discussed the federal lands assessment for the G1WF during a regular monthly meeting.
<b>December 9, 2025</b>	On December 9, 2025, CNSC staff and KFN discussed the federal lands assessment at the G1WF site during a regular monthly meeting.
<b>December 24, 2025</b>	On December 24, 2025, CNSC staff emailed KFN to inform KFN of the Posting of the Notice of Intent for the Decommissioning of the G1WF as per the IAA.
<b>January 6, 2026</b>	On January 6, 2025, KFN replied to CNSC staff's December 24 <sup>th</sup> email regarding the posting of the Notice of Intent for the G1WF federal lands assessment. KFN's email raised that the information provided by CNL in the Notice of Intent was insufficient for KFN to conduct their review and analysis. The email also included a copy of KFN's new Rights and Responsibilities Assessment Law.



Date	Consultation Activity
<b>January 12, 2026</b>	On January 12, 2026, CNSC staff replied to KFN's October 15 <sup>th</sup> letter on the G1WF licence amendment and associated S.82 assessment process. CNSC staff have offered to have further discussions with KFN on this matter to address and respond to any outstanding questions and concerns.
<b>February 5, 2026</b>	KFN commented on the Notice of Intent for the federal lands assessment in accordance with the IAA. The Nation indicated their concern regarding the transportation of waste from the G1WF to CRL. CNSC staff have offered to further discuss their questions and concerns on this matter.
<b>April 10, 2026</b>	On April 10, 2026 CNSC sent a response letter to KFN's comments on the Notice of Intent for the federal lands assessment in accordance with the IAA. The CNSC indicated that the concerns raised by the Nation were outside the scope of the licence application and offered discussions to address their questions and concerns on the matter through the appropriate process.



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October 15, 2025

Candace Salmon, Commission Registrar  
Canadian Nuclear Safety Commission  
280 Slater St  
PO Box 1046 Stn B  
Ottawa ON K1P 5S9

via email [registry-greffe@cnsccsn.gc.ca](mailto:registry-greffe@cnsccsn.gc.ca)

Dear Ms. Salmon,

**Re: Federal Assessment under the *Impact Assessment Act* for Gently-1**

Kebaowek First Nation is following up on recent statements made by the Canadian Nuclear Safety Commission ("CNSC"), including in its funding notice for the Gently-1 Waste Facility ("Proposed Project") which states:

These proposed activities are also subject to a federal lands assessment under the *Impact Assessment Act*. The CNSC will be acting as an authority for this assessment. As a prerequisite to the licensing decision, the Commission must make a decision as to whether the proposed activities are likely to cause significant adverse environmental effects [emphasis added].<sup>1</sup>

Kebaowek is requesting immediate clarity from the CNSC regarding the above-referenced assessment and confirmation that the CNSC intends to fulfill its constitutional obligation to consult and accommodate Kebaowek with respect to the assessment and the Proposed Project. Our concerns and request, below, build on recent conversations with the CNSC arising from our meeting on August 12, 2025

To date, there have been:

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<sup>1</sup> Online: <https://www.cnsccsn.gc.ca/eng/the-commission/participant-funding-program/opportunities/2025-07-cnlgently-1-waste-facility/>

- serious procedural deficiencies in how federal lands assessments (“Section 82 Projects”) have unfolded;
- a breach of the Crown’s legal obligations; and
- no clear engagement with the issues, as required by law.

## I. KEY CONCERNS

### *a. Failure to Fulfill the Crown’s Duty to Consult*

Kebaowek is an Algonquin Anishinabeg Nation. We hold and exercise inherent and constitutionally protected rights throughout our territory, which stretches along the length of the Kichi Sibi (Ottawa River) from its headwaters in north-central Quebec to its outlet in Montreal in the provinces of Quebec and Ontario. The Kichi Sibi holds immense spiritual and cultural significance for our Nation and flows within the core of our traditional territory. We also hold stewardship responsibilities and decision-making authority in relation to our territory pursuant to Algonquin laws and protocols. We are committed to ensuring our rights and lands remain healthy and protected for our current and future generations.

The Proposed Project will have impacts on our territory, by virtue of the waste transfers, disposal and storage of radioactive wastes originating at Gently-1 being brought to Chalk River. This has the potential to cause serious, long-term, and potentially irreversible adverse impacts on our territory and our ability to exercise our rights and maintain our culture, traditions, and way of life. It also interferes with our right to manage and govern our lands, resources, and waters. As such, the Proposed Project triggers the Crown’s duty to consult at the deepest end of the consultation spectrum.

Although the Proposed Project triggers the Crown’s duty to consult and accommodate, CNSC has yet to recognize, let alone fulfill, this duty with respect to the Proposed Project. In particular, Kebaowek received no notice from the CNSC that it would be conducting an assessment of environmental effects for the Proposed Project under section 82 of the IAA. Notice is the bare minimum required when the duty to consult and accommodate is engaged. In addition to adequate notice, the consultation process must provide Kebaowek with sufficient opportunities to participate on an ongoing basis and must be clearly outlined from the beginning. The consultation process must be transparent, clear, and orderly—it must not be the result of Kebaowek’s requests and pressure—it must provide for meaningful engagement and the process for engagement must be clear in advance.

On August 12, 2025, we had a detailed conversation with CNSC Staff in an attempt to better understand the process and consultation which would guide their assessment of Proposed Project, in keeping with requirements set out in the *Impact Assessment Act* (“IAA”).<sup>2</sup> From this discussion, we discerned that only in one prior instance has the CNSC acted as federal authority

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<sup>2</sup> *Impact Assessment Act*, SC 2019, c 28, s 1.

for assessing projects on federal lands. This one instance was for a project that occurred at the Douglas Point Waste Facility. As we understand it, the federal assessment was conducted in tandem with a licensing matter. While we requested the CNSC Staff Commission Member Document (“CMD”), proponent’s submission, and resulting Record of Decision to better understand the sequence of events, policy, and factors that informed and directed the CNSC’s decision and approach, we have yet to receive these documents.

Given the gravity of the potential impacts of the Proposed Project on Kebaowek’s rights, notably as a result of the waste transfers, disposal, and storage of radioactive wastes at Chalk River which will result from the undertaking, the CNSC must also be prepared to address Kebaowek’s concerns, adjust its plans where necessary, negotiate satisfactory interim solutions, enable Kebaowek’s participation in the decision-making process, and where appropriate, provide adequate economic accommodation.

The IAA imposes a further statutory requirement that federal authorities exercise their powers in a way that ensures any processes developed are fair, predictable, and efficient, and that they adhere to the principles of scientific integrity, honesty, objectivity, thoroughness, and accuracy.<sup>3</sup>

#### *b. Consultation on Section 82 Projects*

Second, Kebaowek has repeatedly raised concerns with the lack of a proper approach and meaningful engagement for consultation obligations related to section 82 projects. We are again concerned that the CNSC is proceeding with a section 82 assessment absent fulfilling the Crown’s duty to consult and satisfying the requirements under the IAA.

Following our January 9, 2025, tripartite meeting with Kebaowek leadership, CNSC, and AECL—which was our attempt remedy systemic and longstanding procedural deficiencies of section 82 project assessments and seek clarity regarding each federal entity’s respective role in fulfilling the Crown’s duty to consult – our questions and requested follow ups remain outstanding. While presentations were shared by CNSC, AECL, and CNL outlining their respective processes and levels of involvement in section 82 assessments, we raised serious concerns about the lack of clear communication, inconsistent application of consultation obligations, and the general exclusion of our participation.

## **II. STATUTORY REQUIREMENTS**

The purpose of the IAA is set out in its preamble and in section 6, and summarized in the Guidelines as follows:

[P]rojects are to be carried out on federal lands [...] in a careful and precautionary manner in order to avoid significant adverse environmental effects.

Subsection 6(2) specifically sets out the overarching mandate under the IAA:

The Government of Canada, the Minister, the Agency and federal authorities, in the administration of this Act, must exercise their powers in a manner that fosters

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<sup>3</sup> IAA, s. 6(3).

sustainability, respects the Government's commitments with respect to the rights of the Indigenous peoples of Canada and applies the precautionary principle.

As you know, section 84 of the IAA requires that the following factors be considered:

- (a) any adverse impact that the project may have on the rights of the Indigenous peoples of Canada recognized and affirmed by section 35 of the *Constitution Act, 1982*;
- (b) Indigenous knowledge provided with respect to the project;
- (c) community knowledge provided with respect to the project;
- (d) comments received from the public under subsection 86(1); and
- (e) the mitigation measures that are technically and economically feasible and that would mitigate any significant adverse environmental effects of the project that the authority is satisfied will be implemented.

We remind the CNSC that these factors must be considered with regard to the Proposed Project and yet, there is no clear or transparent process for how these considerations will occur. The constitutional obligation to consult and accommodate does not end here. The common law requirement means more is required beyond these statutory considerations. The Guidelines for sections 81-91 provide specifically that:

Authorities should plan to consult Indigenous peoples and consider impacts on their rights and interests in a manner that fulfills both their responsibilities under sections 81 to 91 of the IAA and their duty to consult.

In addition to the above, the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP) applies to section 82 projects and requires free, prior and informed consent, along with meaningful consultation. The Government of Canada is legally required under section 5 of the *United Nations Declaration on the Rights of Indigenous Peoples Act* to "take all measures necessary to ensure that the laws of Canada are consistent with the Declaration." Section 2 of the Act prescribes that "[n]othing in this Act is to be construed as delaying the application of the Declaration in Canadian law." In other words, pursuant to the Act, as of June 2021, UNDRIP applies in Canadian law and requires:

- Article 29.2 of UNDRIP which requires our free, prior and informed consent prior to any storage or disposal of hazardous materials on our lands.
- Article 23.2 requires the Crown to "consult and cooperate in good faith with [us] through [our Chief and Council] in order to obtain [our] free and informed consent prior to the approval of any project affecting [our] lands or territories and other resources."

Canada's UNDRIP Action Plan and its guidelines on sections 81-91 of the IAA means federal authorities should implement their requirements under these sections in accordance with UNDRIP. The UNDRIP Action Plan includes a commitment to implement the IAA in accordance with UNDRIP. Action plan measure 51 states:

The Impact Assessment Agency **will implement the Impact Assessment Act (IAA) in a way that aligns with the objectives and spirit of the UN Declaration.** This includes, but is not limited to:

- Carrying out impact assessments in a manner that emphasizes the need to seek free, prior, and informed consent
- Maximizing Indigenous collaboration and partnership, including the advancement of regulations to enable agreements under p.114(1)(d) and (e) of the IAA
- Early, consistent, and meaningful engagement and participation through all phases of impact assessment
- Respect for Indigenous rights, culture and jurisdiction
- Mandatory consideration of Indigenous Knowledge in impact assessment
- Continually building Crown-Indigenous relations
- Supporting Indigenous capacity in impact assessment
- Consideration of health, social and economic factors, including impacts to women, youth and Elders
- Consideration of any cumulative effects that are likely to result from a designated project in combination with other physical activities that have been or will be carried out. (Impact Assessment Agency of Canada)

The very purpose of the IAA is to implement UNDRIP. As stated above, this is set out in its preamble and in section 6. Despite this foundation, Kebaowek is still waiting for these statutory and legal requirements to be fulfilled.

### III. PROPOSED NEXT STEPS

In closing, in light of the recent statement in the Gentilly funding notice, we are again immediately requesting the CNSC pause any decision-making on the Proposed Project– which as the funding notice states is a prerequisite to licensing – and remedy the:

- **Unclear role and failure to consult and accommodate:** the general lack of clarity as to how the CNSC will exercise its authority for the Proposed Project and a discharge the Crown’s constitutional obligation to consult and accommodate in relation to the same.
- **Inadequate notice:** the CNSC’s failure to provide notice to inform Kebaowek when section 82 assessments are triggered or when key regulatory decisions are made (i.e. CNSC’s review of the licensing basis and whether a section 82 project is within a licence’s allowable activities).
- **Free, Prior, and Informed Consent (FPIC) sidelined:** CNSC’s failure to uphold UNDRIP as required by Canadian law, including the requirement for FPIC to be achieved in relation to section 82 assessments, and to respect the rights-based expectations of Kebaowek.
- **Registry opacity:** the fact that required public notices and documentation under section 82 of the IAA are missing and not posted on the Impact Assessment Agency registry.

- **Lack of written guidance:** the lack of an accessible, written framework outlining CNSC's consultation procedures and how Indigenous input is evaluated and acted upon.

With respect to section 82 assessments generally, at a minimum, Kebaowek must be engaged in a process that includes clear triggers for when consultation is required; a schedule and method for notification and information sharing; and timelines for feedback and inclusion in decision-making. We again reiterate that a major shift in the planning, coordinating, and decision-making of section 82 assessments is needed if the CNSC is to ensure a way forward that upholds our rights, which includes the duty to consult and FPIC. Since November 2021, KFN has been requesting a framework for section 82 project engagements. We reiterate this must be developed and in place before any decision is made on the Proposed Project or any other section 82 project.

With respect to the Proposed Project, it is critical that the CNSC fulfill its constitutional obligations to Kebaowek before any decisions are made which would allow the Proposed Project to proceed. This includes engaging with us on a respectful, iterative basis, taking steps to address our concerns, and ensuring we have access to sufficient funding to fully participate in all aspects of the consultation process. As you are aware, discharging the Crown's consultation obligations, satisfying the requirements under the IAA, and acting in accordance with the *United Nations Declaration on the Rights of Indigenous Peoples Act* are prerequisites to any approval.

As we have previously shared, the factors listed in section 84 of the IAA must be considered before a 'significant adverse environmental effects' determination can be made. Article 29.2 of UNDRIP further requires our free, prior and informed consent prior to any storage or disposal of hazardous materials on our lands. There cannot be meaningful consultation on the Proposed Project or any section 82 project without transparency on how Article 29.2 is being upheld.

We will follow up to provide proposed dates for a meeting to discuss co-developing a mutually respectful consultation process for the Proposed Project and a framework for section 82 assessments generally.

Sincerely,



Chief Lance Haymond



January 12, 2026

e-Doc: 7602187

Chief Lance Haymond  
Kebaowek First Nation  
[lhaymond@kebaowek.ca](mailto:lhaymond@kebaowek.ca)

**Subject: CNSC Staff Response to the Kebaowek First Nation Inquiries on the Section 82 Assessment for the Proposed Gentilly-1 Waste Facility Decommissioning Activities**

Dear Chief Haymond,

Thank you for reaching out to the Canadian Nuclear Safety Commission (CNSC) on October 15, 2025, with inquiries relating to the section 82 assessment that is being conducted in accordance with the [Impact Assessment Act](#) (IAA) for the proposed Gentilly-1 Waste Facility (G1WF) decommissioning activities.

On July 17, 2024, CNSC staff received an application from Canadian Nuclear Laboratories (CNL) for a licence amendment to proceed with the execution of decommissioning activities at the G1WF site. The decommissioning activities encompassed in this request include the removal of all buildings and structures at the site that are owned by Atomic Energy of Canada Limited (AECL) and operated by CNL. Before CNL may proceed with these decommissioning activities, they will require an amendment to their current licence to be granted by the Commission pursuant to section 24 of the [Nuclear Safety and Control Act](#) (NSCA). In addition, because the G1WF is located on lands leased to AECL, which is a federal Crown corporation, the CNSC must, prior to exercising its licensing authority, conduct a federal lands assessment pursuant to section 82 of the IAA (a “section 82 assessment”) to determine whether the proposed project is likely to cause significant adverse environmental effects.

Please find CNSC staff’s responses to Kebaowek First Nation (KFN)’s inquiries below.

**Key Concerns**

1. The Crown’s Duty to Consult

The scope of G1WF decommissioning activities that are being proposed for this licence amendment comprise the dismantlement and removal of buildings and structures owned by AECL and operated by CNL at the site. CNL is authorized under the existing G1WF licence to transfer nuclear substances, with the licence stating:

*The licence authorizes the licensee to:*

- a) Decommission the Gentilly-1 Waste Facility, as further described and located on the sites defined in the Licence Condition Handbook associated with WFDL-W4-331.00/2034*
- b) possess, transfer, use, package, manage, and store nuclear substances that are required for, associated with or arise from the activities described in a).*

CNL's licence amendment application for the G1WF summarizes that the decommissioning approach with respect to the transfer of radioactive wastes remains unchanged from that described in the existing G1WF licensing basis:

*CNL's decommissioning approach and end-state for G1WF have not been changed and include the transfer of all wastes, spent fuel, radioactive wastes/components, and hazardous waste to licensed storage/or disposal facilities.*

Therefore, the transfer of radioactive wastes from the G1WF to sites licensed to receive those wastes is not part of the scope of CNL's current licence amendment application for the G1WF and, thus, not considered as part of the section 82 assessment for the G1WF licence amendment application

Further, CNL's Chalk River Laboratories (CRL) site licence states that:

*Activities included in the CRL licensing basis include [...] process, store or dispose of waste received from offsite clients.*

CNL's application from their most recent site licence renewal for the CRL in 2018 included information regarding CNL's other licensed sites in order to inform the Commission's decision on the renewal:

*CNL ensures the continued availability of waste storage facilities and capability for both ongoing routine operations and special projects related to waste handling on the CRL site. Waste generated from off-site generators (including Whiteshell Laboratories and other CNL sites) will be managed and stored appropriately.*

Due to the scope of the current G1WF licence amendment application, the distance of the G1WF from KFN's traditional territory, and the localized nature of potential impacts from the proposed decommissioning activities at the G1WF, KFN was not initially notified of the section 82 and licensing assessments. However, once KFN expressed an interest in the G1WF licence amendment application and related section 82 assessment, CNSC staff followed up with KFN to provide information and engage on CNL's licence amendment application.

CNSC staff encourage KFN to reach out to CNL directly for more information on the licencing basis and related activities for either the CRL or the G1WF sites.

Finally, during a meeting on August 12<sup>th</sup>, 2025, between CNSC staff and KFN, CNSC staff noted that the requested documents on the Douglas Point Waste Facility were posted on the CNSC website along with all other Commission member documents (CMDs) available for KFN to access and download. To facilitate KFN's review please find the [Douglas Point CMD](#) attached along with this letter. All other

documentation relating to the November 2020 Public Hearing for the Douglas Point Waste Facility can be found on the [CNSC hearing documents web page](#).

## 2. Consultation on Section 82 Projects

The CNSC is acting as an “authority”, under section 81 of the IAA, specifically as a “federal authority” as defined by sections 2, for the proposed G1WF decommissioning project. Pursuant to section 82 of the IAA, as an authority, the CNSC must not exercise any power or perform any duty or function conferred on it under any Act of Parliament that could permit a project to be carried out, in whole or in part, on federal lands unless the CNSC determines that the carrying out of the project is not likely to cause significant adverse environmental effects. In other words, the CNSC cannot grant a licence amendment to CNL for their proposed decommissioning activities unless it conducts a section 82 assessment and the Commission determines, based on that assessment and any other relevant information before it, that the project is not likely to cause significant adverse environmental effects.

While conducting its assessment, the CNSC must take into account the factors set out at section 84 of the IAA. These are:

- (a) any adverse impact that the project may have on the rights of the Indigenous peoples of Canada recognized and affirmed by section 35 of the Constitution Act, 1982;
- (b) Indigenous knowledge provided with respect to the project;
- (c) community knowledge provided with respect to the project;
- (d) comments received from the public under subsection 86(1); and
- (e) the mitigation measures that are technically and economically feasible and that would mitigate any significant adverse environmental effects of the project that the authority is satisfied will be implemented.

AECL, as a Crown corporation and owner of the G1WF property, will also be acting as an authority for this assessment and will need to make its own separate determination as per the IAA.

The common-law duty to consult and, where appropriate, accommodate Indigenous Nations and communities applies when the Crown contemplates actions that may adversely affect potential or established Indigenous and/or Treaty Rights. The Commission, as an agent of the Crown, must ensure that all licensing decisions under the NSCA and decisions under other applicable legislation uphold the honour of the Crown and uphold Indigenous peoples’ potential or established Indigenous and/or Treaty Rights, pursuant to section 35 of the [Constitution Act, 1982](#). This is done in a manner consistent with the whole of government approach to consultation.

When the CNSC receives a licence application, CNSC staff conduct an initial assessment to determine whether there are any potential new impacts on the rights of Indigenous Nations and communities and therefore engaging the Crown’s duty to consult and, where appropriate, accommodate Indigenous Nations and communities. If the duty to consult is engaged, the CNSC then assesses the potential depth of the

duty to consult and, where appropriate, accommodate. The CNSC uses resources such as Crown-Indigenous Relations and Northern Affairs Canada's [Aboriginal and Treaty Rights Information System \(ATRIS\)](#), information regarding Indigenous and Treaty Rights shared by Indigenous Nations and communities through interventions or submissions, as well as information gathered by proponents or licensees.

In the context of section 82 assessments as per the IAA, the CNSC will evaluate the proposed project and its effects through the above-mentioned methods and determine the most appropriate path forward on consultation and/or engagement with the affected or potentially affected Indigenous Nations and communities. This may include, but is not limited to, notification of the proposed project, meetings to discuss the project and processes, discussions and engagement on potential concerns and impacts of the project, potential options to mitigate and address concerns and potential impacts, the opportunity to provide comments through the project's [Canadian Impact Assessment Registry \(Registry\) web page](#), and the opportunity to intervene in the Commission proceeding.

As an authority for the section 82 assessment of the G1WF decommissioning project, the CNSC will provide an opportunity for input from Indigenous Nations and communities and the public through the public comment period on the project's [Registry web page](#). Notification of the opening of this comment period was sent to KFN by the CNSC on December 24, 2025. These comments, and any Indigenous Knowledge and community input shared by Indigenous Nations, help inform the final version of the CNSC's environmental effects evaluation form and CNSC staff's recommendations to the Commission. Indigenous Nations and communities and the public will also have the opportunity to submit interventions directly to the Commission to inform its decision-making.

Additionally, the CNSC:

- Can discuss issues and concerns surrounding the section 82 assessment during topic-specific meetings with KFN.
- Will capture relevant comments and concerns raised through engagement activities and reflecting these areas of interest in the CMD for the proposed project.
- Has made available funding support through the Participant Funding Program (PFP) to support participation in the Commission hearing.
- Will be accepting and considering written interventions as part of the Commission hearing on the G1WF licence amendment application.

Through the consultation and engagement activities outlined in this letter, the CNSC will ensure it fulfills its duty to consult Indigenous Nations and communities and meets all of the applicable articles of the *United Nations Declaration on the Rights of Indigenous Peoples* (UNDRIP).

### **Next Steps and Immediate Requests**

Sections 1.2 and 2 of this letter outline the CNSC's roles and responsibilities in regard to section 82 assessments as well as the consultation and engagement activities that will be undertaken to meet the requirements for this licence amendment application and the section 82 assessment.

Appendix 1 includes the generic environmental effects evaluation form template for section 82 assessments under the IAA, provided for awareness so it is clear how CNSC staff will be sharing its findings and recommendations to the Commission. CNSC staff have shared the link to the project [Registry web page](#) with KFN and the public comment period through the project Registry page will be open until February 5, 2026.

CNSC staff are committed to consulting and engaging with Indigenous Nations and communities who have rights and interests related to the G1WF throughout this process. We recognize the importance of considering Indigenous Knowledge and perspectives, when shared with CNSC staff, in our recommendations to the Commission. Currently, the CNSC does not have plans to pause the G1WF section 82 and licensing assessments. However, there remain a number of opportunities for KFN to participate in the process and provide comments to both CNSC staff and the Commission.

The Commission will hold a public hearing based on written submissions in July 2026. For this hearing in writing, the Commission will consider written submissions from CNL and from CNSC staff, as well as written interventions from Indigenous Nations and communities and the public. We acknowledge that KFN has received funding to intervene in this proceeding and note that requests to intervene must be filed with the Commission Registry by June 17, 2026. The Commission will consider all the information received when making its decision on both the section 82 assessment, consultation and engagement activities conducted to date and the licence application.

CNSC staff will continue to keep KFN informed regarding CNL's licence application and the related regulatory and assessment processes. If you wish to arrange a meeting to discuss these topics further, please contact Natalie Dormer, Policy Officer for the CNSC's Indigenous Consultation and Engagement Division, by email at [natalie.dormer@cnsccsn.gc.ca](mailto:natalie.dormer@cnsccsn.gc.ca).

Sincerely,

Adam Levine  
Director  
Indigenous Consultation and Engagement Division

Shannon Castellarin  
Director  
Environmental Review Division

**c.c.:** CNSC: N.Dormer, A. Bissonnette, K. Sellers, E. Cotnam-Bent, K. Warnock-Juteau, M. McLaughlin,

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



## Appendix 1: Template environmental effects evaluation form for s.82 assessments as per the *Impact Assessment Act*

Section A: Project identification	
Project start date	
Project end date	
Project location	
Lead authority	Canadian Nuclear Safety Commission (CNSC)
Contact name, title, telephone no. and email	
Other authorities (if applicable)	

Section B: Project description	
Project phase	Project activities / components

Section C: Description of the baseline environment

<b>Section D: Potential environmental effects</b>			
Please note: <ul style="list-style-type: none"> <li>Answers of “Yes and can be reduced to a non-significant level through technically and economically feasible mitigation measures (TEFMM)” should be addressed in <b>Section F</b>.</li> <li>Answers of “Yes but cannot be reduced to a non-significant level through technically and economically feasible mitigation measures” would result in the project likely causing significant adverse environmental effects. Therefore, the authority may not take any action or make any decision that would enable the project to proceed unless the Governor in Council (GIC) determines that those effects are justified in the circumstances under subsection 90(3) of the IAA.</li> </ul>			
<b>Biophysical effects</b>			
Does the project have the potential to:	No	Yes, and can be reduced to a non-significant level through TEFMM	Yes, but cannot be reduced to a non-significant level through mitigation measures
Alter, disturb, or destroy vulnerable natural features?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Release a polluting substance into the land, water or air?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alter landscape features (e.g. resource extraction, deforestation, clearing vegetation)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Affect birds, aquatic animals, and wildlife (flora and fauna), including species at risk and its critical habitat?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Result in alteration of water level, quality, flow or management regime in a water body, or result in other important changes to surface or groundwater resources (including well water)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cause sensory disturbances, such as noise and/or vibrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Cause any other change to the environment on federal lands or incidental to a federal decision?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If so, please describe:			
<b>Impacts on Indigenous peoples</b>			
Does the project have the potential to result in changes to the environment that may impact Indigenous peoples, including:	No	Yes, and can be reduced to a non-significant level through TEFMM	Yes, but cannot be reduced to a non-significant level through mitigation measures
Social, economic, and health conditions, including community health specific to Indigenous peoples (e.g. impact to an Indigenous fishery resulting from a change in fish population)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Physical and cultural heritage	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Use of lands and resources for traditional purposes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any structure, site or thing that is of historical, archaeological, paleontological or architectural significance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other impacts to Indigenous peoples.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If so, please describe:			
<b>Health conditions</b>			
Does the project have the potential to result in changes to the environment that may affect health conditions? These changes could be on:	No	Yes, and can be reduced to a non-significant level through TEFMM	Yes, but cannot be reduced to a non-significant level through mitigation measures
Air quality	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Noise exposure and effects of vibration	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Current and future availability of country foods (traditional foods)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Current and future availability of water for drinking, recreational and cultural uses	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Any other changes that could affect health conditions. If so, please describe:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Social conditions</b>			
Does the project have the potential to result in changes to the environment that may affect social conditions?:	No	Yes, and can be reduced to a non-significant level through TEFMM	Yes, but cannot be reduced to a non-significant level through mitigation measures
Services and infrastructure	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Land and resource use and recreation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Navigation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community well-being	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Structures, sites, things of historical, archaeological, paleontological or architectural significance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other If so, please describe:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Economic conditions</b>			
Does the project have the potential to result in changes to the environment that may affect economic conditions?:	No	Yes, and can be reduced to a non-significant level through TEFMM	Yes, but cannot be reduced to a non-significant level through mitigation measures
Forestry and logging operations	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial recreational and sport fishing, hunting, trapping	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial outfitters	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Commercial recreation and tourism	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Agriculture, including predicted effects to livestock health and productivity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other If so, please describe:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>Section E: Technically and economically feasible mitigation measures</b>									
Instructions:									
<ul style="list-style-type: none"> <li>Replicate this table for <u>each adverse environmental effect</u> identified in <b>Section D</b>.</li> <li>Identify if the environmental effect(s) identified above relate(s) to biophysical effects (B), Indigenous peoples (IP) and/or health (H), social (S) or economic (E) conditions by checking the corresponding box for each effect.</li> </ul>									
<b>Potential adverse environmental effect:</b>					<b>B</b>	<b>IP</b>	<b>H</b>	<b>S</b>	<b>E</b>
<b>Description of the potential effect:</b>				<b>Proposed mitigation measure description:</b>					
<b>Magnitude of residual effect</b>	<b>Geographic extent of residual effect</b>	<b>Frequency of residual effect</b>	<b>Duration of residual effect</b>	<b>Reversibility of residual effect</b>	<b>Timing of residual effect</b>				

<input type="checkbox"/> Low amount <input type="checkbox"/> Medium amount <input type="checkbox"/> High amount	<input type="checkbox"/> Small area <input type="checkbox"/> Medium area <input type="checkbox"/> Large area	<input type="checkbox"/> Rarely <input type="checkbox"/> Often <input type="checkbox"/> All the time	<input type="checkbox"/> Short periods <input type="checkbox"/> Medium periods <input type="checkbox"/> Long periods	<input type="checkbox"/> High degree <input type="checkbox"/> Medium degree <input type="checkbox"/> Low degree	<input type="checkbox"/> Not dependant on timing <input type="checkbox"/> Dependant on specific timing				
<b>Potential residual effects after the technical and economically feasible mitigation measures are considered</b>									
<b>Monitoring to determine effectiveness of mitigation measures</b>									
<b>Potential adverse environmental effect:</b>					<b>B</b>	<b>IP</b>	<b>H</b>	<b>S</b>	<b>E</b>
<b>Description of the potential effect:</b>					<b>Proposed mitigation measure description:</b>				
<b>Magnitude of residual effect</b>	<b>Geographic extent of residual effect</b>	<b>Frequency of residual effect</b>	<b>Duration of residual effect</b>	<b>Reversibility of residual effect</b>	<b>Timing of residual effect</b>				
<input type="checkbox"/> Low amount <input type="checkbox"/> Medium amount <input type="checkbox"/> High amount	<input type="checkbox"/> Small area <input type="checkbox"/> Medium area <input type="checkbox"/> Large area	<input type="checkbox"/> Rarely <input type="checkbox"/> Often <input type="checkbox"/> All the time	<input type="checkbox"/> Short periods <input type="checkbox"/> Medium periods <input type="checkbox"/> Long periods	<input type="checkbox"/> High degree <input type="checkbox"/> Medium degree <input type="checkbox"/> Low degree	<input type="checkbox"/> Not dependant on timing <input type="checkbox"/> Dependant on specific timing				
<b>Potential residual effects after the technical and economically feasible mitigation measures are considered</b>									
<b>Monitoring to determine effectiveness of mitigation measures</b>									
<b>Potential adverse environmental effect:</b>					<b>B</b>	<b>IP</b>	<b>H</b>	<b>S</b>	<b>E</b>
<b>Description of the potential effect:</b>					<b>Proposed mitigation measure description:</b>				
<b>Magnitude of residual effect</b>	<b>Geographic extent of residual effect</b>	<b>Frequency of residual effect</b>	<b>Duration of residual effect</b>	<b>Reversibility of residual effect</b>	<b>Timing of residual effect</b>				
<input type="checkbox"/> Low amount <input type="checkbox"/> Medium amount <input type="checkbox"/> High amount	<input type="checkbox"/> Small area <input type="checkbox"/> Medium area <input type="checkbox"/> Large area	<input type="checkbox"/> Rarely <input type="checkbox"/> Often <input type="checkbox"/> All the time	<input type="checkbox"/> Short periods <input type="checkbox"/> Medium periods <input type="checkbox"/> Long periods	<input type="checkbox"/> High degree <input type="checkbox"/> Medium degree <input type="checkbox"/> Low degree	<input type="checkbox"/> Not dependant on timing <input type="checkbox"/> Dependant on specific timing				
<b>Potential residual effects after the technical and economically feasible mitigation measures are considered</b>									

<b>Monitoring to determine effectiveness of mitigation measures</b>

<b>Section F: Consultation</b>
<p><b>84(1)(a) – Does the project have the potential to have any adverse impacts on the rights of the Indigenous peoples of Canada recognized and affirmed by section 35 of the Constitution Act, 1982?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No  <i>(Describe the process for engaging with Indigenous peoples, and summarize any comments received, and how they were addressed.)</i></p>
<p><b>84(1)(b) – Was Indigenous knowledge provided with respect to the project?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No  <i>(Summarize comments received and how they were addressed.)</i></p>
<p><b>84(1)(c) – Was community knowledge provided with respect to the project?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No  <i>(Summarize comments received and how they were addressed.)</i></p>
<p><b>84(1)(d) – Did the public provide feedback on the project?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No  <i>(Describe the process for engaging with the public, and summarize any comments received, and how they were addressed.)</i></p>
<p><b>Are other federal authorities being consulted?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No  <i>(If yes, explain which ones and why.)</i></p>

<b>Section G: Resources</b>
<p>The following resources were consulted to complete this form.</p> <ul style="list-style-type: none"> <li>• CNSC, Regulatory Document, <i>REGDOC 2.9.1, Environmental Protection: Environmental Principles, Assessments and Protection Measures</i>, version 1.2, 2020, <a href="http://nuclearsafety.gc.ca/eng/acts-and-regulations/regulatory-documents/published/html/regdoc2-9-1-vol1-2/index.cfm">http://nuclearsafety.gc.ca/eng/acts-and-regulations/regulatory-documents/published/html/regdoc2-9-1-vol1-2/index.cfm</a></li> <li>• Government of Canada, Designated Classes of Projects Order (SOR/2019-323), <a href="https://laws.justice.gc.ca/PDF/SOR-2019-323.pdf">https://laws.justice.gc.ca/PDF/SOR-2019-323.pdf</a></li> <li>• Government of Canada, <i>Impact Assessment Act, 2019</i>, <a href="https://www.laws-lois.justice.gc.ca/eng/acts/I-2.75/page-1.html">https://www.laws-lois.justice.gc.ca/eng/acts/I-2.75/page-1.html</a></li> <li>• Government of Canada, Species at Risk Public Registry, <a href="https://species-registry.canada.ca/index-en.html#/species?sortBy=commonNameSort&amp;sortDirection=asc&amp;pageSize=10">https://species-registry.canada.ca/index-en.html#/species?sortBy=commonNameSort&amp;sortDirection=asc&amp;pageSize=10</a>, [insert date]</li> <li>• Impact Assessment Agency of Canada, <i>Projects on federal lands and outside Canada – Guidance on sections 81 to 91 of the Impact Assessment Act</i>, June 2021, <a href="https://www.iaa.ca/en/assessments/projects-on-federal-lands-and-outside-canada-guidance-on-sections-81-to-91-of-the-impact-assessment-act">Projects on federal lands and outside Canada: Guidance on Sections 81 to 91 of the Impact Assessment Act - Canada.ca</a></li> <li>• [insert]</li> <li>• [insert]</li> <li>• [insert]</li> </ul>

<b>Section H: Determination</b>
<p>Taking into account the implementation of the technically and economically feasible mitigation measures outlined in Section E and the other section 84 factors under the IAA, outlined in Section F, this project is:</p>

<p><b>Not likely</b> to cause significant adverse environmental effects (the authority can carry out the project, exercise a power, perform a duty or function, or provide financial assistance that could permit or enable the project to proceed.)</p>	<p style="text-align: center;"><input type="checkbox"/></p>
<p><b>Likely</b> to cause significant adverse environmental effects (the authority may choose not to make any decision or take any action that may permit or enable the project to be carried out; or refer the project to the GiC to determine whether the significant adverse environmental effects are justified in the circumstances under subsection 90(3).)</p>	<p style="text-align: center;"><input type="checkbox"/></p>
<p><b>Comments</b></p>	
<p> </p>	



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February 5, 2026

CNL Communications and Indigenous Relations  
Canadian Nuclear Laboratories  
286 Plant Road  
Chalk River, Ontario K0J 1J0  
Email: [communications@cnl.ca](mailto:communications@cnl.ca)

Environmental Review Division  
Canadian Nuclear Safety Commission  
280 Slater St  
Ottawa, Ontario K1P 5S9  
Email: [er-ee@cnscccsn.gc.ca](mailto:er-ee@cnscccsn.gc.ca)

To the federal authorities CNSC and AECL, Mr. Adam Levine and Ms. Shannon Castellarin:

**RE: Kebaowek First Nation's Comments on the Section 82 Assessment for the Proposed Gently-1 Waste Facility Decommissioning Project**

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We write to set out some of our serious concerns with CNSC's unacceptable approach to engagement with Kebaowek First Nation regarding the Gently-1 project. We also intend to raise consultation and cumulative nuclear waste disposal related concerns regarding Gently 1 Project separately with the CNL and AECL.

This letter is in response to correspondence from the CNSC dated January 12, 2026 regarding the Gently-1 Waste Facility (G1WF) decommissioning activities; as follow up to correspondence KFN sent to AECL and CNL on January 27, 2026 seeking the environmental effects review for the project; and to the federal authorities for this project as our submission on the "Decommissioning of the Gently-1 Waste Facility" assessment.<sup>1</sup>

As this project is proceeding absent clarity on timelines, roles, process and disclosure of information necessary to inform our remarks on this determination, we make the following

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<sup>1</sup> Impact Assessment Agency of Canada Registry, "[Decommissioning of the Gently-1 Waste Facility](#) - Notice of Intent" 15 Dec 2025.

remarks to all above noted contacts and also retain the right to provide further and more detail comment when adequate information has been disclosed such that we can weigh in the project, its effects and potential impacts to our rights and interests.

*First*, we have several outstanding concerns relating to the contents of correspondence to date and the assessment of the G1WF project, being undertaken pursuant to section 82 of the *Impact Assessment Act*.

*Second*, we wish to endorse the comments provided as part of this project's review by Dr. Ole Hendrickson and Dr. Gordon Edwards. Their insight, shared concern for the Kichi Sibi and expertise in these matters is invaluable to ensuring KFN has access to independent, subject-matter experts.

*Third*, we ask that our comments and correspondence to date on this file be shared to the Impact Assessment Agency of Canada Registry. Critical to building trust in participatory decision-making processes, is ensuring an accurate, update to date and public record.

### **Gentilly 1 Project end waste distribution falls at the deepest end of the consultation spectrum**

As you know, the Gentilly 1 decommissioning project end waste distribution to Chalk River falls within our traditional territory and, more specifically, in an area where CNL and CNSC have acknowledged that Kebaowek asserts s.35 rights (including aboriginal title).

Based on the project information provided to us to date, it is clear that the Gentilly 1 Project has the potential to cause negative impacts to our s.35 rights, title and jurisdiction (directly, indirectly and cumulatively) that are *intergenerational*, *irreparable* and *profound*. Further, as the Gentilly 1 Project engages matters relating to hazardous materials in our territory and therefore engages Article 29 of the United Nations Declaration on the Rights of Indigenous Peoples which requires Canada to obtain (as opposed to seek) our free prior and informed consent (FPIC) before advancing the Gentilly 1 Project.

Accordingly, we reiterate that the Gentilly 1 Project triggers a duty to consult Kebaowek directly at the deepest end of the consultation and, based on Canada's adoption of UNDRIP, this includes a requirement to obtain Kebaowek's consent.

The importance of CNL and AECL acknowledging the depth of consultation required for the Project cannot be overstated. First, consultation that proceeds on an erroneous assessment of the scope of consultation is inherently flawed. Second, the scope of consultation is what provides a roadmap for identifying elements of consultation and engagement that must be included in a consultation process. Deep consultation includes, among other things: a requirement to design a meaningful consultation process specific to the rights, interests, needs and concerns of a Nation; proactive discussions about consultation timelines and regulatory coordination; identification and development of process for dealing with information gathering to fully understand potential

impacts to rights; a respectful and robust process for the inclusion of indigenous knowledge; and, ultimately, timely and effective discussions around avoidance and accommodation of impacts and the implementation of FPIC.

**CNSC’s approach to engagement regarding Gentilly 1 has been inadequate**

As we take stock of CNSC’s engagement with us to date regarding the Gentilly 1 Project, it is clear to us that your approach to engagement with Kebaowek has been and continues to be inadequate and falls far below what is required.

This intensely disappointing conclusion has been very recently confirmed by, among other things, CNSC’s imposition of arbitrary and rushed timelines for Kebaowek to comment on Section 82 materials and CNL’s apparent decision to push forward with an Integrated Waste strategy Kebaowek agreement on the strategy that CNL has recently proposed to fund. CNL’s approach to the review of Integrated waste strategy materials could exacerbate structural imbalances in the Section 82 environmental assessment process that, in our experience, undermine the fairness of the environmental assessment process, lead to the minimization of our indigenous knowledge and perspectives, and frustrate meaningful consultation around Gentilly 1 waste disposal at Chalk River.

In the table below, we provide some specific examples of deficiencies we are observing regarding CNSC’s engagement with Kebaowek on the Gentilly 1 Project so that CNSC can work with us to identify the necessary commitments to resolve them. While there are many problems outlined below, the takeaway is simple: notwithstanding the need for deep consultation regarding a project that has the potential to accumulate more nuclear waste at Chalk River that severely affects our way of life for many generations, we have yet to see the hallmarks of meaningful engagement and responsiveness.

Engagement Deficiency	Explanation
Ongoing lack of a meaningful Section 82 process framework to carry out the duty to consult, including clarity on the relationship between Section 82 and consultation	<p>We continue to see a real disconnect between CNSC’s approach to the Section 82 environmental assessment process the UNDA, the UNDRIP and its engagement with us. This has, unfortunately, created uncertainty around key elements of consultation, such as how/when information gaps will be addressed, how/when our information will be incorporated into decision making, and how/when our concerns will be addressed prior to a decision on the Gentilly 1 Project.</p> <p>We are very concerned that CNSC, rather than work with us to develop a coordinated, efficient and meaningful consultation framework process, continues to advance an engagement process that is ad hoc, reactive and, ultimately, prejudices Kebaowek’s ability to participate.</p>

<p>Failure to appropriately consider existing cumulative effects</p>	<p>To date, the consultation process for the Gentilly 1 Project has failed to appropriately consider existing and foreseeable cumulative effects when evaluating impacts to our s.35 rights. The lack of clarity around how cumulative effects will be considered undermines our ability to be adequately informed in the consultation process. But most critically, the failure to appropriately consider cumulative effects prevents meaningful discussions about critical conversations around avoidance, alternatives, and accommodation that are part of deep consultation.</p> <p>This, in turn, is likely to interfere with the ability of CNSC, and Canada more broadly, to ensure that its decision-making for the Gentilly 1 Project upholds the honour of the Crown. The failure to manage cumulative effects on the treaty rights of Indigenous peoples is unconstitutional.</p>
<p>Failure to appropriately consider foreseeable projects</p>	<p>The Gentilly 1 Project does not exist in isolation. The nature and scope of the impacts it may have on our s.35 rights (including the potential mitigation and accommodation measures required to protect our rights) is closely related to other activities at Chalk River on our territory. That is why it is so troubling that it remains unclear how CNSC will take steps to assess the relationship between Gentilly 1 and other proposed project activities in our territory, including CNL's proposed NSDF activities, and how Gentilly 1 waste activities may contribute to or interact with the impacts of the NSDF Project. This is a required part of the consultation process, but one that has been frustrated by the Integrated Waste Strategy.</p>
<p>Rushed and arbitrary timeline for KFN engagement on the Gentilly 1</p>	<p>CNSC's recent imposition of arbitrary and rushed timelines for comments on Gentilly 1 Section 82 materials is emblematic of the larger problems we are experiencing with CNSC's unwillingness to create meaningful opportunities for us to participate in consultation. But it also creates specific and cascading consultation deficiencies such as: undermining our ability to participate in a critical part of the Section 82 process, exacerbating capacity restraints we are experiencing, further entrenching the idea that Indigenous-led studies and Indigenous knowledge are separate and less important when CNSC should be working with us to bring that information into Environmental Effects Assessment materials and, ultimately, rushing to approval of the Project when essential mitigation, accommodation and consent discussions have not taken place.</p>
<p>Ongoing information gaps and deficiencies</p>	<p>Even a preliminary scan of Gentilly 1 has confirmed that CNSC is pushing forward with the environmental assessment and</p>

	approval process without necessary information and without gathering/providing information required to support meaningful consultation.
Failure to recognize capacity constraints	<p>We are dismayed that CNSC appears to be imposing timelines for Kebaowek’s review of Gentilly 1 materials that ignore Kebaowek’s capacity constraints and, more generally, that CNSC is pushing engagement forward on the Gentilly 1 project without consideration of the many other engagement activities deadlines (RORs) that create pressures on Kebaowek’s resources.</p> <p>While we recognize that CNSC will be providing limited capacity funding this funding alone does not address capacity constraints. What is also needed is a clearer process with timelines that support necessary engagement.</p>
Lack of responsiveness	<p>We continue to struggle with CNSC’s lack of responsiveness to our information requests, capacity constraints and ultimately, our requests to engage on measures to address our concerns.</p> <p>It appears to us that CNSC has maintained an entirely closed mind regarding our concerns and perspectives.</p>
Failure to meaningfully consider aboriginal perspectives, voices and knowledge	We continue to find our voice and perspectives to be marginalized by CNSC in the consultation and environmental assessment process for the Gentilly 1 Project.
Failure to consider implications for the UNDA Action Plan	It remains unclear to us if or how CNSC will engage with us regarding the implications of approval of Gentilly 1 Project for Canada’s ability to implement the UNDA Action Plan.
Inconsistency with and failure to incorporate or engage with principles of FPIC	It remains unclear to us if or how CNSC will incorporate principles of FPIC, and Article 29 of UNDRIP, into its engagement with us.
Lack of meaningful process for incorporating IK	It remains unclear to us if or how CNSC will create meaningful space for discussing and meaningfully incorporating indigenous knowledge throughout the Section 82 process and what our knowledge will mean for addressing our concerns, including evaluating mitigation and accommodation measures.

Indeed, CNSC’s recent imposition of arbitrary and rushed timelines for Kebaowek to comment on revised Gentilly 1 materials at the same time that CNL was having discussions with us about undertaking engagement on the Integrated Waste Strategy in completely different time horizons

underscores that there are real deficiencies in CNSC's engagement with us regarding Gentilly 1 that need to be resolved immediately.

Outstanding items include:

### **1 - Breach of Right to Free, Prior, and Informed Consent (FPIC)**

The transport of waste from the G1WF site to the Near-Surface Disposal Facility (NSDF) poses potential adverse impacts to Kebaowek First Nation's (KFN) rights and responsibilities due the trucking of radioactive waste across KFN territory and its ultimate and permanent disposal on KFN territory.

KFN was alarmed to learn that the transport of waste from G1WF to the NSDF has already occurred, without prior notification or consultation to our Nation. According to the CNSC's recently published Regulatory Oversight Report (ROR) for CNL Sites, 88 spent fuel bundles, stored in 11 concrete silos, were transported via road from the Gentilly nuclear site in Quebec to CNL's Chalk River Site. The ROR further states:

The decision to grant CNL the approval to ship spent fuel was predicated on the fact that there would be minimal impact to the health and safety of workers, the public and the environment, as a result of these activities. CNSC staff also concluded that CNL met all of the regulatory requirements in order to ship the fuel safely.

A safety assessment of the retrieval of the spent fuel from storage at the G1WF, as well as a safety analysis of the transportation package that would be used to ship the fuel. CNL also applied for a license to transport, submitted a transport security plan, as well as obtained agreement from the IAEA to move the spent fuel from the G1WF to the CRL site.

Kebaowek is deeply concerned that it only learned of this information upon the publication of this ROR just months ago. No notice or inclusion of the CNSC's "decision to grant CNL approval to ship spent fuel" was communicated to us, nor was the decision shared. The above-noted documents, including CNL's transport licence application, were also not conveyed to us and at no point was there an opportunity presented for our engagement. While KFN has requested these documents be disclosed in full without delay, we are yet to receive any correspondence from the CNSC.

This transport of high level radioactive result 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 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*, 2025 FC 319 at para [130](#).

UNDRIP must inform all actions taken under statute, as well as the execution of the duty to consult and accommodate. The federal *United Nation Declaration on the Rights of Indigenous Peoples Act*, SC 2021, c 4 (UNDA) confirms that UNDRIP applies in Canadian law and provides

the minimum standards against which state conduct must be measured. CNSC has failed to meet these standards with respect to the G1WF project, as detailed further below.

## **2 - Breach of Duty to Consult**

The activities undertaken by CNL and licensed by the CNSC are in direct conflict with the Honour of the Crown and the duty to consult, which is triggered whenever the Crown contemplates action that may adversely impact established or asserted Aboriginal or Treaty rights. The triggering of the duty does **not** depend on unilateral determinations by Crown about whether the contemplated activities fall within the scope of a licence approval, amendment, or renewal, or on the Crown's unilateral determinations about whether there is a risk of adverse impacts to rights.

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.

The Crown should not have permitted the transport and disposal of waste at NSDF without first notifying KFN and asking whether our Nation about perceived potential adverse impacts. This was a breach of the constitutional duty to consult and KFN's right to FPIC. Moving forward, we require the CNSC, AECL, and all proponents to adhere to KFN's *Rights & Responsibilities Assessment Law*, in accordance with the process described below.

## **3 - Compliance with KFN's Rights & Responsibilities Assessment Law Moving Forward**

As CNL and CNSC are aware, on November 27, 2026, KFN ratified the *Rights & Responsibilities Assessment Law*. This Law applies whenever a proponent, including a Crown corporation, proposes physical activities which may result in effects on KFN territory or impacts to KFN rights and responsibilities. CNSC must comply with the Law, pursuant to the requirements in UNDRIP that states cooperate with Indigenous peoples through their own representative institutions and in accordance with their own laws, procedures, and customs before authorizing projects affecting our territory.<sup>2</sup>

The purpose of the Law is for KFN to determine whether there is a risk of adverse impacts to KFN rights and responsibilities. Pursuant to Step 1 of the Law, proponents must submit a Project Description that provides KFN with sufficient information to make a Designation Decision under Section 10 of the Law. We expect CNSC to support KFN in obtaining a project description from proponents, as the Crown maintains the substantive obligation to discharge the duty to consult but may delete procedural aspects to third parties (*Haida Nation v British Columbia*, 2004 SCC 73 at para [53](#)).

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<sup>2</sup> UNDRIP, Art 32(2); see also UNDRIP, Arts 11, 12, 27.

A complete project description enables KFN to identify the potential impacts of a project and evaluate their anticipated severity, to help inform the decision about whether the project should be designated for review under the FPIC process. CNSC must allow KFN sufficient time to make this Designation Decision and should consider KFN's own determinations about the risk of potential impacts, before making any determination about the existence or scope of the duty to consult. There is a clear need for improved transparency, communication, and collaboration with KFN, to avoid further violations of our right to FPIC.

Further, CNSC must allow KFN's FPIC Process under Steps 4-13 of the Law to take its course, as this process will produce the information about KFN's laws and knowledge, as well as proposed mitigation and accommodation measures, necessary for the Crown to make a responsible and constitutionally compliant decision under the section 82 assessment. As was made clear in *Kebaowek First Nation v Canadian Nuclear Laboratories*, 2025 FC 319, the CNSC must consider UNDRIP and the FPIC standard when assessing whether its duty to consult has been met and must align its processes to reflect KFN's laws, knowledge, and processes, and work toward achieving mutual agreement.

#### **4 – Outstanding Information Requests and Calls for Impact Assessment**

KFN wishes to remind the federal authorities for this project that for many years, KFN has been calling for all decommissioning projects to undergo federal impact assessment. We stated this in 2019 as part of our comments on the *Impact Assessment Act's* draft 'Project List' regulation and more recently, when the same regulation underwent a 5-year review.<sup>3</sup>

The CNSC, by its own admission, does not evaluate socio-economic effects within its *Nuclear Safety and Control Act* licensing process, which therefore cannot be seriously construed as a robust and comprehensive review process.

As the CNSC is now among the federal authorities for this project, we again lack trust in their expertise and continue to push for an IA, recognizing there must be a credible, sustainability-based assessment of the environment, health, economic and social impacts of this decommissioning project before it proceeds. In KFN's view, this project – despite it being the first of its kind in Canada – is emblematic of the nuclear industry getting a free pass under the IAA; it is the antithesis of sound and precautionary planning.

Furthermore, we also reiterate our request for 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. This request has been made to AECL<sup>4</sup> to ensure we have a clear and complete understanding of the environmental considerations being relied upon for the G1 project. To date, this information request remains outstanding.

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<sup>3</sup> KFN's [Comments on Project List Regulation](#), May 31 2019; KFN's [Comments on the Discussion Paper and 5-Year Review of the Project List Regulation](#), Sept 27, 2024

<sup>4</sup> Correspondence to Danielle Waldman from Justin Roy, Jan 27, 2026.

## **5 - Clarifying the Role among Federal Authorities**

Finally, we still require an explanation of the respective review processes of CNSC and AECL, given that both authorities will conduct a section 82 assessment. We understand that the AECL will issue its section 82 determination first, but we do not have information about how KFN may be engaged in AECL's process. We again ask that this information at the earliest opportunity.

Our attempts to engage on this and other s 82 projects, such as the Modern Combined Electrolysis and Catalytic Exchange Project, have exposed the complete lack of coordinated framework for section 82 assessments, including consultation that addresses CNSC's and the federal authorities' roles, and requirements for consultation or engagement in the review process. We need to know which entity from among CNSC, AECL, and CNL is the decision-making authority at a given time, and which entity is responsible for consultation, both constitutionally and practically through delegation.

All s 82 project assessments, including licensing reviews and authorizations that may accompany them, must include real consideration of our rights and knowledge. This requires our free, prior and informed consent ("FPIC") before decisions are made. Unfortunately, our experience shows section 82 assessments to be *ad hoc*, uncoordinated and lacking support and expertise from the Crown in undertaking consultation.

A major shift in the planning, coordinating and decision-making of section 82 assessments is needed if AECL/CNL and CNSC are to ensure a way forward that upholds our rights, which includes the duty to consult and FPIC. Since November 2021, KFN has been requesting a framework for section 82 project engagements and appended to this letter, is a chart tracking our numerous and outstanding calls for a coordinated process framework. We reiterate this is now long overdue and must be developed.

### **Next Steps**

It is clear that CNSC's approach to engagement with Kebaowek regarding the Gentilly 1 Project fails to have essential elements we expect of a meaningful consultation process. Recent engagement challenges suggest that CNSC's approach to engagement is worsening and, rather than address our concerns, CNSC may be seeking to capitalize on them.

It is our hope that these challenges can be resolved and a meaningful engagement process developed. To that end, we request that:

1. The federal authorities confirm they will withdraw its arbitrary February 5, 2026, comment deadline;
2. The federal authorities commit to working with us to co-develop a Section 82 engagement process for the Gentilly 1 Project that responds to the concerns set out above and further commit not take further steps in the environmental assessment process until such a process has been developed to our mutual satisfaction; and

3. The federal authorities commit not to proceed with the Gentilly 1 project without obtaining our Free, Prior, and Informed Consent on waste transfer to Chalk River.

We look forward to hearing from you.

Sincerely,



Justin Roy

cc:

**CNSC:**

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April 10, 2026

Chief Lance Haymond  
Kebaowek First Nation  
[lhaymond@kebaowek.ca](mailto:lhaymond@kebaowek.ca)

**Subject: CNSC Staff Response to Kebaowek First Nation's Comments on the Section 82 Assessment for the Proposed Gentilly-1 Waste Facility Decommissioning Project**

Chief Haymond,

Thank you for your comments to the Canadian Nuclear Safety Commission (CNSC) on February 5, 2026, regarding the Notice of Intent for the federal lands assessment that is being conducted in accordance with the [Impact Assessment Act](#) (IAA) for the proposed Gentilly-1 Waste Facility (G1WF) decommissioning activities.

As outlined in the CNSC's letter to Kebaowek First Nation (KFN) dated January 12, 2026, CNSC staff have evaluated KFN's concerns and have determined that due to the scope of the current G1WF licence amendment application, the distance of the G1WF from KFN's traditional territory, the localized nature of potential impacts from the proposed decommissioning activities at the G1WF, and that the spent fuel from G1WF was already transferred to CRL in accordance with the licence conditions and licensing bases for both existing licences, KFN's concerns do not fall directly in scope of the G1WF decommissioning activities that are being proposed for this licence amendment.

CNSC staff encourage KFN to reach out to Canadian Nuclear Laboratories (CNL) directly for more information on the licencing basis and related activities for either the Chalk River Laboratories or the G1WF sites.

CNSC staff understand the importance of the concerns that KFN has outlined in your comments and are committed to addressing them in the appropriate

processes, during regular meetings, and through other mechanisms as appropriate.

CNSC staff remain open to learning of any new project specific issues, concerns, perspectives, information, and Indigenous knowledge relevant to the licence amendment application and associated federal lands assessment in accordance with S.82 of the IAA and further encourage KFN to share any outstanding or additional concerns on this project with the Commission through interventions for the proceeding, as appropriate.

Yours sincerely,

X

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Adam Levine

Director, Indigenous Consultation and Engage...

Adam Levine  
Director, Indigenous Consultation and Engagement Division  
Ottawa, Ontario  
K1P 5S9

### Engagement Activities with Algonquins of Pikwakanagan First Nation (AOPFN)

Information about engagement conducted with AOPFN since June 2025 is included in the table below. Activities were related to either the G1WF licence amendment application and/or the federal lands assessment in accordance with the IAA. AOPFN first expressed interest in the G1WF amendment application to CNSC staff in February of 2026. CNSC staff have and continue to address and respond to AOPFN’s questions and concerns regarding waste management activities at the CRL site whenever they are expressed.

Date	Consultation Activity
<b>February 5, 2026</b>	AOPFN commented on the Notice of Intent for the federal lands assessment in accordance with the IAA. The Nation indicated their concern regarding the transportation of waste from the G1WF to Chalk River Laboratories. CNSC staff have offered to further discuss their questions and concerns on this matter.
<b>April 10, 2026</b>	On April 10, 2026 CNSC sent a response letter to AOPFN’s comments on the Notice of Intent for the federal lands assessment in accordance with the IAA. The CNSC indicated that the concerns raised by the Nation were outside the scope of the licence application and offered discussions to address their questions and concerns on the matter through the appropriate process.



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# *Algonquins of Pikwakanagan First Nation*

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**Date:** February 5, 2026  
**To:** Canadian Nuclear Safety Commission, Environmental Review Division  
Canadian Nuclear Laboratories, CNL Communications and Indigenous Relations  
**From:** Amanda Two-Axe Kohoko, Manager, AOPFN Consultation Department  
**Re:** **Notice of Intent – Decommissioning of the Gently-1 Waste Facility (G1WF)**

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## **Background on the G1WF:**

1. In 2025, CNL made an application to the CNSC to amend the current Gently-1 Waste Facility (G1WF) license, which would authorize CNL to proceed with the last phase of decommissioning activities at the G1WF in Bécancour, Québec.
  - CNL’s application for a license amendment outlined plans to complete the decommissioning of the facility by dismantling all remaining buildings and structures associated with the G1WF and removing and transporting all the waste to Chalk River Laboratories (CRL) in Chalk River, ON. This location is entirely within AOPFN’s unceded Algonquin Territory.
2. In addition to the licensing process, the proposed activities require a **federal lands assessment** in accordance with the **Impact Assessment Act (IAA)**.
  - This regulatory process includes the review under section 82 of the IAA, in which Atomic Energy of Canada Limited (AECL), the owner of the G1WF, as well as the CNSC are both responsible for making an **Environmental Effects Determination** under **section 82 of the IAA**.
  - This process was initiated with the following **Notice of Intent**, which was posted on December 15, 2025, on the [Canadian Impact Assessment Agency Registry](#). The federal authorities intend to make a determination regarding whether the carrying out of the project is likely to cause significant adverse environmental effects. To help inform these determinations, the federal authorities invited the public to provide comments up until February 5, 2026, respecting that determination. Comments can be sent to [communications@cnl.ca](mailto:communications@cnl.ca).
3. The CNSC will also be conducting a **‘hearing in writing’** on CNL’s application to amend the license and licensing basis for the G1WF in July 2026. If the CNSC authorizes that licensing change, CNL would only then be able to begin to dismantle the G1WF.
4. CNL can only begin the dismantling and remediation of the G1WF, after the regulatory process is complete, authorizing CNL to proceed.
  - Pending regulatory approval, this license amendment could be granted in late 2026.
  - According to CNL and AECL’s plans, any ILW and LLW associated with the G1WF decommissioning project that cannot be decontaminated, recycled, or reused, would be transported to CRL and this would likely occur between 2027 to 2035.

## **AOPFN Statement:**

### **Intent:**

We the Algonquins of Pikwàkanagàn First Nation (AOPFN) are providing comments on the Notice of Intent for the decommissioning of the Gently-1 Waste Facility (G1WF) in Québec, because the remaining radioactive waste from G1WF is proposed to be transported and stored at Chalk River Laboratories, which is located in AOPFN's unceded and unsurrendered Traditional Territory.

### **Position:**

AOPFN opposes the transportation or importation of radioactive waste in AOPFN's Traditional Territory. AOPFN's relationship with CNL, including its long-term relationship agreement and its continuing consent for the proposed Near Surface Disposal Facility for low level waste at CRL, does not change AOPFN's longstanding, principled position opposing the importation of radioactive waste in its territory.

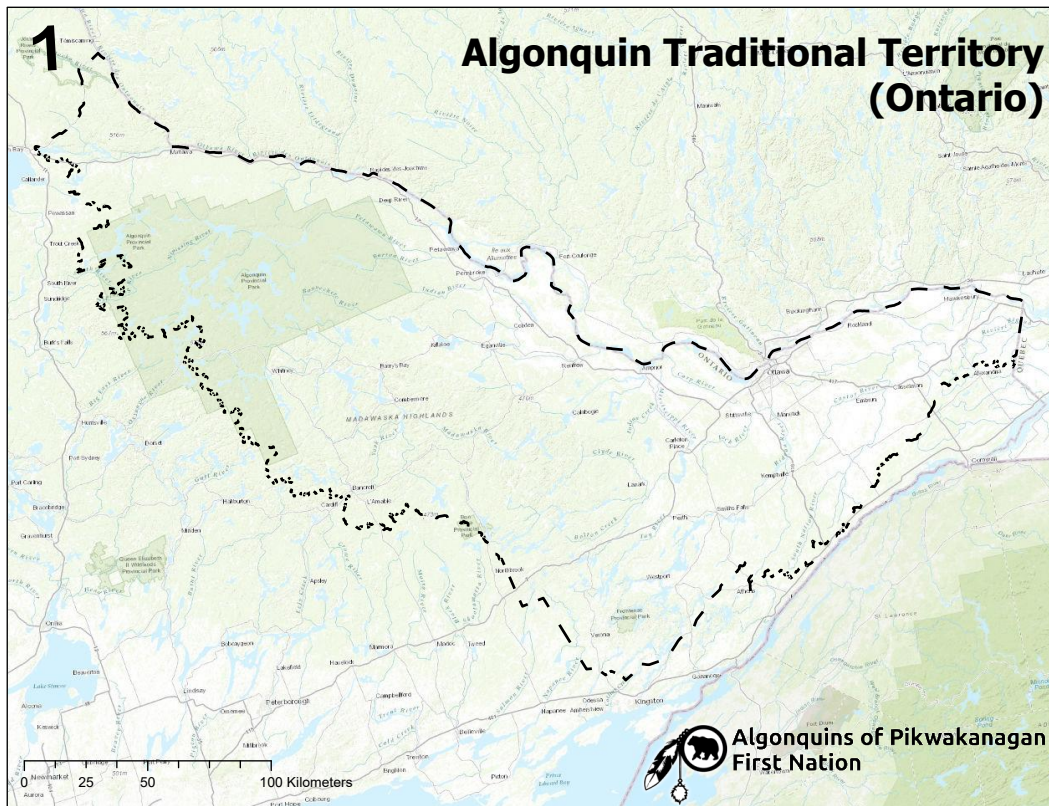
**AOPFN is opposed to the importation of any Radioactive Waste from other Canadian and/or any other jurisdictions into our AOPFN Territory.** To be clear, reference in this document to "importation" refers to bringing Radioactive Waste into AOPFN Territory, when that waste originated outside of AOPFN territory, including other Canadian jurisdictions. This position is based on western science, Algonquin knowledge and robust community engagement.

Article 29(2) of the *United Nations Declaration on the Rights of Indigenous Peoples*, which the Supreme Court of Canada has recognized is part of Canadian law, and which the Federal Court of Canada has recognized is binding on CNSC, is clear that CNSC, as the relevant state decision-maker must "take effective measures to 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.**" This provision is not optional. Unlike other parts of UNDRIP, which require only that states "consult... in order to obtain" consent, Article 29(2) prohibits storage and disposal of Radioactive Waste without AOPFN consent. As a result, AOPFN must be deeply consulted by the CNSC and engaged with meaningfully by the site operators and all radioactive waste generators that want to transport, store or dispose of radioactive waste in AOPFN's Territory, and AOPFN must provide its free, prior and informed consent to such storage and/or disposal, prior to decisions being made both by proponents and regulators and prior to any such activities occurring. Also, the duty to consult, and all associated costs will be borne by the CNSC and the owner of the waste and any other party that is being requested to manage that waste.

The Algonquins of Pikwàkanagàn First Nation have lived in our unceded traditional territory since time immemorial, practicing our ways and living according to our inherent laws and culture. We continue to exercise our Algonquin title and rights to and in all parts of AOPFN's unceded traditional territory, to which AOPFN has not been a party to a treaty, including lands under water.

The AOPFN are Algonquin aboriginal rights holders under the *Constitution Act, 1982*, and as the traditional Kà nagadawàbandadjig àkì (Stewards of the Land), existing and future unaccommodated impacts on AOPFN Algonquin aboriginal rights, title, and interests have always been and remain unacceptable. AOPFN has an obligation to our members to plan for the future and to ensure self-determination, self-reliance, and self-governance.

AOPFN is committed to respecting and protecting our unceded traditional territory and the interests of all our members, while ensuring that our Algonquin rights, title and interests are always fully recognized, respected and protected.



### Impact:

Since the 1940s, the AOPFN Territory has seen the rise of one of Canada’s largest nuclear sectors and this has been done without consulting with AOPFN and without our consent until recently. There are two nuclear facilities within AOPFN’s Territory that are owned by AECL and operated by CNL.

- **Chalk River Laboratories (CRL)** - Canada’s largest nuclear research facility since the early 1940s.
- **Nuclear Power Demonstration Project (NPD)** - which is a closed nuclear research reactor, currently in storage under surveillance mode and waiting for an approved decommissioning plan.

Before the establishment of these sites, Algonquins lived in, harvested from and otherwise used and cared for these areas, and the environment looked significantly different than it does today.

The importation, production, use and disposal of radioactive materials has had adverse impacts on the environment within our traditional territory, and constitutes an infringement of our Algonquin rights, title, and interests in ways and to a degree that continues to be assessed. The nuclear sector has brought unchecked development to our lands and waters, closing off traditional areas from our access, creating real and perceived health risks, and leading to alienation and fear associated with the wildlife, vegetation and waters, that our members rely on to practice their Algonquin culture and way of life on the land.

AOPFN members have raised concerns about accumulated changes to the plants and animals that share the terrestrial, riparian (i.e., the areas where land and water meet) and aquatic environments, including (but not limited to) declines in some animal populations, their patterns on the land, and health conditions.

The nuclear sites themselves are now almost completely off-limits for AOPFN members to harvest from, due to safety and security concerns and associated access restrictions. In addition, research by AOPFN shows that our members tend to avoid travelling into areas around the nuclear sites or harvesting Algonquin foods due to the stigma of contamination related to the nuclear industry.

These impacts are well established through AOPFN traditional use, culture and rights and diet and harvest studies associated with the nuclear facilities. The combination of these impacts has affected the ability of AOPFN members to practice their culture and traditions on the land at and around these nuclear facilities.

**Concerns:**

AOPFN is interested in the G1WF because understanding the nature, amount and risks associated with ILW and LLW (transportation, storage, handling) that is still planned to be sent to CRL in AOPFN territory is very important to AOPFN.

Given CNL's stated intention to transport, store and possibly dispose of Radioactive Waste from G1WF in AOPFN territory, any permissions by the CNSC to decommission the G1WF will have the effect of permitting that movement of waste. To give that permission, CNSC and IAAC have a legal obligation to "take effective measures to ensure that" the Radioactive Waste from G1WF is not transported to, stored in, or disposed of in AOPFN territory, without our free, prior and informed consent.

AOPFN makes its consent decisions in accordance with its Algonquin laws, and consistent with the requirements of administrative justice. While consent is not unreasonably withheld, AOPFN must be engaged with meaningfully by the site operators and all Waste Generators that want to transport, store or dispose of Radioactive waste in AOPFN's Territory, prior to decisions being made both by proponents and regulators and prior to any such activities occurring. This meaningful engagement process will always be a necessary first step before AOPFN can grant its consent, in order for the site operators and waste generators to meet their onus of satisfying AOPFN that their proposed importation of Radioactive Waste is necessary, sufficiently protective of Algonquin rights and the environment, and consistent with the ALARA (as low as reasonably achievable) standard. In the absence of that engagement, AOPFN will not be able to consent and CNSC or IAAC must deny any resulting requests to import Radioactive Waste into AOPFN territory.

AOPFN is aware that the G1WF is an AECL-owned facility and has been advised that AECL feels it is obligated to store (and in the case of LLW, dispose of) G1WF's radioactive waste at CRL. AECL's view of its obligations is not determinative of whether CRL (and therefore, AOPFN territory) must be used to store or dispose of Radioactive Waste, nor is AECL's feeling as to its obligations, sufficient justification for it doing so.

On July 3, 2025, AOPFN was notified by CNL that they had successfully completed the retrieval and transportation of the entire inventory of used nuclear fuel (HLW) from G1WF to CRL. There was a total of 87 used fuel baskets that were transported to the Chalk River site over 32 shipments, which are now

being stored in recently constructed concrete canisters at CRL. AOPFN was officially advised by CNL in January 2025, that these HLW shipments from G1WF to CRL were planned for 2025, but AOPFN was never made aware of when (dates, routes) or how (equipment used, associated risks) all 32 shipments were completed in 2025, nor was AOPFN given an opportunity to have substantive input on the finalization of the plans or to monitor specific imports.

Radioactive Government of Canada, including its agencies IAAC and CNSC, must take immediate action to ensure that CNL and AECL are not permitted to store or dispose of Radioactive Waste in AOPFN territory without our free, prior and informed consent. Failure to “take effective measures” in this regard is a violation of Canada’s legal obligations.

CNL’s application to amend its license at G1WF to allow for the final phase of decommissioning activities has the potential to result in significant adverse impacts to AOPFN’s s.35 rights and the environment. CNSC and the IAAC must ensure that appropriate measures are taken to respect AOPFN’s rights and honour Canada’s legal obligations.

**Closing:**

AOPFN’s has provided this statement:

- a) To remind IAAC and CNSC of Canada’s obligation under the United Nations Declaration on the Rights of Indigenous peoples to ensure that Radioactive Waste is not stored or disposed of in AOPFN Territory without AOPFN consent.
- b) To remind all parties involved that better communication and engagement is required with AOPFN, when it comes to the importation of any radioactive waste into, through or out of our Algonquin Territory. This is applicable for all levels of radioactive waste (LLW, ILW and HLW), not only from Third-Party Waste Generators but for all AECL-owned, CNL-operated facilities as well.

For greater clarity, AOPFN requests that IAAC and the CNSC respond in writing to AOPFN as to how each of them will discharge this duty in the context of the storage and/or disposal of G1WF waste in AOPFN’s unceded Algonquin territory.

AOPFN is dedicated to continuously safeguarding our traditional lands and waters, protecting the environment and our community, and we respect and defer to the rights of impacted Indigenous groups at and around the G1WF site, to provide or withhold their consent for the proposed activities and operations at G1WF which impact on their traditional lands and waters.

Migwech,



Amanda Two-Axe Kohoko  
Manager, Consultation  
Algonquins of Pikwàkanagàn First Nation

cc:

AOPFN Chief & Council

Alanna Hein, Political Operations Manager, AOPFN

Lisa Meness, Executive Director of Operations, AOPFN

Samantha Galbraith, Project Operations Manager, AOPFN

Carmel Kutschke, Communications Specialist, AOPFN

Mitch MacKay, Director of Indigenous Relations, CNL

Adrienne Fournier, Director of Indigenous Relations, AECL



April 10, 2026

Amanda Two-Axe Kohoko  
Manager, Consultation  
Algonquins of Pikwàkanagàn First Nation  
[consultation@pikwakanagan.ca](mailto:consultation@pikwakanagan.ca)

**Subject: CNSC Staff Response to the Algonquins of Pikwàkanagàn First Nation's comments on the Notice of Intent – Decommissioning of the Gently-1 Waste Facility (G1WF) Federal Lands Assessment as per the Impact Assessment Act**

Ms. Two-Axe Kohoko,

Thank you for your comments to the Canadian Nuclear Safety Commission (CNSC) on February 5, 2026, regarding the Notice of Intent for the federal lands assessment that is being conducted in accordance with the [Impact Assessment Act](#) (IAA) for the proposed Gently-1 Waste Facility (G1WF) decommissioning activities.

CNSC staff have evaluated your concerns against the requirements of the IAA, as well as the licence amendment application, and have determined that your concerns do not fall in direct scope of the G1WF decommissioning activities that are being proposed for this licence amendment. These activities comprise the dismantlement and removal of buildings and structures owned by Atomic Energy of Canada Ltd. (AECL) and operated by Canadian Nuclear Laboratories (CNL) at the site. CNL is already authorized under the existing G1WF licence to transfer nuclear substances, with the licence stating:

*The licence authorizes the licensee to:*

- a) Decommission the Gently-1 Waste Facility, as further described and located on the sites defined in the Licence Condition Handbook associated with WFDL-W4-331.00/2034*
- b) possess, transfer, use, package, manage, and store nuclear substances that are required for, associated with or arise from the activities described in a).*

CNL's licence amendment application for the G1WF summarizes that the decommissioning approach with respect to the transfer of radioactive wastes remains unchanged from that described in the existing G1WF licensing basis:

*CNL's decommissioning approach and end-state for G1WF have not been changed and include the transfer of all wastes, spent fuel, radioactive wastes/components, and hazardous waste to licensed storage/or disposal facilities.*

Therefore, the transfer of radioactive wastes from the G1WF to sites licensed to receive those wastes is not part of the scope of CNL's current licence amendment application for the G1WF and are not being considered directly as part of the federal lands assessment in accordance with the IAA for the G1WF licence amendment application submitted to the CNSC.

Further, CNL's Chalk River Laboratories (CRL) existing site licence states that:

*Activities included in the CRL licensing basis include [...] process, store or dispose of waste received from offsite clients.*

CNL's application from their most recent site licence renewal for the CRL in 2018 included information regarding CNL's other licensed sites in order to inform the Commission's decision on the renewal:

*CNL ensures the continued availability of waste storage facilities and capability for both ongoing routine operations and special projects related to waste handling on the CRL site. Waste generated from off-site generators (including Whiteshell Laboratories and other CNL sites) will be managed and stored appropriately.*

CNSC staff encourage Algonquins of Pikwàkanagàn First Nation (AOPFN) to reach out to CNL directly for more information on the licensing basis and related activities for either the CRL or the G1WF sites.

CNSC staff understand the importance of the concerns that AOPFN have outlined in their comments and are committed to addressing them in the appropriate

regulatory processes, during our regular meetings, our ongoing engagement and through other mechanisms as appropriate.

CNSC staff remain open to learning of new issues, concerns, perspectives, information, and Indigenous knowledge relevant to the G1WF licence amendment application and associated federal lands assessment in accordance with S.82 of the IAA and further encourage AOPFN to share any outstanding or additional concerns on this project with CNSC staff and the Commission through interventions for the proceeding, as appropriate.

Yours sincerely,

X

---

Adam Levine

Director, Indigenous Consultation and Engage...

Adam Levine  
Director, Indigenous Consultation and Engagement Division  
Ottawa, Ontario  
K1P 5S9

# APPENDIX D:

## Proposed Licence Changes

### Overview

CNSC staff have taken this opportunity to perform administrative and editorial updates to the G1WF licence. Several licence conditions also had edits to their proposed language and some have been proposed for removal – both cases being described in more detail below. The other major proposed change is to the licence term, which is also described below.

### Licence Conditions

The following changes are proposed for an amended G1WF licence. If accepted by the Commission, these changes would be reflected in an LCH update issued by CNSC staff.

Current Licence Condition	Proposed Change	Justification
<p>The licensee shall conduct the activities described in Part IV of this licence in accordance with the licensing basis.</p>	<p>The licensee shall conduct the activities described in Part IV of this licence in accordance with the licensing basis, defined as:</p> <ul style="list-style-type: none"> <li>(i) the regulatory requirements set out in the applicable laws and regulations;</li> <li>(ii) the conditions and safety and control measures described in the facility’s or activity’s licence and the documents directly referenced in that licence; and</li> <li>(iii) the safety and control measures described in the licence application and the documents needed to support that licence application; unless otherwise approved in writing by the Canadian Nuclear Safety Commission (hereinafter “the Commission”).</li> </ul>	<p>Adopt language from standard licence condition for Class I facilities on this subject.</p>
<p>The licensee shall, in the event of any conflict or inconsistency between licence conditions, codes or standards or regulatory documents referenced in this licence, direct the conflict or inconsistency to the</p>	<p>Remove this non-standard licence condition.</p>	<p>- Conflicts or inconsistencies with the licensing basis are addressed under the Notification of Changes condition.</p>



Current Licence Condition	Proposed Change	Justification
Commission, or a person authorized by the Commission, for resolution.		- There was no Compliance Verification Criteria (CVC) in the G1WF LCH for this condition aside from repeating the condition language itself.
The licensee shall implement and maintain decommissioning policies, programs and procedures.	Remove this non-standard licence condition.	<p>- Redundant. CVC described in the G1WF LCH for this condition are captured under the Fitness for Service Program condition and Decommissioning Plan condition.</p> <p>- Maintenance of decommissioning plans is captured by the Decommissioning Plan condition.</p>
The licensee shall not make modifications to, or deviate from the design, operating conditions, purposes, methods, procedures or limits described in the safety analysis reports and/or operational limits and conditions documents that would result in an impact on health, safety or the environment that is different in nature or greater in magnitude or probability than that described in those documents without prior approval of the Commission or a person authorized by the Commission.	The licensee shall give written notification of changes to the facility or its operation, including deviation from design, operating conditions, policies, programs and methods referred to in the licensing basis.	Adopt language from standard licence condition for Class I facilities on this subject.
The licensee shall ensure that every contractor working at the facility complies with this licence.	Remove this non-standard licence condition.	This condition is an obligation of licensees under <i>GNSCR</i> section 12(1) and thus does not warrant redundant repetition in the form of a licence condition.



Current Licence Condition	Proposed Change	Justification
The licensee shall implement and maintain a public information program and disclosure program.	The licensee shall implement and maintain a public information and disclosure program.	Adopt language from standard licence condition for Class I facilities on this subject.
The licensee shall submit a Detailed Decommissioning Plan for acceptance by the Commission or a person authorized by the Commission prior to the commencement of dismantlement activities described in paragraph a) of Part IV of this licence.	Remove this non-standard licence condition.	Maintenance of decommissioning plans is captured by the Decommissioning Plan condition.
The licensee shall provide a financial guarantee that remains valid, in effect and adequate to fund the future decommissioning of the facility as described in condition 13.2 of this licence that shall be reviewed and updated every 5 years, or when requested by the Commission or a person authorized by the Commission.	The licensee shall maintain a financial guarantee for decommissioning that is acceptable to the Commission.	Adopt language from standard licence condition for Class I facilities on this subject.
The licensee shall implement and maintain a process for reporting to the Commission or a person authorized by the Commission that includes reporting of all events required by <i>the Nuclear Safety and Control Act</i> and its Regulations.	The licensee shall implement and maintain a program for reporting to the Commission or a person authorized by the Commission.	Adopt language from standard licence condition for Class I facilities on this subject.
The licensee shall maintain a safety report for the facility.	The licensee shall implement and maintain a safety analysis program.	Adopt language from standard licence condition for Class I facilities on this subject.
The licensee shall not make any change to the design or equipment that would result in impact on health, safety, or the environment that is different in nature or greater in magnitude than those considered by the	The licensee shall implement and maintain a design program.	Adopt language from standard licence condition for Class I facilities on this subject.



Current Licence Condition	Proposed Change	Justification
safety report, without the prior written approval of the Commission or a person authorized by the Commission.		
The licensee shall implement and maintain an aging management plan for the maintenance of systems, components and structures for the facility.	The licensee shall implement and maintain a fitness for service program.	Adopt language from standard licence condition for Class I facilities on this subject.
The licensee shall implement and maintain a radiation protection program.	The licensee shall implement and maintain a radiation protection program, which includes a set of action levels. When the licensee becomes aware that an action level has been reached, the licensee shall notify the Commission within seven days.	Adopt language from standard licence condition for Class I facilities on this subject.
The licensee shall provide the Commission or a person authorized by the Commission with notification within 7 calendar days of determining that an action level has been reached or exceeded and within 60 days submit a summary written report.	Remove this non-standard licence condition.	Merged with proposed Radiation Protection Program condition above.
The licensee shall implement and maintain an environmental protection program.	The licensee shall implement and maintain an environmental protection program, which includes a set of action levels. When the licensee becomes aware that an action level has been reached, the licensee shall notify the Commission within seven days.	Adopt language from standard licence condition for Class I facilities on this subject.
The licensee shall implement and maintain an emergency preparedness and response program.	The licensee shall implement and maintain an emergency preparedness program.	Adopt language from standard licence condition for Class I facilities on this subject.
The licensee shall maintain a preliminary decommissioning plan and cost estimate.	The licensee shall maintain a decommissioning plan.	- Adopt language from standard licence condition



Current Licence Condition	Proposed Change	Justification
		<p>for Class I facilities on this subject.</p> <ul style="list-style-type: none"><li>- G1WF decommissioning planning has progressed to a stage that Detailed Decommissioning Plans have replaced Preliminary Decommissioning Plans.</li><li>- CVC under this condition describe requirements of decommissioning cost estimates.</li></ul>
<p>The licensee shall not carry out the activities referred to in paragraph a) of Part IV of this licence that result in the modifications to the protected area until a submission of the proposed security arrangements and measures has been accepted by the Commission or a person authorized by the Commission.</p>	<p>Remove this non-standard licence condition.</p>	<p>Now that all used nuclear fuel has been removed from the G1WF, there is no need for the Commission, or a person authorized by the Commission, to accept modifications to the protected area.</p>
<p>The licensee shall implement and maintain a safeguards program and undertake all measures required to ensure safeguards implementation.</p>	<p>The licensee shall implement and maintain a safeguards program.</p>	<p>Adopt language from standard licence condition for Class I facilities on this subject.</p>

## Licence Format

No change.

## Licence Period

The licence period is proposed to last 15 years from the date of amendment.

Current Period	Proposed Period	Justification
February 8, 2019 - December 31, 2034	2026-2041.	CNL projects that G1WF decommissioning activities will conclude in 2035 only a year after the end of the current licence period. CNL has requested that an amended licence be valid beyond 2035 to account for any scheduling obstacles and ensure decommissioning activities can be completed within the proposed licence period. From a project management perspective, resource allocation can be optimized elsewhere at both CNL and the CNSC if a licence renewal is not processed in 2034 only to process a request for licence termination 1-2 years later.



## Current Licence

The current licence is provided in the following pages. Waste Facility Decommissioning Licence - Gently-1 Waste Facility - WFDL-W4-331 00 2034.PDF



## WASTE FACILITY DECOMMISSIONING LICENCE

### GENTILLY-1 WASTE FACILITY

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- I) LICENCE NUMBER:** WFDL-W4-331.00/2034
- II) LICENSEE:** Pursuant to section 24 of the *Nuclear Safety and Control Act*, this licence is issued to:
- Canadian Nuclear Laboratories Limited**  
**Laboratoires nucléaires canadiens limitée**  
**286 Plant Road**  
**Chalk River, Ontario**  
**K0J 1J0**
- III) LICENCE PERIOD:** This licence is valid from the date signed and remains in effect until **December 31, 2034**, unless otherwise suspended, amended, revoked, or replaced.
- IV) LICENSED ACTIVITIES:**
- This licence authorizes the licensee to:
- decommission the Gentilly-1 Waste Facility, as further described and located on the sites defined in the Licence Conditions Handbook associated with WFDL-W4-331.00/2034.
  - possess, transfer, use, process, package, manage, and store nuclear substances that are required for, associated with or arise from the activities described in a);
  - possess and use prescribed equipment and prescribed information that are required for, associated with or arise from the activities described in a) and b)

**V) EXPLANATORY NOTES:**

- (i) Nothing in this licence shall be construed to authorize non-compliance with any other applicable legal obligation or restriction.
- (ii) Unless otherwise provided for in this licence, words and expressions used in this licence have the same meaning as in the *Nuclear Safety and Control Act* and associated Regulations.
- (iii) The WFDL-W4-331.00/2034 Licence Conditions Handbook (LCH) identifies the criteria that will be used by Canadian Nuclear Safety Commission (CNSC) staff to assess the licensee's compliance with the conditions listed in the licence. The LCH also provides information regarding delegation of authority and applicable version control of documents.

**VI) CONDITIONS:**

**1 GENERAL**

- 1.1 The licensee shall conduct the activities described in Part IV of this licence in accordance with the licensing basis.
- 1.2 The licensee shall, in the event of any conflict or inconsistency between licence conditions, codes or standards or regulatory documents referenced in this licence, direct the conflict or inconsistency to the Commission, or a person authorized by the Commission, for resolution.
- 1.3 The licensee shall implement and maintain decommissioning policies, programs and procedures.
- 1.4 The licensee shall not make modifications to, or deviate from the design, operating conditions, purposes, methods, procedures or limits described in the safety analysis reports and/or operational limits and conditions documents that would result in an impact on health, safety or the environment that is different in nature or greater in magnitude or probability than that described in those documents without prior approval of the Commission or a person authorized by the Commission.
- 1.5 The licensee shall ensure that every contractor working at the facility complies with this licence.
- 1.6 The licensee shall implement and maintain a public information program and disclosure program.

## **2 DECOMMISSIONING**

- 2.1 The licensee shall submit a Detailed Decommissioning Plan for acceptance by the Commission or a person authorized by the Commission prior to the commencement of dismantlement activities described in paragraph a) of Part IV of this licence.
- 2.2 The licensee shall provide a financial guarantee that remains valid, in effect and adequate to fund the future decommissioning of the facility as described in condition 13.2 of this licence that shall be reviewed and updated every 5 years, or when requested by the Commission or a person authorized by the Commission.

## **3 MANAGEMENT SYSTEM**

- 3.1 The licensee shall implement and maintain a management system.

## **4 HUMAN PERFORMANCE MANAGEMENT**

- 4.1 The licensee shall implement and maintain a human performance program.
- 4.2 The licensee shall implement and maintain a training program.

## **5 OPERATING PERFORMANCE**

- 5.1 The licensee shall implement and maintain a process for reporting to the Commission or a person authorized by the Commission that includes reporting of all events required by the *Nuclear Safety and Control Act* and its Regulations.

## **6 SAFETY ANALYSIS**

- 6.1 The licensee shall maintain a safety report for the facility.

## **7 PHYSICAL DESIGN**

- 7.1 The licensee shall not make any change to the design or equipment that would result in impact on health, safety, or the environment that is different in nature or greater in magnitude than those considered by the safety report, without the prior written approval of the Commission or a person authorized by the Commission.

## **8 FITNESS FOR SERVICE**

- 8.1 The licensee shall implement and maintain an aging management plan for the maintenance of systems, components and structures for the facility.

## **9 RADIATION PROTECTION**

- 9.1 The licensee shall implement and maintain a radiation protection program.
- 9.2 The licensee shall provide the Commission or a person authorized by the Commission with notification within 7 calendar days of determining that an action level has been reached or exceeded and within 60 days submit a summary written report.

## **10 CONVENTIONAL HEALTH AND SAFETY**

- 10.1 The licensee shall implement and maintain a conventional health and safety program.

## **11 ENVIRONMENTAL PROTECTION**

- 11.1 The licensee shall implement and maintain an environmental protection program.

## **12 EMERGENCY MANAGEMENT AND FIRE PROTECTION**

- 12.1 The licensee shall implement and maintain an emergency preparedness and response program.
- 12.2 The licensee shall implement and maintain a fire protection program.

## **13 WASTE MANAGEMENT**

- 13.1 The licensee shall implement and maintain a waste management program.
- 13.2 The licensee shall maintain a preliminary decommissioning plan and cost estimate.

**14 SECURITY**

- 14.1 The licensee shall implement and maintain a security program.
- 14.2 The licensee shall not carry out the activities referred to in paragraph a) of Part IV of this licence that result in the modifications to the protected area until a submission of the proposed security arrangements and measures has been accepted by the Commission or a person authorized by the Commission.

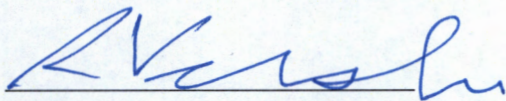
**15 SAFEGUARDS AND NON-PROLIFERATION**

- 15.1 The licensee shall implement and maintain a safeguards program and undertake all measures required to ensure safeguards implementation.

**16 PACKAGING AND TRANSPORT**

- 16.1 The licensee shall implement and maintain a packaging and transportation program.

SIGNED at OTTAWA, this 8 day of Feb, 2019



Rumina Velshi, President  
On behalf of the Canadian Nuclear Safety Commission



## Proposed Licence

The proposed licence is provided in the following pages. DRAFT Gentilly-1 Waste Facility Decommissioning Licence WFDL-W4-331.01-2041.docx



**Canadian Nuclear Laboratories Limited**

**WFDL-W4-331.01/2041**

WASTE FACILITY DECOMMISSIONING LICENCE  
GENTILLY-1 WASTE FACILITY

---

**I) LICENCE NUMBER WFDL-W4-331.01/2041**

**II) LICENSEE** Pursuant to subsection 24(2) of the *Nuclear Safety and Control Act*, this licence is issued to:

**Canadian Nuclear Laboratories Limited**  
**286 Plant Road**  
**Chalk River, Ontario**  
**K0J 1J0**

**III) LICENCE PERIOD**

This licence is valid from **XX, 2026**, to **XX, 2041**, unless otherwise suspended in whole or in part, amended, revoked, or replaced.

**IV) LICENSED ACTIVITIES**

In accordance with section 26 of the *Nuclear Safety and Control Act*, this licence authorizes the licensee to:

- i) decommission the Gently-1 Waste Facility located in Bécancour on the south side of the Saint Lawrence river in the Province of Quebec;
- ii) possess, transfer, use, process, package, manage, and store nuclear substances that are required for, associated with or arise from the activities described in i); and
- iii) possess and use prescribed equipment and prescribed information that are required for, associated with or arise from the activities described in i) and ii).

**V) EXPLANATORY NOTES**

- i) Nothing in this licence shall be construed to authorize non-compliance with any other applicable legal obligation or restriction.
- ii) Unless otherwise provided for in this licence, words and expressions used in this licence have the same meaning as in the Nuclear Safety and Control Act and associated Regulations.
- iii) The Licence Conditions Handbook (LCH) identifies the criteria that will be used by Canadian Nuclear Safety Commission (CNSC) staff to assess the licensee's compliance with the conditions listed in the licence.



**Canadian Nuclear Laboratories Limited**

**WFDL-W4-331.01/2041**

WASTE FACILITY DECOMMISSIONING LICENCE  
GENTILLY-1 WASTE FACILITY

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**VI) CONDITIONS**

**G. GENERAL**

- G.1 The licensee shall conduct the activities described in Part IV of this licence in accordance with the licensing basis, defined as:
- (i) the regulatory requirements set out in the applicable laws and regulations;
  - (ii) the conditions and safety and control measures described in the facility's or activity's licence and the documents directly referenced in that licence; and
  - (iii) the safety and control measures described in the licence application and the documents needed to support that licence application;

unless otherwise approved in writing by the Canadian Nuclear Safety Commission (hereinafter "the Commission").

- G.2 The licensee shall give written notification of changes to the facility or its operation, including deviation from design, operating conditions, policies, programs and methods referred to in the licensing basis.
- G.3 The licensee shall maintain a financial guarantee for decommissioning that is acceptable to the Commission.
- G.4 The licensee shall implement and maintain a public information and disclosure program.

**1 MANAGEMENT SYSTEM**

- 1.1 The licensee shall implement and maintain a management system.

**2 HUMAN PERFORMANCE MANAGEMENT**

- 2.1 The licensee shall implement and maintain a human performance program.
- 2.2 The licensee shall implement and maintain a training program.

**3 OPERATING PERFORMANCE**

- 3.1 The licensee shall implement and maintain a program for reporting to the Commission or a person authorized by the Commission.

**4 SAFETY ANALYSIS**

- 4.1 The licensee shall implement and maintain a safety analysis program.



**Canadian Nuclear Laboratories Limited**

**WFDL-W4-331.01/2041**

WASTE FACILITY DECOMMISSIONING LICENCE  
GENTILLY-1 WASTE FACILITY

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**5 PHYSICAL DESIGN**

5.1 The licensee shall implement and maintain a design program.

**6 FITNESS FOR SERVICE**

6.1 The licensee shall implement and maintain a fitness for service program.

**7 RADIATION PROTECTION**

7.1 The licensee shall implement and maintain a radiation protection program, which includes a set of action levels. When the licensee becomes aware that an action level has been reached, the licensee shall notify the Commission within seven days.

**8 CONVENTIONAL HEALTH AND SAFETY**

8.1 The licensee shall implement and maintain a conventional health and safety program.

**9 ENVIRONMENTAL PROTECTION**

9.1 The licensee shall implement and maintain an environmental protection program, which includes a set of action levels. When the licensee becomes aware that an action level has been reached, the licensee shall notify the Commission within seven days.

**10 EMERGENCY MANAGEMENT AND FIRE PROTECTION**

10.1 The licensee shall implement and maintain an emergency preparedness program.

10.2 The licensee shall implement and maintain a fire protection program.

**11 WASTE MANAGEMENT**

11.1 The licensee shall implement and maintain a waste management program.

11.2 The licensee shall maintain a decommissioning plan.

**12 SECURITY**

12.1 The licensee shall implement and maintain a security program.



**Canadian Nuclear Laboratories Limited**

**WFDL-W4-331.01/2041**

WASTE FACILITY DECOMMISSIONING LICENCE  
GENTILLY-1 WASTE FACILITY

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**13 SAFEGUARDS AND NON-PROLIFERATION**

13.1 The licensee shall implement and maintain a safeguards program.

**14 PACKAGING AND TRANSPORT**

14.1 The licensee shall implement and maintain a packaging and transportation program.

SIGNED at [city where signed] on [date signed]

X

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President, Canadian Nuclear Safety Commission

DRAFT



## Draft Licence Conditions Handbook

The proposed LCH is provided in the following pages. DRAFT Gentilly-1 Waste Facility Licence Conditions Handbook WFDL-LCH-W4-331.01-2041 Rev 2.docx



**DRAFT**

SharePoint ID # 4XCU32RMZB7O-1199124922-76 (WORD)  
SharePoint ID # (PDF)

## **LICENCE CONDITIONS HANDBOOK**

**WFDL-LCH-W4-331.01/2041**

**GENTILLY-1 WASTE FACILITY**

**WASTE FACILITY DECOMMISSIONING  
LICENCE**

**WFDL-W4-331.01/2041**

**Revision 2**



**Licence Conditions Handbook**  
**WFDL-LCH-W4-331.01/2041**  
**Gentilly-1 Waste Facility**  
**Waste Facility Decommissioning**  
**Licence**  
**WFDL-W4-331.01/2041**

**Effective: July XX, 2026**

DRAFT

SIGNED at OTTAWA this \_\_\_ day of July, 2026

---

**XX, Director**  
**Wastes and Decommissioning Division**  
**Directorate of Nuclear Cycle and Facilities Regulation**  
**CANADIAN NUCLEAR SAFETY COMMISSION**

**Revision History:**

Effective Date	Rev. #	e-Doc # or SharePoint ID	Description	CAF e-Doc #
July 25, 2014	0	4463228	Original Document	N/A
July 15, 2019	1	5938726	Split prototype reactor waste facilities LCH into three separate LCHs. Update format and contents of LCH.	5931502
July XX, 2026	2	<a href="#">4XCU32RMZB7O-1199124922-76</a>	Routine update: <ul style="list-style-type: none"> <li>- Transferred text to new template,</li> <li>- Updated Compliance Verification Criteria according to publications that have been published and implemented,</li> <li>- Updated Guidance documents, and</li> <li>- Aligned text under SCAs with that of more recently updated CNL LCHs.</li> </ul>	<a href="#">4XCU32RMZB7O-1199124922-77</a>

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## INTRODUCTION

The general purpose of the Licence Conditions Handbook (LCH) is to identify and clarify the relevant parts of the licensing basis for each licence condition. This will help ensure that the licensee performs the licensed activities at the Gentilly-1 Waste Facility (G1WF) in accordance with the licensing basis for the G1WF and the intent of the G1WF licence. The LCH should be read in conjunction with the licence.

The LCH typically has three parts under each licence condition: the Preamble, Compliance Verification Criteria (CVC), and Guidance. The Preamble explains, as needed, the regulatory context, background, and/or history related to the licence condition. CVC are criteria used by Canadian Nuclear Safety Commission (CNSC) staff to verify and oversee compliance with the licence condition. Guidance is non-mandatory information, including direction, on how to comply with the licence condition.

The documents referenced in the LCH by e-Access number are not publicly available. The links provided in the LCH are references to the internal CNSC electronic filing system, and those documents cannot be opened from outside of the CNSC network.

Current versions of the licensing basis publications, licensee documents that require notification of change, and guidance documents referenced in the LCH are tracked in the document *Licensing Documents for Gentilly-1 – G1 Specific* ([4XCU32RMZB7O-1940457990-53](#)) and *Company-Wide* ([5507946](#)), which are controlled by the Wastes and Decommissioning Division and the Canadian Nuclear Laboratories Regulatory Program Division, respectively, and are available to the licensee upon request.

Most CNSC documents referenced in the LCH are available through the CNSC public website. Documents listed on the CNSC website may contain prescribed information as defined by the *General Nuclear Safety and Control Regulations*. Information in these documents will be made available only to stakeholders with appropriate security clearance on a valid need to know basis.

The licensee documents referenced in the LCH are not publicly available; they contain proprietary information or prescribed information as defined by the *General Nuclear Safety and Control Regulations*.

Domestic and international standards (in particular, consensus standards produced by the Canadian Standards Association (CSA) Group) are an important component of the CNSC's regulatory framework. Standards support the regulatory requirements established through the *Nuclear Safety and Control Act* (NSCA), its regulations, and licences by setting out the necessary elements for acceptable design and performance at a regulated facility or regulated activity. Standards are one of the tools used by the CNSC to evaluate whether licensees are qualified to carry out licensed activities.

The CNSC offers complimentary access to the CSA Group [suite of nuclear standards](#) through the CNSC website. This access platform allows interested stakeholders to view these standards online through any device that can access the Internet.

Appendix A to the LCH provides definitions of terms and a list of acronyms used throughout it.

Unless otherwise specified in the LCH, days are to be interpreted as calendar days.

More information on an LCH is available in the CNSC document titled *How to Write a Licence Conditions Handbook* (LCH) (e-Doc [4967591](#)).

## INTRODUCTION

## G. GENERAL

### Licence Condition G.1: Licensing Basis

The licensee shall conduct the activities described in Part IV of this licence in accordance with the licensing basis, defined as:

- (i) the regulatory requirements set out in the applicable laws and regulations;
  - (ii) the conditions and safety and control measures described in the facility's or activity's licence and the documents directly referenced in that licence;
  - (iii) the safety and control measures described in the licence application and the documents needed to support that licence application;
- unless otherwise approved in writing by the Canadian Nuclear Safety Commission (hereinafter "the Commission").

#### Preamble:

The licensing basis sets the boundary conditions for acceptable performance at a regulated facility or activity, thus establishing the basis for the CNSC's compliance program in respect of that regulated facility or activity. The degree to which the regulatory requirements are applied to the G1WF and activities should reflect their importance to the health and safety of persons, environment, national security, international obligations to which Canada has agreed, licensee's quality and economic expectations, the complexity of facility or activity, and the possible consequences if accidents occur or the activity is carried out incorrectly.

Where the licence condition requires the licensee to implement and maintain a particular program, the licensee documents that describe and implement the program are part of the licensing basis. Programs required by licence conditions or referred to in the LCH may or may not be health, safety, security, environment, and quality programs as defined in the Canadian Nuclear Laboratories Ltd. (CNL)'s management system.

#### Compliance Verification Criteria:

##### *Part (i) of the licensing basis*

Part (i) of licence condition G.1 refers to applicable laws and regulations. There are many federal and provincial acts and regulations, and international laws, agreements, guidelines, etc., applicable to activities performed at the G1WF.

The laws, regulations, and international agreements for which the CNSC has a regulatory role are:

- *Nuclear Safety and Control Act (NSCA)* and its regulations;
- *Impact Assessment Act, 2019*, and its regulations as well as its predecessor legislation;
- *Transportation of Dangerous Goods Act, 1992* and its regulations;
- *Canada Labour Code* and *Canada Occupational Health and Safety Regulations*;
- *Nuclear Liability and Compensation Act* and its regulations;
- *Fisheries Act*; and
- Canada/International Atomic Energy Agency (IAEA) safeguards agreements

## GENERAL

All Memoranda of Understandings between the CNSC and other regulatory agencies or government departments are available on the CNSC Webpage under [Acts and Regulations/Domestic Arrangements](#).

### ***Part (ii) of the Licensing Basis***

Part (ii) of licence condition G.1 refers to the conditions and the safety and control measures included in the G1WF licence and in the documents directly referenced in the licence.

Under the standardized format and content, the G1WF licence requires the licensee to implement and maintain certain programs. For the purposes of meeting a licence requirement, a program may be a series of documented, coordinated activities, not necessarily a single document.

### ***Part (iii) of the Licensing Basis***

Part (iii) of the licence condition G.1 refers to the safety and control measures described in the licence application and the documents needed to support that licence application. The safety and control measures include important aspects of documentation, such as, but not limited to the facility-specific design basis and operational information documented in the most recent safety analysis and operational limits and conditions documents.

Part (iii) of licence condition G.1 also includes safety and control measures outlined in CNSC regulatory documents, CSA standards, and other standards, codes, and references that are cited in the application or in the licensee's supporting documentation.

Applicable licensee documents are listed in the LCH under the heading "Licensee Documents that Require Notification of Change". Applicable CNSC regulatory documents, CSA standards, and other documents are listed in the LCH under the heading "Licensing Basis Publications". The licensee documents listed in the LCH could cite other documents that also contain safety and control measures (i.e., there may be safety and control measures in "nested" references in the application). The licensee documents listed in the LCH and their "nested" references define the licensing basis for the programs required by the licence as long as they include safety and control measures.

### ***Regulatory Role of the Licensing Basis***

The licensing basis is established when the Commission renders its decision regarding the licence application.

Licence condition G.1 requires the licensee to conduct the licensed activities in accordance with the licensing basis. For activities that are not in accordance with the licensing basis, the licensee shall take action as soon as practicable to return to a state consistent with the licensing basis, taking into account the risk significance of the situation.

The applicability of the licensing basis publications may be graded based on the specific activity being considered.

### ***CNSC Staff's Approach to Assessing the Licensing Basis for the G1WF***

Licence condition G.1 is not intended to unduly inhibit the ongoing management and operation of the facility or the licensee's ability to adapt to changing circumstances and continuously improve, in accordance with its management system. Where the licensing basis refers to specific configurations, methods, solutions, designs, etc., the licensee is free to propose alternate approaches as long as they remain, overall, in accordance with the licensing basis and have a neutral or positive impact on health, safety, the environment, security, and safeguards. However, the licensee shall assess changes to confirm that operations remain in accordance with the licensing basis. The assessment shall be documented and made available to CNSC staff upon request.

For any proposed activity to be carried out on the G1WF, CNSC staff will review the information submitted by CNL to independently determine if the proposed activity remains within the licensing basis. CNSC staff will submit to the Commission for consideration any proposed activity which CNSC staff consider to be outside of the licensing basis. If the Commission grants approval to such an activity, it will become part of the licensing basis for the G1WF and reflected in updates to the LCH as appropriate.

### ***Activities Included in the G1WF Licensing Basis***

Conduct of licensed activities at the G1WF include:

- (a) decommission the G1WF located in Bécancour, Province of Quebec;
- (b) possess, transfer, use, process, package, manage, and store nuclear substances that are required for, associated with, or arise from the activities described in a);
- (c) possess and use prescribed equipment and prescribed information that are required for, associated with, or arise from the activities described in a) and b).

### **Licence Application Documents and Supporting Documents**

<b>Document Number</b>	<b>Document Title</b>	<b>SharePoint ID</b>
61-CNNO-26-0003-L	Revised Application for Licence Amendment to Proceed with Execution of Decommissioning at the Gentilly-1 Waste Facility	<a href="#">4XCU32RMZB7O-1940457990-53</a>
140-CNNO-18-0003-L	CNL request to separate the Waste Facility Decommissioning Licence for Prototype Waste Facilities, WFDL-W4-332.01/2034 into three separate licences for the Douglas Point (DP), Gentilly-1 (G-1) and Nuclear Power Demonstration (NPD) Waste Facilities	<a href="#">4XCU32RMZB7O-1940457990-53</a>
3640-ACNO-14-0004-L	Application to Replace Waste Facility Operating Licences for Atomic Energy of Canada Limited (AECL) Prototype Reactor Waste Management Facilities: NPD, DP and G-1	<a href="#">4XCU32RMZB7O-1940457990-53</a>
145-ACNO-14-0021-L	AECL Transfer of Commission Licences to the Canadian Nuclear Laboratories Limited and Associated Applications for Exemption from Regulations	<a href="#">4XCU32RMZB7O-1940457990-53</a>

### **Guidance:**

The CNSC regulatory document REGDOC-3.5.3, *Regulatory Fundamentals*, outlines the CNSC’s regulatory philosophy and approach to applying the NSCA. It provides information for licensees, applicants, and the public, and contains neither guidance nor requirements. In particular, subsection 6.1.1 of REGDOC-3.5.3 provides information about the licensing basis.

When the licensee becomes aware that a proposed change or activity might be outside the licensing basis, it should first seek direction from CNSC staff regarding the potential acceptability of this change or activity. The licensee should take into account that certain types of proposed changes might require significant lead times before CNSC staff can make recommendations and/or the Commission can properly consider them.

### **Guidance Documents**

<b>Document Number</b>	<b>Document Title</b>	<b>Version</b>
REGDOC-3.5.3	Regulatory Fundamentals	2023

## **GENERAL**

## Licence Condition G.2: Notification of Changes

**The licensee shall give written notification of changes to the facility or its operation, including deviation from design, operating conditions, policies, programs and methods referred to in the licensing basis.**

### **Preamble:**

During the course of licensed activities, it is expected that the licensee may make changes to implement improvements or to address changes in operational needs. Many changes impacting the G1WF licensing basis arise from revisions to corresponding licensee documents. The LCH identifies licensee documents that require written notification of changes to the CNSC.

### **Compliance Verification Criteria:**

The licensee shall notify CNSC staff of changes to licensee documents identified in the LCH. The written notification of change shall include a copy of the revised document and a description of the change.

CNL program requirements documents (PRDs) and program description documents (PDDs) are accompanied by governing document indices (GDIs). The licensee shall provide updated versions of GDIs annually, or upon request from the CNSC.

Licensee documents listed in the LCH are subdivided into groups having different requirements for notification of change.

Prior Notification Requirement	Definition
Requires prior notification	The licensee shall submit the revised document to the CNSC as far in advance of planned implementation as practicable, but not less than 30 days prior to planned implementation. The licensee shall allow sufficient time for the CNSC to review the change proportionate to its complexity and the importance of the safety and control measures being affected. This is denoted by a Y in the column “prior notification”.  Where a document or some part of it requires acceptance by CNSC staff prior to implementation, a footnote has been added to the notification column.
Requires notification at time of implementation	The licensee shall notify the CNSC at the time of implementing a revised document. This is denoted by a N in the column “prior notification”.

Notifications shall be provided in writing. Written notifications shall include a summary description of the change, the rationale for the change, expected duration (if not a permanent change), and a summary explanation of how the licensee has concluded that the change remains in accordance with the licensing basis (e.g., an evaluation of the impact on health, safety, security, the environment, and Canada’s international obligations). A copy of the revised document shall accompany the notification. All written notifications shall be transmitted to the CNSC per established communications protocols.

The above also applies to a notice of change that requires CNSC staff acceptance, due to some other requirement in the licensing basis.

Changes that may affect the licensing basis, including any change that is not captured as a change to a document listed in the LCH (e.g., construction of new buildings, transitioning any building/land from one phase of the project to another, or infrastructure improvements), requires written notification to the CNSC to verify they are in accordance with the licensing basis.

### GENERAL

The licensee shall provide written notification to the CNSC for these types of changes as far in advance as possible, but no less than 30 days prior to planned implementation.

For any change that is outside the licensing basis defined in subsection G.1 of the LCH, the licensee shall obtain Commission approval before proceeding with the change.

### **Guidance:**

For proposed changes that would not be in accordance with the licensing basis, the guidance for licence condition G.1 applies.

## **Licence Condition G.3: Financial Guarantee**

**The licensee shall maintain a financial guarantee for decommissioning that is acceptable to the Commission.**

### **Preamble:**

The *General Nuclear Safety and Control Regulations* require that a licence application contain “a description of any proposed financial guarantee relating to the activities to be licensed”.

The financial guarantee for the G1WF is in the form of an expressed commitment. AECL is a Schedule III, Part 1 Crown Corporation under the *Financial Administration Act* and an agent of His Majesty in Right of Canada. As an agent of His Majesty in Right of Canada, AECL’s liabilities are ultimately liabilities of His Majesty in Right of Canada. While the restructuring of AECL has seen the ownership of CNL transferred to a private-sector contractor, the Nuclear Laboratory Partners of Canada Inc., AECL retains ownership of the lands, assets and liabilities associated with CNL’s licences. These liabilities have been officially recognized by the Minister of Natural Resources in a letter dated July 31, 2015 (e-Doc [4815508](#)), which was reaffirmed in 2025 (e-Doc [7563481](#)).

### **Compliance Verification Criteria:**

#### **Licensing Basis Publications**

<b>Document Number</b>	<b>Document Title</b>	<b>Version</b>	<b>Effective Date</b>
REGDOC-3.3.1	Financial Guarantees for Decommissioning of Nuclear Facilities and Termination of Licensed Activities	2021	March 31, 2022

### **Guidance:**

None provided.

## Licence Condition G.4: Public Information and Disclosure

**The licensee shall implement and maintain a public information and disclosure program.**

### **Preamble:**

The *Class I Nuclear Facilities Regulations* require that an application for a licence shall contain the proposed program to inform persons living in the vicinity of the site of the general nature and characteristics of the anticipated effects on the environment and the health and safety of persons that may result from the activity to be licensed.

The primary goal of the public information and disclosure program, as it relates to the licensed activities, is to ensure that information related to the health, safety, and security of persons and the environment, and other issues associated with the lifecycle of nuclear facilities are effectively communicated to the public. The public information and disclosure program includes a public disclosure protocol describing the information and the medium of disclosure in regard to information and reports of interest to the public.

### **Compliance Verification Criteria:**

#### **Licensing Basis Publications**

Document Number	Document Title	Version	Effective Date
REGDOC-3.2.1	Public Information and Disclosure	2018	November 30, 2020

#### **Licencee Documents that Require Notification of Change**

Document Number	Document Title	e-Doc	Prior Notification
CW-513430-REPT-001	Public Information Program for Canadian Nuclear Laboratories (CNL)	<a href="#">5507946</a>	N

### **Guidance:**

#### **Guidance Documents**

Document Number	Document Title	Version
REGDOC-3.2.2	Indigenous Engagement, Version 1.2	2022

## GENERAL

## SCA – MANAGEMENT SYSTEM

### Licence Condition 1.1: Management System

**The licensee shall implement and maintain a management system.**

#### **Preamble:**

Safe and reliable operation of nuclear facilities requires a commitment and adherence to a set of management system principles and, consistent with those principles, the implementation of planned and systematic processes that achieve expected results consistently and safely. The management system requirements apply to and support the safe conduct of all licensed activities at CNL.

The *Class I Nuclear Facilities Regulations* require that an application for a licence shall contain the proposed management system for the activity to be licensed, including measures to promote and support safety culture.

The *General Nuclear Safety and Control Regulations* require that a licence application contain the applicant's organizational management structure, including the internal allocation of functions, responsibilities, and authority.

The management system is in place to satisfy the requirements set out in the NSCA, regulations made pursuant to the NSCA, the licence, and the measures necessary to ensure that safety is of paramount consideration in the implementation of the management system. The management system promotes and supports a healthy safety culture. Characteristics of a healthy safety culture are as follows:

- Safety is a clearly recognized value;
- Accountability for safety is clear;
- Safety is integrated into all activities;
- A safety leadership process exists; and
- Safety culture is learning driven.

#### **Compliance Verification Criteria:**

##### **Licensing Basis Publications**

<b>Document Number</b>	<b>Document Title</b>	<b>Version</b>	<b>Effective Date</b>
CSA N286	Management system requirements for nuclear facilities	2012 (R2022)	February 8, 2019
REGDOC-2.1.2	Safety Culture	2018	May 31, 2019

**Licensee Documents that Require Notification of Change**

Document Number	Document Title	e-Doc	Prior Notification
900-514100-MAN-001	CNL Management System Manual	<a href="#">5507946</a>	Y
900-514200-PDD-001	Quality	<a href="#">5507946</a>	N
900-514200-PRD-001	Quality	<a href="#">5507946</a>	Y
900-505210-PDD-001	Supply Chain	<a href="#">5507946</a>	N
900-505210-PRD-001	Supply Chain	<a href="#">5507946</a>	Y
900-511300-PDD-001	Information Management	<a href="#">5507946</a>	N
900-511300-PRD-001	Information Management	<a href="#">5507946</a>	Y
900-514100-LST-001	Functional Authorities	<a href="#">5507946</a>	N
900-514300-LST-001	Designated Representatives of the Licensee, Site Licences, Certificates & Permits	<a href="#">5507946</a>	N
900-514100-LST-002	Codes, Regulations, Standards, and other Documents	<a href="#">5507946</a>	N

**Guidance:**

**Guidance Documents**

Document Number	Document Title	Version
REGDOC-2.1.1	Management System	2019
CSA N286.0.1	Commentary on N286-12, Management system requirements for nuclear facilities	2021

## SCA – HUMAN PERFORMANCE MANAGEMENT

### Licence Condition 2.1: Human Performance Program

**The licensee shall implement and maintain a human performance program.**

#### **Preamble:**

Human performance is the outcome of human behaviours, functions, and actions in a specified environment, reflecting the ability of workers and management to meet the system’s defined performance under the conditions in which the system will be employed.

Human factors are factors that influence human performance as it relates to the safety of a nuclear facility or activity over all phases, including design, construction, commissioning, operation, maintenance, and decommissioning. These factors may include the characteristics of the person, task, equipment, organization, environment, and training. The application of human factors to issues such as interface design, training, procedures, organization, and job design may affect the reliability of humans performing tasks under various conditions.

The human performance program addresses and integrates the range of human factors that influence human performance, including, but not limited to:

- The provision of qualified workers;
- The reduction of human error;
- Organizational support for safe work activities;
- The continuous improvement of human performance; and,
- Monitoring hours of work.

The *General Nuclear Safety and Control Regulations* require the licensee to: ensure the presence of a sufficient number of qualified staff; train the workers; and, ensure the workers follow procedures and safe work practices.

The *Class I Nuclear Facilities Regulations* require that an application for a licence shall contain the proposed human performance program for the activity to be licensed, including measures to ensure workers’ fitness for duty.

#### **Compliance Verification Criteria:**

##### **Licensing Basis Publications**

<b>Document Number</b>	<b>Document Title</b>	<b>Version</b>	<b>Effective Date</b>
REGDOC-2.2.1	Human Performance, Version 2	2023	February 17, 2027

### Licence Documents that Require Notification of Change

Document Number	Document Title	e-Doc	Prior Notification
900-514000-PDD-001	Performance Assurance	<a href="#">5507946</a>	N
900-514000-PRD-001	Performance Assurance	<a href="#">5507946</a>	Y

### Guidance:

#### Guidance Documents

Document Number	Document Title	Version
REGDOC-2.2.5	Minimum Staff Complement	2019

#### Human Performance Program

Human performance is the real-world results or outcomes of the work that people do, including how people carry out the work. Both the results and the people’s activities are important because good results can be achieved through work activities that cause damage or harm, either in real time, or, later on.

A human performance program is the cross-cutting overview of considering and managing the human, technology, and organizational factors that influence human performance. Factors that influence human performance can be called “human factors”. Examples of human factors are organizational and management structures; policies and programs; allocation of functions to humans and technology; the design of user interfaces; staffing provisions; fitness for duty, job design features; procedures; management and supervision; work schedules; design of procedures; training; competency; safety culture; and the physical work environment. The aim of the human performance program is to achieve the desired outcomes, including for safety, through supporting people to perform their work activities.

Understanding and improving human performance should take an integrated and strategic approach, which considers human error as a symptom of deeper issues and not the direct cause of failure. Improving human performance should be based on organizational learning and understanding of the factors that influence human performance. The licensee may follow industry good practices in developing the scope, content, and approach of the human performance program.

Note that many of the topics considered under the human performance program specific area are considered in detail by the CNSC elsewhere in the SCA framework. The human performance program specific area focuses on the overview of how the licensee manages the factors that influence human performance with the goal of supporting and achieving the desired human performance.

Human Performance should be managed via the management system, and where applicable, the human performance program should reference governing documentation for the facility. The documented human performance program can take the form of a “road map” that describes how the management system and other aspects of the organization are managed to support the desired human performance, or it may be a stand-alone document.

## Licence Condition 2.2: Training Program

The licensee shall implement and maintain a training program.

### Preamble:

This licence condition requires the licensee to develop and implement training programs for workers. Under this licence condition, requirements are captured regarding the program and processes necessary to support the responsibilities, qualifications, and requalification training of persons at the nuclear facility.

As defined by the *General Nuclear Safety and Control Regulations*, a worker is a person who performs work that is referred to in a licence. This includes contractors and temporary employees. Training requirements apply equally to these types of workers as to the licensee’s own employees.

The *General Nuclear Safety and Control Regulations* require that licensees ensure that there are a sufficient number of properly trained and qualified workers to safely conduct the licensed activities.

The *Class I Nuclear Facilities Regulations* require that applicants for a licence to decommission a Class I nuclear facility describe the proposed training programs and qualification requirements for workers.

### Compliance Verification Criteria:

#### Licensing Basis Publications

Document Number	Document Title	Version	Effective Date
REGDOC-2.2.2	Personnel Training, Version 2	2016	June 1, 2020

#### Licencee Documents that Require Notification of Change

Document Number	Document Title	e-Doc	Prior Notification
900-510200-PDD-001	Training and Development	<a href="#">5507946</a>	N
900-510200-PRD-001	Training and Development	<a href="#">5507946</a>	Y
900-510200-LST-001	Application of the Systematic Approach to Training (SAT) at CNL	<a href="#">5507946</a>	N

### Guidance:

None provided.

## SCA – OPERATING PERFORMANCE

### Licence Condition 3.1: Reporting Requirements

**The licensee shall implement and maintain a program for reporting to the Commission or a person authorized by the Commission.**

#### **Preamble:**

This licence condition requires the licensee to implement and maintain a program for reporting information to the CNSC, including compliance monitoring, operational performance, event reporting, and various types of notifications.

Many reportable occurrences included in REGDOC-3.1.2 do not necessarily show a degradation of licensee performance. An exercise of judgment is needed to select from all occurrences reported to the CNSC; those that really constitute “reportable events”. Sections 29 and 30 of the *General Nuclear Safety and Control Regulations* provides requirements for reportable events.

#### **Compliance Verification Criteria:**

##### **Licensing Basis Publications**

Document Number	Document Title	Version	Effective Date
REGDOC-3.1.2	Reporting Requirements, Volume I: Non-Power Reactor Class I Facilities and Uranium Mines and Mills, Version 1.1	2022	April 28, 2023

##### **Licencee Documents that Require Notification of Change**

Document Number	Document Title	e-Doc	Prior Notification
900-514300-MCP-006	CNL Reporting to Regulatory Agencies	<a href="#">5507946</a>	N

#### ***Compliance Monitoring: Annual Reporting***

The licensee shall prepare and submit to the CNSC staff, by the end of May each calendar year, an annual compliance monitoring report as per REGDOC-3.1.2 for the period of January 1 to December 31 of the previous calendar year.

#### **Guidance:**

##### ***Event Reporting***

To encourage reporting of situations or events that may result in improvement actions, event reporting should not be used as a tool for assessing or measuring nuclear safety, or as a basis for assessing the licensee’s performance.

For low safety significance events where CNL has already provided a preliminary report verbally and where no significant additional information is likely to be determined from further investigation, CNL may elect to combine the submission of a written preliminary report with a written full report. CNSC staff may request additional information to be provided in order to achieve regulatory close out.

### SCA – OPERATING PERFORMANCE

For any event, the licensee should notify the CNSC whenever an extension for reporting timelines is necessary to provide missing detailed information and should provide a date when the information will be submitted.

***Compliance Monitoring: Annual Reporting***

The annual reports should follow, where appropriate, the format and content presented in Appendix B of REGDOC-3.1.2.

## SCA – SAFETY ANALYSIS

### Licence Condition 4.1: Safety Analysis Program

**The licensee shall implement and maintain a safety analysis program.**

#### **Preamble:**

All event sequences which can occur in a nuclear facility or activity should be analyzed to ensure safe operation. A deterministic safety analysis evaluates the facility’s responses to such events by using predetermined rules and assumptions. The objectives of the deterministic safety analysis are stated in CSA N292.0. See LCH Section 11.1 for version control of CSA N292.0.

The *General Nuclear Safety and Control Regulations* require that a licence application contain a description and the results of any analyses performed.

The licensee holds the responsibility for ensuring that the safety analysis is accurate and meets the regulatory requirements, and shall maintain adequate capability to perform or procure safety analysis and to train safety analysts.

#### **Compliance Verification Criteria:**

##### **Licensing Basis Publications**

Document Number	Document Title	Version	Effective Date
REGDOC-2.4.4	Safety Analysis for Class IB Nuclear Facilities	2022	April 30, 2025

##### **Licence Documents that Require Notification of Change**

Document Number	Document Title	e-Doc # or SharePoint ID	Prior Notification
61-03610-SAR-001	Safety Analysis Report for the Gentilly-1 Waste Facility	<a href="#">4XCU32RMZB7O-1940457990-53</a>	Y
900-508770-PDD-001	Safety Analysis	<a href="#">5507946</a>	N
900-508770-PRD-001	Safety Analysis	<a href="#">5507946</a>	Y

Every 5 years, the licensee shall review and, if necessary to meet regulatory requirements or enhance safety, revise the safety analysis report for the facility to confirm that the document accurately captures the condition of the facility and that it remains valid and continues to meet safety goals, safety objectives, and acceptance criteria. The safety analysis report review shall be submitted to CNSC staff.

### SCA – SAFETY ANALYSIS

## **Guidance:**

### **Guidance Documents**

<b>Document Number</b>	<b>Document Title</b>	<b>Version</b>
IAEA SSR-4	Safety of Nuclear Fuel Cycle Facilities	2017
IAEA SRS No. 102	Safety Analysis and Licensing Documentation for Nuclear Fuel Cycle Facilities	2020

## SCA – PHYSICAL DESIGN

### Licence Condition 5.1: Design Program

The licensee shall implement and maintain a design program.

#### **Preamble:**

The *Class I Nuclear Facilities Regulations* require that an application for a licence to decommission a Class I nuclear facility contain a description of the structures, systems, and components (SSCs), and relevant documentation of the facility design.

A design program ensures that the facility design is managed using a well-defined systematic approach.

Implementing and maintaining a design program confirms that safety-related SSCs and any modifications to them continue to meet their design bases given new information arising over time and taking changes in the external environment into account. It also confirms that SSCs continue to be able to perform their safety functions under all facility states. An important cross-cutting element of a design program is design basis management.

#### **Compliance Verification Criteria:**

##### Licensing Basis Publications

Document Number	Document Title	Version	Effective Date
	National Building Code of Canada (NBCC) <sup>1</sup>	2025	Effective date of this LCH revision
	National Fire Code of Canada (NFCC) <sup>1</sup>	2025	Effective date of this LCH revision

<sup>1</sup> Changes to the facility structure shall be in compliance with the NBCC and NFCC.

##### Licencee Documents that Require Notification of Change

Document Number	Document Title	e-Doc	Prior Notification
900-508120-PDD-001	Design Authority and Design Engineering	<a href="#">5507946</a>	N
900-508120-PRD-001	Design Authority and Design Engineering	<a href="#">5507946</a>	Y

#### **Guidance:**

##### Guidance Documents

Document Number	Document Title	Version
REGDOC-2.5.1	General Design Considerations: Human Factors	2019

## SCA – PHYSICAL DESIGN

## SCA – FITNESS FOR SERVICE

### Licence Condition 6.1: Fitness for Service Program

The licensee shall implement and maintain a fitness for service program.

#### Preamble:

The fitness for service SCA covers activities that impact the physical condition of SSCs to ensure that they remain effective over time. This area includes programs that verify equipment is available to perform its intended design function when called upon to do so.

#### Compliance Verification Criteria:

##### Licensing Basis Publications

Document Number	Document Title	Version	Effective Date
REGDOC-2.6.3	Aging Management	2014	April 1, 2018

##### Licencee Documents that Require Notification of Change

Document Number	Document Title	e-Doc # or SharePoint ID	Prior Notification
61-508330-SWS-001	Gentilly-1 Waste Facility Decommissioning - Storage with Surveillance Plan	<a href="#">4XCU32RMZB7O-1940457990-53</a>	Y <sup>1</sup>
61-20000-680-001	Life Management Program for Gentilly-1 Structures	<a href="#">4XCU32RMZB7O-1940457990-53</a>	Y
900-508230-PDD-001	Fitness for Service	<a href="#">5507946</a>	N
900-508230-PRD-001	Fitness for Service	<a href="#">5507946</a>	Y

<sup>1</sup> Storage with Surveillance Plans are to be reviewed and accepted by the CNSC prior to implementation in accordance with the requirements of REGDOC-2.11.2.

#### Guidance:

None provided.

## SCA – RADIATION PROTECTION

### Licence Condition 7.1: Radiation Protection Program

**The licensee shall implement and maintain a radiation protection program, which includes a set of action levels. When the licensee becomes aware that an action level has been reached, the licensee shall notify the Commission within seven days.**

#### **Preamble:**

The *Radiation Protection Regulations* (RPR) require that the licensee implement a radiation protection program and also ascertain and record doses for each person who performs any duties in connection with any activity that is authorized by the NSCA or is present at a place where that activity is carried out. This program must ensure that doses to persons do not exceed prescribed dose limits and are kept as low as reasonably achievable (ALARA), social and economic factors being taken into account. Also, the program must ensure that occupational exposures are ascertained and recorded in accordance with the RPR through the establishment of dosimetry requirements. The regulatory dose limits for workers are explicitly provided in the RPR.

The RPR also specifies the requirements related to action levels (ALs) and indicate that the licence will be used to identify their notification timeframes.

By definition, if an AL is reached, a loss of control of some part of the associated radiation protection program may have occurred, and specific action is required, as defined in the RPR and the licence. ALs are not intended to be static and are to reflect operating conditions at the G1WF site. The ALs are included in 900-508740-LST-002, *Radiation Protection Action Levels*.

#### **Compliance Verification Criteria:**

##### **Licence Documents that Require Notification of Change**

Document Number	Document Title	e-Doc	Prior Notification
900-508740-PDD-001	Radiation Protection	<a href="#">5507946</a>	N
900-508740-PRD-001	Radiation Protection	<a href="#">5507946</a>	Y
900-508740-LST-002	Radiation Protection Action Levels	<a href="#">5507946</a>	Y
900-508740-MCP-007	Dose Control Points	<a href="#">5507946</a>	N
900-508740-MCP-026	ALARA Review and Assessment of Radioactive Work	<a href="#">5507946</a>	N
900-508740-STD-005	Design and Modification Considerations	<a href="#">5507946</a>	N
900-508740-STD-019	Radiation Levels and Limits	<a href="#">5507946</a>	Y

#### **Guidance:**

The licensee should conduct a documented review and, if necessary, revise the ALs at least once every five years in order to validate their effectiveness. The results of such reviews should be provided to CNSC staff.

### SCA – RADIATION PROTECTION

## Guidance Documents

<b>Document Number</b>	<b>Document Title</b>	<b>Version</b>
REGDOC-2.7.1	Radiation Protection, Version 1.1	2025
REGDOC-2.7.2	Dosimetry, Volume I: Ascertaining Occupational Dose	2021

## SCA – CONVENTIONAL HEALTH AND SAFETY

### Licence Condition 8.1: Conventional Health and Safety Program

The licensee shall implement and maintain a conventional health and safety program.

#### **Preamble:**

The *Class I Nuclear Facilities Regulations* require that a licence application contain the proposed worker health and safety policies and procedures.

As a federally regulated site, the G1WF is also subject to the requirements of *Canada Labour Code* and *Canada Occupational Health and Safety Regulations*. Many activities at the G1WF may be performed by contractors who are subject to requirements under the Quebec *Loi sur la santé et la sécurité du travail*.

#### **Compliance Verification Criteria:**

##### **Licence Documents that Require Notification of Change**

Document Number	Document Title	e-Doc	Prior Notification
900-510400-PDD-001	Occupational Safety and Health	<a href="#">5507946</a>	N
900-510400-PRD-001	Occupational Safety and Health	<a href="#">5507946</a>	Y
900-508150-PDD-001	Electrical Safety	<a href="#">5507946</a>	N
900-508150-PRD-001	Electrical Safety	<a href="#">5507946</a>	Y

*Employment and Social Development Canada* is mandated with overseeing and enforcing compliance with the *Canada Labour Code* and its regulations. CNSC staff monitor licensee compliance with its conventional health and safety program, and will take regulatory actions for any potential unsafe work practice situations.

#### **Guidance:**

##### **Guidance Documents**

Document Number	Document Title	Version
REGDOC-2.8.1	Conventional Health and Safety	2019
CAN/CSA-Z94.4	Selection, use, and care of respirators	2018 (R2023)

## SCA – ENVIRONMENTAL PROTECTION

### Licence Condition 9.1: Environmental Protection Program

**The licensee shall implement and maintain an environmental protection program, which includes a set of action levels. When the licensee becomes aware that an action level has been reached, the licensee shall notify the Commission within seven days.**

#### **Preamble:**

The *Class I Nuclear Facilities Regulations* require that a licence application contain information related to environmental protection and monitoring. The *General Nuclear Safety and Control Regulations* require every licensee to take all reasonable precautions to protect the environment. The *Radiation Protection Regulations* prescribe the radiation dose limits for the general public of 1 mSv per calendar year.

The release of hazardous substances is regulated by Environment Canada and Climate Change through various acts and regulations, as well as by the CNSC.

#### **Compliance Verification Criteria:**

##### **Licensing Basis Publications**

Document Number	Document Title	Version	Effective Date
REGDOC-2.9.1	Environmental Principles, Assessments and Protection Measures, Version 1.2	2020	March 8, 2022
N288.0	Environmental management of nuclear facilities: Common requirements of the CSA N288 series of standards	2022	September 15, 2025
N288.4	Environmental monitoring programs at nuclear facilities and uranium mines and mills <sup>1</sup>	2019	September 15, 2025
N288.5	Effluent monitoring programs at nuclear facilities	2022	September 15, 2025
N288.6	Environmental risk assessment at nuclear facilities and uranium mines and mills	2022	July 9, 2025
N288.7	Groundwater protection programs at Class I nuclear facilities and uranium mines and mills	2015 (R2020)	March 8, 2022
N288.8	Establishing and implementing action levels for releases to the environment from nuclear facilities	2017 (R2022)	April 1, 2020

<sup>1</sup>CNL’s Environmental Monitoring Program at the G1WF is limited only to effluent monitoring.

## Licence Documents that Require Notification of Change

Document Number	Document Title	e-Doc # or SharePoint ID	Prior Notification
61-509200-PLA-001	Gentilly-1 Waste Facility Effluent Monitoring Plan Gentilly-1 Decommissioning	<a href="#">4XCU32RMZB70-1940457990-53</a>	Y <sup>1</sup>
61-505210-ASD-001	Environmental Risk Assessment for Gentilly-1 Waste Facility	<a href="#">4XCU32RMZB70-1940457990-53</a>	Y
61-03710-ENA-005514	Gentilly-1 Waste Facility Licence Amendment Application Environmental Protection Measures for Decommissioning and Demolition	<a href="#">4XCU32RMZB70-1940457990-53</a>	Y
900-509200-PDD-001	Environmental Protection	<a href="#">5507946</a>	N
900-509200-PRD-001	Environmental Protection	<a href="#">5507946</a>	Y
900-509200-STD-020	Chalk River Laboratories Integrated Environmental Monitoring Framework <sup>2</sup>	<a href="#">5507946</a>	N

<sup>1</sup> Requires CNSC acceptance.

<sup>2</sup> Only sections 6.3.2.2, Annual Program Review, and 6.3.4, Monitoring Program Change Control Process, are applicable to the G1WF.

## Guidance:

### Guidance Documents

Document Number	Document Title	Version
REGDOC-2.9.2	Controlling Releases to the Environment	2024
CSA N288.2	Guidelines for calculating the radiological consequences to the public of a release of airborne radioactive material for nuclear reactor accidents	2019 (R2024)
CSA N288.4	Environmental monitoring programs at nuclear facilities	2025
CSA N288.7	Groundwater protection and monitoring programs for nuclear facilities and uranium mines and mills	2023

## SCA – EMERGENCY MANAGEMENT AND FIRE PROTECTION

### Licence Condition 10.1: Emergency Preparedness Program

The licensee shall implement and maintain an emergency preparedness program.

#### **Preamble:**

The *Class I Nuclear Facilities Regulations* require that an application for a licence to decommission a Class I nuclear facility contain a description of the proposed measures to prevent or mitigate the effects of accidental releases of nuclear substances and hazardous substances on the environment, the health and safety of persons and the maintenance of national security, including measures to assist, notify, report to off-site authorities including the testing of the implementation of these measures.

This licence condition requires the licensee to establish an emergency preparedness program to prepare for, to respond to, and to recover from the effects of accidental radiological/nuclear and/or hazardous substance release. As part of the emergency preparedness program, the licensee establishes an on-site emergency response plan and an emergency response organization and makes arrangements for coordinating off-site activities and cooperating with external response organizations throughout all phases of an emergency.

A security response to malevolent acts is governed by a separate plan under the Nuclear Security Program (See LCH Section 12.1) but provisions of the licensee site security report apply to any associated potential threat of release of radioactive material – for example, the need for off-site notification, situation updates, and confirmation of any radioactive releases.

Liquid release response and radioactive materials transportation emergency response plan are also governed by separate plans (See LCH Sections 9.1 and 14.1, respectively).

#### **Compliance Verification Criteria:**

##### Licensing Basis Publications

Document Number	Document Title	Version	Effective Date
REGDOC-2.10.1	Nuclear Emergency Preparedness and Response, Version 2	2016	July 1, 2020

##### Licencee Documents that Require Notification of Change

Document Number	Document Title	e-Doc	Prior Notification
900-508730-PDD-001	Emergency Preparedness	<a href="#">5507946</a>	N
900-508730-PRD-001	Emergency Preparedness	<a href="#">5507946</a>	Y

#### **Guidance:**

None provided.

## Licence Condition 10.2: Fire Protection Program

**The licensee shall implement and maintain a fire protection program.**

### **Preamble:**

Licenses require a comprehensive fire protection program to ensure the licensed activities do not result in unreasonable risk to the health and safety of persons and to the environment due to fire and to ensure that the licensee is able to efficiently and effectively respond to emergency fire situations.

Fire protection provisions, including response, are required for the design, construction, commissioning, operation, and decommissioning of nuclear facilities, including SSCs that directly support the site. External events are addressed in LCH Section 12.1.

The *National Fire Code of Canada* sets out technical provisions regulating (a) activities related to the construction, use or demolition of buildings and facilities; (b) the condition of specific elements of buildings and facilities; (c) the design or construction of specific elements of facilities related to certain hazards; and (d) protection measures for the current or intended use of buildings.

The *National Building Code of Canada* sets out technical provisions for the design and construction of new buildings. It also applies to the alteration, change of use, and demolition of existing buildings.

### **Compliance Verification Criteria:**

The licensee shall, prior to implementation of any proposed modifications of the facility with the potential to negatively impact protection from fire, determine the need for a third-party review based on a risk-based approach using the fire protection screening process.

### **Licensing Basis Publications**

Document Number	Document Title	Version	Effective Date
CSA N393	Fire protection for facilities that process, handle, or store nuclear substances	2022	October 10, 2025
	<i>National Fire Code of Canada</i>	2025	Effective date of this LCH revision
	<i>National Building Code of Canada</i>	2025	Effective date of this LCH revision

## Licence Documents that Require Notification of Change

Document Number	Document Title	e-Doc # or SharePoint ID	Prior Notification
61-508720-REPT-004	Gentilly-1 Waste Facility Fire Hazard Assessment and Code Compliance Review	<a href="#">4XCU32RMZB7O-1940457990-53</a>	Y <sup>1</sup>
900-508720-PDD-001	Fire Protection	<a href="#">5507946</a>	N
900-508720-PRD-001	Fire Protection	<a href="#">5507946</a>	Y
900-508720-MCP-006	Impairment, Notification and Compensatory Measures	<a href="#">5507946</a>	N

<sup>1</sup> Code Compliance Reviews and Fire Hazard Assessments are to be reviewed and accepted by the CNSC prior to implementation in accordance with the requirements in CSA N393.

The Code Compliance Review and Fire Hazard Assessment shall be maintained as necessary to reflect nuclear facility modifications, significant changes in fire hazards, operating experience, and operational changes, and shall be updated or confirmed at least once every 5 years.

The licensee shall submit the results of third-party reviews required by CSA N393 (review of modifications, review of performance-based design or operation, fire protection program audit, and evaluation of fire response capability). The results of these reviews shall be submitted to CNSC staff no later than six months after the review, together with any corrective action plans with compensatory measures for identified non-compliances.

### **Guidance:**

Where CSA N393 does not address a fire protection topic or issue in whole, or where additional guidance is beneficial, the standards and recommended practices set out by the National Fire Protection Association are used as guidance by CNSC staff in determining the adequacy of a fire protection measure. The results of the third-party audit report will typically consist of a report that compares the requirements of the applicable codes and standards against the implementation of the fire protection program or the Fire Response exercised (based on the scope of the audit). The report should identify any non-compliance and formulate a conclusion on whether the licensee fire protection program meets the requirements of N393.

## SCA – WASTE MANAGEMENT

### Licence Condition 11.1: Waste Management Program

**The licensee shall implement and maintain a waste management program.**

#### **Preamble:**

The “waste management” safety and control area covers internal waste-related programs that form part of the G1WF’s operations up to the point where the waste is removed from the G1WF to a separate waste management facility, location, or site. CNSC regulatory document REGDOC-2.11, *Framework for Radioactive Waste Management and Decommissioning in Canada* describes the national framework and philosophy underlying the CNSC’s approach to regulating the management of radioactive waste and decommissioning, and explains the principles taken into account in CNSC regulatory decisions.

CNSC Regulatory Document REGDOC-2.11.1, *Waste Management, Volume I: Management of Radioactive Waste* defines radioactive waste as any material (liquid, gaseous, or solid) that contains a radioactive nuclear substance, as defined in section 2 of the NSCA, for which no further use is foreseen. In addition to containing nuclear substances, radioactive waste may also contain hazardous substances that are not radioactive, as defined in section 1 of the *General Nuclear Safety and Control Regulations*.

#### **Compliance Verification Criteria:**

##### **Licensing Basis Publications**

Document Number	Document Title	Version	Effective Date
REGDOC-2.11.1	Waste Management, Volume I: Management of Radioactive Waste	2021	March 31, 2022
CSA N292.0	General principles for the management of radioactive waste and irradiated fuel	2019 (R2024)	November 12, 2021
CSA N292.3	Management of low- and intermediate-level radioactive waste	2014	April 1, 2018
CSA N292.8	Characterization of radioactive waste and irradiated fuel	2021	March 31, 2026

##### **Licence Documents that Require Notification of Change**

Document Number	Document Title	e-Doc	Prior Notification
900-508600-PDD-001	Waste Management	<a href="#">5507946</a>	N
900-508600-PRD-001	Waste Management	<a href="#">5507946</a>	Y

## **Guidance:**

### **Guidance Documents**

<b>Document Number</b>	<b>Document Title</b>	<b>Version</b>
CSA N292.0	Radioactive waste management: Common requirements of the CSA N292 series of Standards	2024
CSA N292.4	Storage of radioactive waste and irradiated fuel	2023
CSA N292.5	Guideline for the exemption or clearance of materials that contain, or potentially contain, nuclear substances	2025
REGDOC-2.11	Framework for Radioactive Waste Management and Decommissioning in Canada, Version 2	2021

## **Licence Condition 11.2: Decommissioning Plan**

**The licensee shall maintain a decommissioning plan.**

### **Preamble:**

The “waste management” safety and control area covers internal waste-related programs that form part of the G1WF’s operations up to the point where the waste is removed from the G1WF to a separate waste management facility. This area also covers the planning for decommissioning.

CNSC Regulatory Document REGDOC-2.11, *Framework for Radioactive Waste Management and Decommissioning in Canada* describes the national framework and philosophy underlying the CNSC’s approach to regulating decommissioning.

CNSC Regulatory Document REGDOC-2.11.2, *Decommissioning* defines decommissioning as the administrative and technical actions taken to allow the removal of some or all of the regulatory controls from a facility, location or site where nuclear substances are managed, used, possessed or stored. Decommissioning actions are the procedures, processes and work activities (e.g., storage with surveillance, decontamination, dismantling or cleanup) that are taken to retire a facility, location or site from service with due regard for the health and safety of people and the environment.

The G1WF is undergoing decommissioning in a staged manner. Consequently, it is noted that not all volumes of the detailed decommissioning plan have been developed, as they are developed when required by CNL. For volumes not yet developed, decommissioning activities cannot proceed without CNSC concurrence.

## **Compliance Verification Criteria:**

### **Licensing Basis Publications**

<b>Document Number</b>	<b>Document Title</b>	<b>Version</b>	<b>Effective Date</b>
REGDOC-2.11.2	Decommissioning	2021	December 2024
CSA N294	Decommissioning of facilities containing nuclear substances	2019	December 2024
CSA N294	Decommissioning of facilities containing nuclear substances	2025	June 30, 2026

### **Licensee Documents that Require Notification of Change**

<b>Document Number</b>	<b>Document Title</b>	<b>e-Doc # or SharePoint ID</b>	<b>Prior Notification</b>
61-508310-DDP-001817	Gentilly-1 Waste Facility Detailed Decommissioning Plan Volume 1 – Program Overview	<a href="#">4XCU32RMZ B7O- 1940457990- 53</a>	Y <sup>1</sup>
61-508330-SWS-001	Gentilly-1 Waste Facility Decommissioning - Storage with Surveillance Plan	<a href="#">4XCU32RMZ B7O- 1940457990- 53</a>	Y <sup>1</sup>
61-508310-DDP-010801	Gentilly-1 Waste Facility Detailed Decommissioning Plan Volume 1 Program Overview - Addendum	<a href="#">4XCU32RMZ B7O- 1940457990- 53</a>	N
900-508300-PDD-001	Cleanup	<a href="#">5507946</a>	N
900-508300-PRD-001	Cleanup	<a href="#">5507946</a>	Y

<sup>1</sup> Detailed Decommissioning Plans and Storage with Surveillance Plans are to be reviewed and accepted by the CNSC prior to implementation in accordance with the requirements in REGDOC-2.11.2 and CSA N294.

## **Guidance:**

### **Guidance Documents**

<b>Document Number</b>	<b>Document Title</b>	<b>Version</b>
REGDOC-2.11	Framework for Radioactive Waste Management and Decommissioning in Canada, Version 2	2021

## SCA WASTE MANAGEMENT

## SCA – SECURITY

### Licence Condition 12.1: Security Program

**The licensee shall implement and maintain a security program.**

#### **Preamble:**

Nuclear security puts in place provisions to prevent, detect, and stop malevolent acts, such as theft, sabotage, unauthorized access, illegal transfer, or other acts involving nuclear material, other radioactive substances, or their associated facilities.

The *General Nuclear Safety and Control Regulations* require that a licence application contain information related to site access control and measures to prevent loss or illegal use, possession or removal of the nuclear substance, prescribed equipment or prescribed information.

The *Nuclear Security Regulations* require that a licence application contain specific information related to nuclear security and contains specific requirements pertaining to the transportation of Category I, II or III nuclear material.

#### **Compliance Verification Criteria:**

##### **Licensing Basis Publications**

Document Number	Document Title	Version	Effective Date
REGDOC-2.12.2	Site Access Security Clearance	2013	July 15, 2019

##### **Licencee Documents that Require Notification of Change**

Document Number	Document Title	e-Doc	Prior Notification
900-508710-PDD-001	Security	<a href="#">5507946</a>	N
900-508710-PRD-001	Security	<a href="#">5507946</a>	Y
900-511400-PDD-001	Nuclear Cyber Security	<a href="#">5507946</a>	N
900-511400-PRD-001	Nuclear Cyber Security	<a href="#">5507946</a>	Y

## **Guidance:**

### **Guidance Documents**

<b>Document Number</b>	<b>Document Title</b>	<b>Version</b>
CSA N290.7	Cyber security for nuclear power plants and small reactor facilities	2021
IAEA NSS No. 13	Nuclear Security Recommendations on Physical Protection of Nuclear Material and Nuclear Facilities (INFCIRC/225/Revision 5)	2011
IAEA NSS No. 17-T	Computer Security Techniques for Nuclear Facilities (Revision 1)	2021
IAEA NSS No. 33-T	Computer Security of Instrumentation and Control Systems at Nuclear Facilities	2018
IAEA NSS No. 42-G	Computer Security for Nuclear Security	2021
IAEA Non-serial Publications	Computer Security Incident Response Planning at Nuclear Facilities	2016
IAEA Non-serial Publications	Computer Security Approaches to Reduce Cyber Risks in the Nuclear Supply Chain	2022

## SCA – SAFEGUARDS AND NON-PROLIFERATION

### Licence Condition 13.1: Safeguards Program

**The licensee shall implement and maintain a safeguards program.**

#### **Preamble:**

Safeguards is a system of inspection and other verification activities undertaken by the International Atomic Energy Agency (IAEA) in order to evaluate a Member State's compliance with its obligations pursuant to its safeguards agreements with the IAEA.

Canada has entered into a safeguards agreement and an Additional Protocol (hereafter referred to as "safeguards agreements") with the IAEA pursuant to its obligations under the *Treaty on the Non-Proliferation of Nuclear Weapons*. The objective of the Canada/IAEA Safeguards Agreement is for the IAEA to provide assurance on an annual basis to Canada and to the international community that all declared nuclear materials are in peaceful, non-explosive uses and that there is no indication of undeclared nuclear materials or activities. This conclusion confirms that Canada is in compliance with its obligations under the following Canada/IAEA Safeguards Agreement:

- [\*Treaty on the Non-Proliferation of Nuclear Weapons\*](#);
- [\*Agreement Between the Government of Canada and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons\*](#); and
- [\*Protocol Additional to the Agreement Between Canada and the International Atomic Energy Agency for the Application of Safeguards in Connection with the Treaty on the Non-Proliferation of Nuclear Weapons\*](#).

These are reproduced in information circulars INFCIRC/140, INFCIRC/164, and INFCIRC/164/Add. 1.

The *General Nuclear Safety and Control Regulations* require the licensee to take all necessary measures to facilitate Canada's compliance with any applicable safeguards agreement.

The *Class I Nuclear Facilities Regulations* require that an application for a licence to decommission a Class I nuclear facility contain information on the licensee's proposed measures to facilitate Canada's compliance with any applicable safeguards agreement.

#### **Compliance Verification Criteria:**

##### **Licensing Basis Publications**

<b>Document Number</b>	<b>Document Title</b>	<b>Version</b>	<b>Effective Date</b>
REGDOC-2.13.1	Safeguards and Nuclear Material Accountancy	2018	February 8, 2019

## SCA SAFEGUARDS AND NON-PROLIFERATION

### Licensee Documents that Require Notification of Change

Document Number	Document Title	e-Doc	Prior Notification
900-508510-PDD-001	Nuclear Materials and Safeguards Management	<a href="#">5507946</a>	N
900-508510-PRD-001	Nuclear Materials and Safeguards Management	<a href="#">5507946</a>	Y

The licensee shall obtain prior written approval of the CNSC, for any changes to operation, equipment or procedures requested by the licensee that would affect the implementation of safeguards measures.

#### **Guidance:**

None Provided.

## SCA – PACKAGING AND TRANSPORT

### Licence Condition 14.1: Packaging and Transport Program

**The licensee shall implement and maintain a packaging and transport program.**

#### **Preamble:**

The *Transportation of Dangerous Goods Regulations* (TDGR) and the *Packaging and Transport of Nuclear Substances Regulations, 2015* (PTNSR 2015) apply to the packaging and transport of nuclear substances in Canada. Both regulations provide specific requirements for the design of transport packages, the packaging, marking and labeling of packages and the handling and transport of nuclear substances.

#### **Compliance Verification Criteria:**

##### **Licence Documents that Require Notification of Change**

Document Number	Document Title	e-Doc	Prior Notification
900-508520-PDD-001	Transportation of Dangerous Goods	<a href="#">5507946</a>	N
900-508520-PRD-001	Transportation of Dangerous Goods	<a href="#">5507946</a>	Y

*The licensee shall implement and maintain a packaging and transport program that will ensure their compliance with all the requirements set out in the TDGR and PTNSR 2015 for all transport activities involving regulated nuclear substances.*

#### **Guidance:**

##### **Guidance Documents**

Document Number	Document Title	Version
RD-364	Joint Canada-United States Guide for Approval of Type B(U) and Fissile Material Transportation Packages	2009

## APPENDIX A: DEFINITIONS AND ACRONYMS

### 1. DEFINITIONS

The following is a list of definitions of words or expressions used in the LCH that may need clarification; they are defined for the purpose of the LCH only. All other terms and expressions used in the LCH are consistent with the definitions provided in the NSCA, the regulations made pursuant to the NSCA, or in the CNSC regulatory document REGDOC-3.6 *Glossary of CNSC Terminology*.

**Approval** – Commission’s permission to proceed, for situations or changes where the licensee would be:

- not compliant with a regulatory requirement set out in applicable laws and regulations;
- not compliant with a licence condition; and
- not in the safe direction but the objective of the licensing basis is met.

**Boundary Conditions** – procedural, administrative rules and operating limits for ensuring safe operation of the facility based on safety analyses and any applicable regulatory requirements.

**Compliance Verification Criteria** – regulatory criteria used by CNSC staff to verify compliance with the licence conditions.

**Effective Date** – the date that a given document becomes effective within the licensing period. The effective date is either set to the licence issue date or to a future date when the given document becomes effective.

**Guidance** – guidance in the LCH is non-mandatory information, including direction, on how to comply with the licence condition.

**Program(s)** – a documented group of planned activities, procedures, processes, standards, and instructions coordinated to meet a specific purpose.

**Qualified Staff** – trained licensee staff, deemed competent and qualified to carry out tasks associated with their respective positions.

**Safe Direction** – changes in facility safety levels that would not result in:

- (a) a reduction in safety margins;
- (b) a breakdown of a barrier;
- (c) an increase (in certain parameters) above accepted limits;
- (d) an increase in risk;
- (e) impairment(s) of safety systems;
- (f) an increase in the risk of radioactive releases or spills of hazardous substances;
- (g) injuries to workers or members of the public;
- (h) introduction of a new hazard;
- (i) reduction of the defence-in-depth provisions;
- (j) reducing the capability to control, cool and contain the reactor while retaining the adequacy thereof;  
or
- (k) causing hazards or risks different in nature or greater in probability or magnitude than those stated in the safety analysis of the nuclear facility.

## APPENDIX A - DEFINITIONS AND ACRONYMS

**Safety and Control Measures** – measures or provisions which demonstrate that the applicant:

- (i) is qualified to carry on the licensed activities; and
- (ii) has made adequate provision for the protection of the environment, the health and safety of persons, the maintenance of national security, and any measures required to implement international obligations to which Canada has agreed.

**Written Notification** – a physical or electronic communication between CNSC staff and a person authorized to act on behalf of the licensee.

## 2. ACRONYMS LIST

Acronym	Definition
AECL	Atomic Energy of Canada Limited
AL	Action Level
ALARA	As Low As Reasonably Achievable
CAF	Change Assessment Form
CNL	Canadian Nuclear Laboratories
CNSC	Canadian Nuclear Safety Commission
CSA	Canadian Standards Association
CVC	Compliance Verification Criteria
G1WF	Gentilly-1 Waste Facility
GDI	Governing Document Indices
IAEA	International Atomic Energy Agency
INFCIRC	Information Circular
LCH	Licence Conditions Handbook
mSv	Millisievert
NBCC	National Building Code of Canada
NFCC	National Fire Code of Canada
NPD	Nuclear Power Demonstration
NSCA	<i>Nuclear Safety and Control Act</i>
PDD	Program Description Document
PRD	Program Requirements Document
SCA	Safety and Control Area
SSCs	Structures, systems, and components

### APPENDIX A - DEFINITIONS AND ACRONYMS