



CMD 26-H3.62

Date: 2026-10-05

**Written Submission from the
Mississaugas of Scugog Island
First Nation**

**Mémoire de la
Première Nation des Mississaugas
de Scugog Island**

In the matter of

À l'égard de

Cameco Corporation

Application to renew the Class IB nuclear
fuel facility operating licence for the Port
Hope Conversion Facility for a period of
20 years

Cameco Corporation

Demande visant à renouveler, pour une
période de 20 ans, le permis d'exploitation
d'une installation de combustible nucléaire
de catégorie IB pour l'installation de
conversion de Port Hope

Commission Public Hearing

Audience publique de la Commission

November 2026

Novembre 2026



22521 ISLAND ROAD · PORT PERRY, ON · L9L 1B6 · TEL: 905-985-3337 · FAX: 905-985-8828 ·
www.scugogfirstnation.com

Written Intervenor Submission:

Port Hope Conversion Facility renewal of Licence
FFOL-3631.00/2027 for a 20-year term



22521 ISLAND ROAD · PORT PERRY, ON · L9L 1B6 · TEL: 905-985-3337 · FAX: 905-985-8828 ·
www.scugogfirstnation.com

Mississaugas of Scugog Island First Nation
Consultation Office

October 5th, 2026

To the attention of:

Tribunal Officer, Commission Registry

Canadian Nuclear Safety Commission

interventions@cnsccsn.gc.ca

October 5th, 2026

Re: Licence renewal application for Cameco Port Hope Conversion Facility – Comments from the Mississaugas of Scugog Island First Nation (MSIFN) Consultation Department

The Mississaugas of Scugog Island First Nation ("MSIFN") Consultation Department ("MSIFN Consultation") is pleased to provide comments on the 2025 Application for Renewal of Licence for Port Hope Conversion Facility: FFOL-3631.00/2027, CMD-26-H3, and the CNSC's Environmental Protection Review Report for the Port Hope Conversion Facility. Comments on behalf of MSIFN Consultation are below.

Introduction

Cameco Corporation (Cameco) has applied to the Canadian Nuclear Safety Commission (CNSC) to renew the Class IB Nuclear Fuel Facility Operating Licence for the Port Hope Conversion Facility (PHCF), FFOL-3631.00/2027, for a 20-year term. MSIFN Consultation has reviewed Cameco's 2025 licence renewal application and the CNSC's Environmental Protection Review Report (EPRR) for the PHCF.

MSIFN Consultation supports Cameco's application for a 20-year licence renewal. This support reflects Cameco's operational performance during the current licence period, the environmental protection and monitoring programs in place at the PHCF, ongoing remediation through the Vision in Motion (VIM) project, and the strong relationship that Cameco has built with MSIFN.

MSIFN's support does not lessen the importance of continued oversight or Rights-based engagement over a licence period of this length. MSIFN therefore expects Cameco and the CNSC to maintain early, transparent and meaningful engagement with MSIFN Consultation Staff, particularly as site conditions change, monitoring initiatives progress, and future decommissioning plans advance.

Background

The Mississaugas of Scugog Island First Nation (MSIFN) is located on the shores of Lake Scugog in Durham Region, Ontario, and is a member of the Williams Treaties First Nations (WTFNs). MSIFN's territory extends from the north

shore of Lake Ontario in the south, Georgian Bay in the west, the Ottawa Valley in the east, and northward to the French River. Across this area, MSIFN's priority is the protection and preservation of the lands, waters, wildlife, and fisheries upon which its people rely.

The Mississauga people settled in the Lake Scugog basin around 1700, where the land and waters supported abundant game, waterfowl, fish, and wild rice. Long before the establishment of colonial settlements or the province of Ontario, MSIFN's ancestors moved throughout this region as caretakers, maintaining reciprocal relationships with the land and participating in a highly interconnected ecological and cultural system.

Seasonal movement across what is now known as southern Ontario was deliberate and highly organized. During warmer months, MSIFN ancestors gathered along the north shore of Lake Ontario to fish and harvest plants. In the fall and winter, families travelled north beyond the Kawarthas toward present-day Muskoka, Haliburton, North Bay, and Ottawa to hunt and trap. These movements were governed by family and clan structures and supported by the transmission of intergenerational knowledge. Specific hunting and harvesting territories were carefully managed, respected, and passed down through generations.

Lake Scugog has always been central to this seasonal round. The Scugog Carrying Place, linking Lake Ontario to Lake Scugog and present-day Port Perry, served as a critical travel corridor that facilitated movement, trade, ceremony, and cultural exchange both before and after European contact.

Colonial disruption significantly altered this relationship. In 1828, the construction of a dam in Lindsay raised Lake Scugog's water levels, permanently changing the local ecology. Wild rice beds and cranberry bogs were destroyed, and fish habitats were altered. As a result, the Michi Saagiig Anishinaabeg of Scugog Island were displaced multiple times, including temporary relocations to Balsam Lake, Coldwater, and Mud Lake. In 1843, MSIFN returned to Lake Scugog and purchased approximately 800 acres near the north end of the island, asserting the right to return home and maintain cultural continuity.

Today, MSIFN continues to uphold its responsibilities as Michi Saagiig Anishinaabeg people, guided by enduring relationships with the waters and all living and non-living beings. These responsibilities are rooted in longstanding teachings and practices that emphasize stewardship, respect, and planning for future generations.

MSIFN has never provided consent for the siting or operation of nuclear facilities or waste management activities within its territory. Contamination of lands and waters represents an irreversible infringement on MSIFN's rights and responsibilities. Nearly all stages of the nuclear fuel lifecycle—excluding uranium mining—occur within MSIFN's traditional territory, placing disproportionate risk on present and future generations. MSIFN maintains that nuclear safety is paramount and that the Crown, the CNSC, and licensees share a legal obligation to protect current and future generations.

In 2018, MSIFN became a signatory to the Williams Treaties Settlement Agreement, resolving nearly 90 years of dispute arising from the Williams Treaties of 1923. This settlement reaffirmed MSIFN's pre-Confederation treaty rights to hunt and harvest throughout its traditional territories. As outlined in the Settlement Agreement, constitutionally protected rights for hunting, fishing, and trapping were affirmed for the WTFNs across their treaty territories. These practices have been carried out sustainably since time immemorial and represent fundamental cultural markers of Indigenous identity, responsibility, and self-determination. Hunting includes trapping, snaring,

and fishing, supplemented by firearm usage.

Despite these inherent and long-held rights, the Williams Treaties of 1923 facilitated decades of discrimination and legally sanctioned harassment by Crown officials, including Peace Officers, against WTFN citizens for exercising their cultural harvesting practices. The Crown only began addressing these impacts in 2018 through the Settlement Agreement. Following this prolonged struggle for recognition, MSIFN insists that the CNSC and all federal and provincial Crown authorities respect the legal, constitutional, and practical weight of this reaffirmation in all dealings with the Nation.

While the WTFNs were fighting for recognition of our rights, the Supreme Court of Canada (SCC) was concurrently shifting the legal requirements for Crown consultation with Indigenous communities. The 2004 *Haida*¹ decision ushered in a new era of formal and meaningful Crown consultation. Indigenous communities whose section 35 Rights are potentially adversely impacted by new Crown conduct or new or novel adverse effects are owed a duty of consultation, and if necessary, accommodation (DTCA). The *Sparrow*² test similarly requires justification of section 35 Rights infringement should the licence decision permit ongoing harms as those are not considered historical harms.

The Crown holds a fiduciary duty to First Nations a fiduciary as established in the Royal Proclamation of 1763 and its honour is always at stake when dealing with First Nations. The DTCA offers one avenue for the Crown to uphold its honour and fiduciary duty.

Integration of United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) into all aspects of consultation is part of the DTCA. UNDRIP became part of Canadian domestic positive law through the UNDRIP Act (the Act), which received royal assent on June 21, 2021. The SCC confirmed this integration in 2024, holding that the Act provides a framework for reconciliation and requires federal laws, including the common-law DTCA, to be consistent with UNDRIP.³ Recent case law further supports this consultation requirement, including upholding the concept of free, prior and informed consent (FPIC).⁴ Determining if consultation was adequate, including how UNDRIP and FPIC were upheld, is part of the Commission's decision obligation.

MSIFN is also a signatory to the Framework Agreement on First Nations Land Management, the First Nations Fiscal Management Act, and other political and legal arrangements that support MSIFN's Inherent Jurisdiction as a self-governing authority. MSIFN's Chief and Council, supported by their administrative and technical teams, is the community's regulatory authority. The processes required to fulfill MSIFN's legal obligations to its citizens and to the broader Williams Treaties community are complex and must be respected. These responsibilities cannot be rushed or disregarded. UNDRIP exists to safeguard these rights and responsibilities, and MSIFN remains committed to ensuring that its principles are upheld in practice.

Connection to MSIFN

¹ [Haida Nation v. British Columbia \(Minister of Forests\), 2004 SCC 73 \(CanLII\), 2004 SCC 73](#)

² [R. v. Sparrow, 1990 CanLII 104 \(SCC\) \(1990\), AZ](#)

³ [Reference re An Act respecting First Nations, Inuit and Métis children, youth and families, 2024 SCC 5.](#)

⁴ [Kebaowek First Nation v. Canadian Nuclear Laboratories, 2025 FC 319](#)

MSIFN has a direct and ongoing interest in the PHCF because the facility is located within MSIFN's Treaty and traditional territory and along the north shore of Lake Ontario, a landscape and waterscape that has supported Michi Saagiig travel, harvesting, stewardship and cultural practices since time immemorial. The PHCF also forms part of a broader nuclear fuel lifecycle operating across MSIFN's territory, alongside nuclear generating stations, fuel manufacturing, waste management, and other nuclear activities.

MSIFN Consultation has developed a positive and constructive working relationship with Cameco. Cameco has formalized its relationship with MSIFN through a relationship agreement intended to support regulatory understanding, site performance and operations, environmental working groups, community-led capacity building, arts and culture education, awareness and procurement, and long-term collaboration. Cameco identifies five pillars for these relationships: education and workforce development, business development, community investment, community engagement and environmental stewardship. MSIFN views these pillars as integral to creating a foundation for engagement to continue discussions around protecting and advancing MSIFN Rights over the next 20-years of the proposed licence renewal

Cameco also provides MSIFN with direct public disclosures and regulatory information, including Quarterly Compliance Monitoring and Operational Performance Reports in addition to routine Annual Compliance Reports. This consistent information sharing supports transparency and provides MSIFN Consultation with an opportunity to remain informed about facility performance, environmental monitoring and future plans. MSIFN expects these communication channels to continue and to evolve where the Nation identifies a need for additional technical information or discussion.

MSIFN has participated in CNSC's Independent Environmental Monitoring Program (IEMP) around the PHCF. During the 2024 sampling campaign, representatives of MSIFN and Curve Lake First Nation participated alongside CNSC staff. MSIFN also participated in the September 2026 sampling campaign, focused on collecting water, vegetation, and soil samples near the PHCF. Continued opportunities for Indigenous participation in environmental monitoring are important to MSIFN because they provide direct involvement in sampling activities and can help ensure that locations, environmental media and exposure pathways of importance to Rights-holders are considered. MSIFN hopes that Cameco staff will continue to notify and deliver hands-on field opportunities to build trust and transparency, capacity through experiential learning, and a strong foundation for partnership over the next licensing period.

The strength of the existing relationship gives MSIFN confidence that it can raise issues directly with Cameco and discuss them in a timely manner. Over a 20-year licence term, however, continued relationship-building must remain an active commitment. Engagement should not be limited to distributing regulatory reports; it should provide meaningful opportunities for dialogue, technical review, Indigenous Knowledge where shared by the Nation, and MSIFN participation in decisions or activities that may affect its Treaty Rights, lands, waters and stewardship responsibilities.

MSIFN Consultation also recognizes Cameco's support for community-led arts and cultural initiatives. Through collaborations with MSIFN artists and knowledge holders, Cameco has created opportunities to share Indigenous perspectives, histories and cultural teachings with employees and broader audiences. These initiatives have helped build understanding and respect while demonstrating Cameco's commitment to reconciliation beyond regulatory

requirements.

Cameco continues to provide multiple opportunities for MSIFN staff and leadership to participate in facility tours, technical briefings and discussions regarding environmental performance, remediation activities and future operational plans. These interactions have enhanced MSIFN's understanding of facility operations and contributed to a transparent and collaborative working relationship. Through regular engagement, environmental monitoring opportunities and information sharing, Cameco has supported the ongoing development of technical capacity within MSIFN, enabling informed participation in regulatory processes affecting the Nation's rights and interests.

MSIFN has also benefited from Cameco's willingness to discuss Indigenous procurement and business development opportunities. Through these discussions, Cameco has helped improve understanding of opportunities within the nuclear supply chain across the Lake Ontario Energy Corridor and has demonstrated a commitment to advancing Indigenous participation in the economic benefits associated with nuclear operations. MSIFN commends Cameco for treating Indigenous economic participation as an integral component of its broader relationship with the Nation.

Specific Comments on the 2025 Application for Renewal of Licence for Port Hope Conversion Facility

Cameco is seeking renewal of the PHCF operating licence for 20 years without changes to the currently authorized activities or approved production rates. During the current licence period, PHCF maintained the programs, plans and procedures required for health and safety, radiation protection, environmental protection, emergency response, fire protection, waste management and training. Cameco reports that worker radiation exposures and public radiation doses remained well below applicable regulatory limits, and CNSC staff have continued to assess PHCF as compliant with its regulatory and licensing requirements.

MSIFN Consultation considers the facility's demonstrated performance, together with continued CNSC oversight and Cameco's commitment to ongoing improvement, to provide a reasonable basis for continued operation. This is strengthened by material improvements to the site during the current licence period, including removal of contaminated soil and redundant infrastructure through VIM, waste reduction, and the 2023 transition from once-through harbour cooling water to independent closed-loop cooling systems. The latter substantially reduces the potential for contaminant discharge and thermal loading into Port Hope Harbour and represents a major operations environmental enhancement and milestone.

MSIFN Consultation recognizes the value of Cameco's Public Information and Disclosure Program, which is intended to provide timely information about operations, planned activities, health and safety, and potential environmental effects. The program uses multiple communication channels and emphasizes clear, fact-based and adaptive communications. Of particular importance to MSIFN, Cameco distinguishes Indigenous Rights-holders from general public audiences and states that Indigenous engagement is to be grounded in relationship-building, transparency and respect.

Cameco's formalized relationship with MSIFN is a significant strength of the application. The relationship agreement provides a framework for reciprocal learning and collaboration across education and workforce development, business development, community investment, community engagement and environmental stewardship. Cameco also provides direct disclosures and compliance reports to MSIFN and other WTFNs. MSIFN supports continuation of

these practices throughout the renewed licence period.

PHCF controls and monitors releases of nuclear and hazardous substances through its Environmental Protection Program. During the current licence period, four environmental action levels were exceeded at the UF6 main stack and the sanitary sewer action level was exceeded 38 times. Cameco attributed the sanitary sewer events to groundwater infiltration through aging subsurface infrastructure in areas with known groundwater contamination, particularly during precipitation events. Cameco subsequently targeted rehabilitation, replacement and abandonment of affected infrastructure, reducing uranium loadings to the sanitary sewer; following revision of the action level to a monthly basis in 2023, the application reports no further exceedances. Over a 20-year term, MSIFN expects Cameco and CNSC to continue reporting these matters transparently and to engage MSIFN where monitoring indicates a change in environmental conditions or risk.

Cameco reports that the inventory of accumulated waste stored in drums at PHCF was reduced by approximately 75% during the current licence period. Cameco transferred waste that has met the acceptance criteria to the Port Hope Long-Term Waste Management Facility, while Cameco continues to sort and prepare legacy waste at the Dorset Street warehouse. The VIM Clean-Up Program has also removed obsolete buildings, equipment, contaminated soils and other legacy materials while modernizing site infrastructure.

MSIFN Consultation asked Cameco staff to engage with another radioactive waste facility operator to engage in a peer-to-peer dialogue on lessons-learned and best practices coming out of Cameco's waste management operations at the Dorset Street warehouse. Cameco acted on this request, and MSIFN Consultation can report that it understands this discussion benefited both parties and will likely continue. MSIFN Consultation commends Cameco on its positive response to this request. This example is evidence of Cameco's general responsiveness to requests for information, technical discussions and introductions to subject matter experts when issues of interest have arisen. This responsiveness has contributed significantly to the trust that exists between the parties today.

MSIFN also acknowledges that the PHCF has a Preliminary Decommissioning Plan. The plan addresses the selected decommissioning strategy, decontamination and dismantling, end-state objectives, hazards and protection strategies, waste management, cost estimates and financial guarantee arrangements. The Commission approved a \$138.2 million financial guarantee was approved and the guarantee is maintained as an irrevocable letter of credit.

These measures provide important assurance that long-term liabilities are being planned for and financially recognized. Nevertheless, a 20-year licence extends well beyond the completion of VIM and through future updates to decommissioning planning. MSIFN expects early and ongoing involvement in material updates to decommissioning plans, end-state objectives, waste pathways and long-term environmental management decisions. Indigenous engagement on decommissioning should occur while options remain open, rather than after key decisions have already been made.

MSIFN Consultation acknowledges the PHCF Emergency Response Plan and Fire Protection Program, including trained emergency response personnel, regular exercises and drills, fire hazard analysis, pre-incident planning, detection and suppression systems, and preventive maintenance and inspections. PHCF also maintains a packaging and transport program for nuclear substances and dangerous goods. These programs are particularly important given the facility's location within an established community and the movement of nuclear and hazardous materials to and from the site.

MSIFN expects emergency preparedness and transportation-related engagement to remain current throughout the renewed licence period, including timely communication where changes to hazards, transportation practices, emergency arrangements or off-site consequences could affect MSIFN's rights or interests.

Comments on the Environmental Protection Review Report for the Port Hope Conversion Facility

MSIFN Consultation acknowledges the EPRR's conclusion that environmental protection measures at the PHCF remain effective and that significant effects on people and the environment from observed releases are unlikely. This finding supports MSIFN's endorsement of the renewal, while continued assessment remains important to protecting Lake Ontario and the Nation's harvesting and stewardship interests.

The EPRR identifies the need for a new full Environmental Risk Assessment following completion of VIM and PHAI, as the most recent full assessment dates to 2016. CNSC staff expect the next assessment to reconsider exposure pathways, including MS-WTFNs traditional hunting and gathering traditions, cumulative effects and climate change. MSIFN requests meaningful involvement in identifying these key pathways.

Conclusion

Based on the information reviewed, MSIFN supports Cameco's application to renew the PHCF operating licence for a 20-year term. Cameco has demonstrated satisfactory operational performance, maintained environmental and radiation protection programs, undertaken substantial cleanup and infrastructure improvements, reduced legacy waste inventories, established financial provisions for decommissioning, and developed a constructive relationship with MSIFN. CNSC's independent review provides additional support for the conclusion that current PHCF operations are protective of people and the environment.

MSIFN's support is accompanied by the expectation that the next licence period will build on, rather than maintain, the current relationship and environmental protection framework. MSIFN requests that Cameco and CNSC: (1) continue structured, rights-based engagement with MSIFN throughout the licence period; (2) provide MSIFN meaningful opportunities to participate in the next full ERA, including the assessment of traditional harvesting pathways, cumulative effects and climate change; (3) continue and expand opportunities for MSIFN participation in environmental monitoring, including IEMP and licensee-led monitoring where appropriate; (4) maintain transparent reporting on environmental action levels, groundwater and subsurface infrastructure, waste management and VIM progress; and (5) engage MSIFN early in future decommissioning planning, end-state objectives and long-term stewardship decisions.

Miigwech,

MSIFN Consultation Department