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**Written Submission from the
Algonquins of Pikwàkanagàn
First Nation**

**Mémoire de la
Première Nation des Algonquins
de Pikwàkanagàn**

In the matter of the

À l'égard du

**Regulatory Oversight Report for Uranium
and Nuclear Substance Processing
Facilities in Canada: 2024**

**Rapport de surveillance réglementaire
des installations de traitement de
l'uranium et des substances nucléaires
au Canada : 2024**

Commission Meeting

Réunion de la Commission

March 2026

Mars 2026



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THE ALGONQUINS OF PIKWÀKANAGÀN FIRST NATION'S SUBMISSION ON THE REGULATORY OVERSIGHT REPORT FOR URANIUM AND NUCLEAR SUBSTANCE PROCESSING FACILITIES IN CANADA: 2024

January 28, 2026

Prepared by the Algonquins of Pikwàkanagàn First Nation. This submission was funded by the Canadian Nuclear Safety Commission's Participant Funding Program.

In addition to the following written submission, Algonquins of Pikwàkanagàn First Nation wishes to also intervene by way of oral presentation at the Commission Meeting on March 23, 2026.

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EXECUTIVE SUMMARY

This document presents the results of the Algonquins of Pikwàkanagan First Nation's (AOPFN) review of the Canadian Nuclear Safety Commission's (CNSC) 2024 Regulatory Oversight Report (ROR or the Report) for Uranium and Nuclear Substance Processing Facilities (UNSPFs), Research Reactors, and Class IB Accelerators in Canada. AOPFN reviewed the ROR and CNSC's regulatory oversight of the UNSPFs in 2024 to determine how the CNSC's regulatory processes address our concerns about the operation of UNSPFs licenses to operate (the licensees) in our unceded and unsurrendered traditional territory. AOPFN focused on the four UNSPFs located within AOPFN's territory:

- Best Theratronics Ltd. (BTL);
- BWXT Medical Ltd. (BWXT);
- Nordion (Canada) Inc. (Nordion); and
- SRB Technologies (Canada) Inc. (SRBT).

The structure of the ROR has not been updated to reflect the past comments and recommendations from AOPFN. There are several outstanding concerns and issues, such as:

- Continued dismissal of the AOPFN rights and the Aboriginal Rights Safety and Control Areas (ARSCAs);
- Engagement and issues tracking between CNSC and AOPFN;
- Engagement with UNSPFs; and
- The lack of communication protocols.

This submission also presents the findings of AOPFN's review of the performance of the UNSPF Licensees themselves in 2024.

SRBT Rating for 2024: Neutral, slightly improved from 2023

- Positive steps included improvements to the Independent Environmental Monitoring Program and SASC program, and SRBT's commitment to Cultural Awareness Training for staff. To improve, a Long-Term Relationship Agreement needs to be negotiated to lay out engagement expectations, funding, and communications plans.

Nordion Rating for 2024: Below Expectations, slightly improved from 2023

- There were some improvements in engagement in 2024. Nordion initiated consultation for the 25-year Class 1B license renewal process and shared the draft



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engagement plan with AOPFN. These engagement steps did not yield any concrete results for AOPFN in 2024.

BTL Rating for 2024: Far Below Expectations, no improvement from 2023

- BTL expressed interest in initiating and improving consultation with AOPFN, but was unwilling to provide funding or follow AOPFN's engagement expectations. Interest in improved relationships needs to be followed up with concrete actions that support AOPFN's work in improving BTL's engagement.

BWXT Rating for 2024: Neutral, slightly improved from 2023

- LTRA negotiations between BWXT and AOPFN stalled in 2024 and there has been no commitment to returning to the table. This means that overall engagement cannot be considered to be moving in a positive direction. Many of the issues and concerns we lay out in this letter would be addressed by an LTRA, which needs to be a priority. Even now in January 2026 there has been no movement on the LTRA.



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LIST OF ACRONYMS

Acronym	Definition
AAC	AOPFN Advisory Committee
AOPFN	Algonquins of Pikwàkanagan First Nation
ARSCA	Aboriginal Rights Safety and Control Area
BTL	Best Theratronics Ltd.
BWXT	BWXT Medical Ltd.
CAT	Cultural Awareness Training
CNSC	Canadian Nuclear Safety Commission
GBq	Giga Becquerel
LTRA	Long-term Relationship Agreement
NNC	Notice of Non-Compliance
Nordion	Nordion (Canada) Inc.
ROR	Regulatory Oversight Report
SCAs	Safety and Control Areas
SRBT	SRB Technologies (Canada) Inc.
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNSPF	Uranium and Nuclear Substance Processing Facility



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REVIEW OF THE REGULATORY OVERSIGHT REPORT AND THE CANADIAN NUCLEAR SAFETY COMMISSION'S ENGAGEMENT WITH THE ALGONQUINS OF PIKWÀKANAGAN FIRST NATION

1. INTRODUCTION

The Algonquins of Pikwàkanagan First Nation (AOPFN) respectfully submits our review of the Canadian Nuclear Safety Commission's (CNSC) Regulatory Oversight Report (ROR or the Report) for Uranium and Nuclear Substance Processing Facilities (UNSPFs or the licensees): 2024. We reviewed both the ROR and CNSC's engagement with AOPFN in 2024 to evaluate CNSC's regulatory oversight of the operational and safety performance of the UNSPFs, in relation to AOPFN's rights and interests.

This submission also includes a review of the performance of the UNSPFs themselves in relation to AOPFN rights and interests. Our review of both the ROR and UNSPF performance focuses on the Nuclear Substance Processing Facilities, all of which are operating in AOPFN's unceded and unsurrendered traditional territory:

- Best Theratronics Ltd. (BTL)
- BWXT Medical Ltd. (BWXT)
- Nordion (Canada) Inc. (Nordion)
- SRB Technologies (Canada) Inc. (SRBT)

This submission is organized into two sections. First, AOPFN provides a high-level review of the ROR and identifies some key concerns and gaps with the Report and with the CNSC's engagement activities, as well as recommendations for improvement. We then present the findings of AOPFN's review of UNSPF licensee performance for 2024 using the Aboriginal Rights Safety Control Area (ARSCA) metrics.

This review is limited to the actions that occurred during the 2024 calendar year. Any changes – positive or negative – to our concerns and relationships that have occurred in 2025 will be discussed in future regulatory review processes, as appropriate.

2. COMMENTS ON THE 2024 ROR AND CNSC REGULATORY ACTIVITIES

2.1 GENERAL COMMENTS

In our review of the 2024 ROR, we have noted that many of the same concerns that have been identified in past reviews persist. While important, the ROR focuses almost exclusively on the Safety and Control Areas (SCAs) to evaluate the UNSPFs, and Indigenous rights and engagement are treated as an afterthought if at all. The CNSC states in section 6.3 of the ROR that the CNSC has ensured that all interested Nations have the opportunity to review the ROR and obtain funding. However, our review of the ROR has been difficult because the timing of



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this ROR review and the fact that an entire year has passed since the review period. AOPFN recommends CNSC consider filing the ROR earlier in the year so details about that year are more accessible. At minimum, CNSC should support Indigenous Nations to carry out their analysis of work with CNSC and proponents earlier in the year rather than as a reaction to the already filed ROR, over a year later.

Since 2021, AOPFN has reviewed and provided submissions to the Commission for two of the CNSC's annual RORs, covering the performance of all nuclear facilities within our territory, including the Canadian Nuclear Laboratories and the UNSPFs. In previous years, the two reports have had different release dates and separate commission hearings, which allowed us to focus on each submission in turn. Both of the 2024 RORs were released at the same time, which was the end of November 2025. The release of both reports strained our capacity as we had to review each report fully at the same time. This was compounded by the fact that the review period also includes the winter holidays, which limited our time even further. It is not acceptable to have so little time to review these documents. We should be provided an opportunity to review an advance copy of the submission ahead of the public review period, given that we require deeper engagement and involvement than the public. Additionally, it is not clear why the CNSC takes so long to develop these Reports, only providing them at the end of the following year, especially given that licensees are required to submit their own regulatory reports by March 31 of the following year (e.g., in this case, March 31, 2025).

Recommendation 1: AOPFN requests that in future years, CNSC staff engage with AOPFN prior to issuing their ROR to the Commission such that AOPFN's perspective on the UNSPF's performance with SCA's and ARSCAs as well as consultation adequacy, can be integrated early. This requires a more timely provision of funding and advance engagement by CNSC staff with AOPFN prior to the ROR being filed.

Recommendation 2: CNSC should provide advanced funding at the end of each calendar year so that Nations can conduct a retrospective analysis of work with CNSC and proponents immediately after that year ends. This will support with implementation of Recommendation 1 above.

2.2 INCLUSION OF ARSCAs

A glaring and highly problematic omission in the 2024 ROR filed by CNSC staff is the lack of any reference to – let alone incorporation into the Report of – the AOPFN-established governance-based criteria, the Aboriginal Rights Safety and Control Areas (ARSCAs), put forward by AOPFN in cooperation with Sagkeeng Anicinabe First Nation in 2022 for the 2021 ROR submissions. The ARSCAs were developed to mirror the function of the SCAs in the engagement, communications and rights protection realms, and have been tailor-made for the CNSC to be able to adopt easily and immediately into regulatory evaluations. The SCAs do not address or evaluate engagement activities, and adoption of the ARSCAs would solve this exclusion. Throughout the years of communication between the CNSC and AOPFN, the CNSC is frequently requesting feedback on how to improve Indigenous engagement and advance reconciliation, while ignoring the solution that has been offered. It suggests the



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possibility that these regulatory oversight reviews and AOPFN's input into them are an opportunity provided by the Crown to "blow off steam", rather than lead to substantive dialogue and contribute to meaningful change. Due to this omission, AOPFN has been conducting the ARSCA review of the nuclear facilities on our territory every year, and this review can be found in Table 1.

The ARSCAs evaluate whether the CNSC and its licensees have meaningfully addressed and advanced recognition and protection of Aboriginal rights, integration of Indigenous Knowledge into monitoring and management, risk communication, engagement adequacy, and contribution to reconciliation. By incorporating the ARSCAs into the ROR process, CNSC will have clear accountability metrics for reducing effects to Aboriginal Rights and correctly characterizing consultation and engagement by the Crown and licensee with AOPFN and other Indigenous groups. AOPFN expects that the ARSCAs will be utilized in future RORs. Properly considering and integrating the ARSCAs would support:

- Defensible assessments by the CNSC on the adequacy of consultation and engagement;
- Identification and implementation of measures co-identified with impacted Indigenous peoples to support the protection and promotion of Section 35 rights and UNDRIP in and around the facilities;
- Development of an effective program to communicate risks to Indigenous communities;
- Integration of Indigenous Knowledge into monitoring programs to include impacted Indigenous groups in planning, monitoring and management;
- Contribution to better relations between Canada and impacted Indigenous peoples;
- Improved community knowledge of waste management and waste transport;
- Improved adequacy of engagement with Indigenous communities; and
- Greater compliance and enforcement related to prompt reporting of incidents to Indigenous communities.

The 2024 ROR states that "CNSC staff's efforts in 2024 supported the CNSC's ongoing commitment to engage and build positive relationships with Indigenous peoples with interests in Canada's Uranium and Nuclear Substance Processing Facilities." (p. 27). **For the record, ignoring the continued requests of an Indigenous community to incorporate additional reasonable, measurable and material reporting measures that reflect their rights, needs, priorities and population health is not a way to build a long-term relationship.**

Recommendation 3: AOPFN expects that the ARSCAs will be integrated into all future RORs to support our rights as the backbone of how nuclear safety and risk are assessed in relation to our members, and how adequacy of engagement, communications and other critical relationship factors are assessed.

2.3 TRANSPARENCY AND ACCESSIBILITY IN CNSC REPORTING

Another ongoing and recurring request from AOPFN is for the RORs to contain more information on how the CNSC came to certain conclusions, information on reportable events (RE) and notices of non-compliance (NNCs), and to ensure the Report uses more accessible



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and interpretive language rather than technical jargon. In the review of the 2024 ROR, we find that some improvements have been made, namely that there is more information on the NNCs and RE, including what happened, what the CNSC did about them, and how they contributed to the SCA scoring for the facilities. However, there is still a lack of information and reasoning behind many of the CNSC's findings, especially related to safety and health. For example, following an action level exceedance and release of tritium into the environment around the SRBT facility, the CNSC says that "CNSC staff concluded that there was no impact to workers, the public or the environment as a result of these action level exceedances." (p. 19) but did not provide clear reasons or justification for this statement. AOPFN was not consulted on this finding, and we may have come to a different conclusion regarding real or perceived impacts to our member's health and safety.

A confusing and concerning fact we noticed in the ROR was a discrepancy in how an action level exceedance was characterized between what the CNSC reported and what SRBT reported in their 2024 Annual Compliance and Performance Report. In section 5.9 (Environmental Protection SCA) of the ROR, there is a description of an action level exceedance that had been reported to the CNSC by SRBT. This action level exceedance was of an accidental gaseous effluent release of tritium, and SRBT had taken corrective actions addressing training needs, reviewing training material, and raising the sensitivity of an alarm to provide earlier alerts. This information provided does not include how much excess tritium was released, and suggests the release was a simple administrative human error. The CNSC concluded "...that there was no impact to workers, the public or the environment as a result of these action level exceedances" (p. 19).

The SRBT's report provides more information on the actual event, "A total of 17,138 GBq was released to atmosphere as gaseous effluent for the weekly monitoring period, compared to the action level of 5,000 GBq in one monitoring week"(p. 49). AOPFN has been clear and adamant that tritium released into the environment via any means is of extreme concern for our members, and a release of gaseous tritium of over three times the allowable weekly limit should have been shared with us immediately. This event was not reported to us, and this ROR is the first notice we have had of this incident, more than a year later. Our expectation is that an incident of this magnitude needs to be reported promptly to AOPFN through the proper channels by both SRBT and the CNSC. AOPFN has an expectation of both CNSC and Proponents that the principle of "when you know, we know" will be implemented following this submission, which is still not being adhered to on a regular basis.

Recommendation 4: AOPFN requires that the CNSC and UNSPF engage closely with AOPFN in 2026 to finalize "when you know, we know" operational and communication requirements, and to report these requirements back to the Commission in the next ROR or similar process.



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The use and reporting of the issues tracking tables have been a source of frustration for AOPFN and have not contributed to transparency in reporting. The ROR (section 6.5) references the use of issues and concerns tracking tables with each Indigenous Nation or community that has intervened in the RORs, and states that “the tables also track CNSC staff’s responses and proposed actions. The tracking tables are shared with each Indigenous Nation and community for validation and discussion in order to make progress on addressing their requests and concerns collaboratively” (p. 30). In AOPFN’s experience, the issue tracking table has not been maintained, and the table does not keep accurate checks on whether issues are truly resolved. Table Q-1 in Appendix Q shows that in 2023 the Algonquins of Pikwàkanagan First Nation raised 18 requests, concerns, and comments, and also states that all 18 have been responded to by CNSC staff. Responses are not the same as resolutions, and we suggest that the tables be reconfigured as “issue resolution status tables” with actual details provided for the Commission to understand the issue and consider whether it has been meaningfully resolved. The current structure shares nothing about the quality of consultation and engagement or satisfaction by AOPFN of the degree to which the issue has been resolved.

Recommendation 5: Future ROR reports need to contain more information beyond a simple summary on the status of issues and concerns from each Nation, and the degree to which CNSC has proactively and properly responded to AOPFN recommendations from previous ROR submissions. This includes publishing the issues tracking tables in their entirety in the ROR and providing each Nation with the opportunity to review and add their comments on the competency to which issues have been addressed.

2.4 CONSULTATION WITH CNSC

CNSC staff consultation work with AOPFN requires improvement. AOPFN has provided dozens of recommendations through our submissions on the UNSPF RORs, from 2021 to 2024, and these continue to not be properly and fully recognized, let alone addressed by the CNSC, including in the ROR documentation.

The tritium action level exceedance incident at the SRBT facility provides a good example of information that should be provided to AOPFN without delay. Knowledge of these events and others like them are critical for AOPFN and CNSC should ensure that any exceedances are communicated to AOPFN by the licensee, through a negotiated communications protocol between the CNSC and AOPFN, as stated in Recommendation 4 above.

Both the CNSC and the licensees would benefit from increased involvement by the AOPFN Neyagada Wabandangaki Guardians being included in licensee monitoring activities, and their feedback would help to inform the AOPFN Consultation Department in participation in site planning and management activities. Doing so would result in greater knowledge of how the



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facilities work, the risks they pose to AOPFN, and more transparent communication about activities occurring onsite. AOPFN expects to have ready access to information about the transportation of any radioactive material to, from, and through AOPFN territory as well as about any NNCs. Greater inclusion of the Neyagada Wabandangaki Guardians and the AOPFN Consultation Department in planning, monitoring, as well as CNSC inspections will support the sharing of information about the sites and their operation.

Recommendation 6: AOPFN requests that CNSC staff inform AOPFN in advance of any future inspections at UNSPF sites in AOPFN territory, with an open invitation to join said inspections.

Recommendation 7: AOPFN expects each UNSPF working in AOPFN's territory to work with AOPFN to develop an annual Neyagada Wabandangaki Guardians monitoring plan, starting in 2026, and report on this in their annual compliance reporting.

AOPFN notes that the Commission has amended a non-compliance order issued to BTL for “non-compliance with its licence condition to maintain an acceptable financial guarantee for decommissioning”, which will “allow BTL to focus on reducing its onsite inventory of radioactive sources and other regulated materials” (p. 42). AOPFN has issued a policy, which the CNSC is in possession of, indicating that no materials should be moved or deposited into AOPFN's unceded and unsurrendered traditional territory without consultation with, and consent from, AOPFN. In recent times (after 2024), AOPFN has raised concerns about CNSC making orders requiring movement of materials and deposition of waste that have implications for the movement of waste into, through or out of AOPFN territory, and reiterate that any movement of radioactive waste materials into, through or out of AOPFN territory related to a CNSC order (and by extension the order itself, except in emergency circumstances) should not occur without advance meaningful consultation with AOPFN.

Recommendation 8: AOPFN requests that CNSC require that its staff properly consult with AOPFN prior to making any orders that have implications on the movement, storage or deposition of radiological waste materials into AOPFN's unceded and unsurrendered traditional territory.

Section 6.1 indicates that “CNSC's engagement and consultation practices are guided by the principles of UNDRIP, United Nations Declaration on the Rights of Indigenous Peoples Act (UNDA) and Free, Prior and Informed Consent (FPIC)” (p. 26). This statement is never explained, and in AOPFN's experience, is not adhered to. CNSC should clearly define how their engagement expectations for licensees and consultation requirements for CNSC (staff and Commission) align with UNDRIP, UNDA, and FPIC in the ROR in section 6.7. CNSC should



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then state how licensees and CNSC staff are meeting those expectations and where improvements are necessary.

Recommendation 9: AOPFN's Cultural Awareness Training should be required for all CNSC and UNSPF employees and board members who operate on unceded and unsurrendered AOPFN territory, and should inform the development of all policies and procedures related to engagement with AOPFN.

Recommendation 10: CNSC should provide a clear link between the principles and requirements of UNDRIP, UNDA, and FPIC and consultation requirements for CNSC (staff and Commission) and engagement requirements of licensees, and report in RORs on whether CNSC staff and licensees are meeting those expectations and where improvements are necessary.

2.5 ENGAGEMENT WITH LICENSEES

Section 6.7 of the ROR summarizes the licensee engagement activities, but in contrast to the SCA evaluations, this section barely takes up half of a page. This section does not provide adequate detail about engagement and does not even address if the CNSC finds the level of engagement activities to be adequate. Some of the licensees are engaging in a more productive way than others and CNSC staff owes it to the Nations, the Commission, and the licensees to identify when proper engagement is occurring as well as when a licensee misses the mark. Without these details, this section does not fulfill any purpose other than "ticking a box". While the "CNSC staff confirmed that the licensees have Indigenous engagement and outreach programs" (p. 31), it also does not provide feedback on whether the licensees are actually utilizing these programs effectively, nor how Indigenous communities have evaluated this engagement. CNSC staff's commitments are similarly vague, stating only that CNSC will "continue to work with all licensees to discuss concerns and feedback provided by Indigenous Nations and Communities" and "encourages licensees to continue to develop relationships and engage with Indigenous groups who have expressed an interest in the licensee's activities" (p. 31). No concrete actions or requirements are included, and the preceding quotes were criticized by AOPFN in the 2022 ROR submission, as the wording is the exact same as the year before with no discernable updates. Obviously, the absence of change indicates CNSC staff were not listening or ignored AOPFN's concern.

The absence of proper engagement requirements is also partly due to the "long in the tooth" existing REGDOC 3.2.2 on Indigenous Engagement, which was supposed to be updated years ago. AOPFN recommends that this document be subject to expedited renewal with meaningful engagement of AOPFN and other nuclear-sector affected Nations.

Each licensee should hold an Indigenous Engagement Plan that outlines how they are engaging with the Nations. Nations should have an opportunity to review and comment on these plans and the licensee's engagement activities should be measured by CNSC (and the relevant Nation) against the content of the plan.



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Recommendation 11: AOPFN recommends that the Commission expedite updates and revisions to REGDOC 3.2.2, to be developed through meaningful consultation with nuclear sector affected Indigenous groups, and report on adherence of individual licensees to these requirements in future RORs.

Recommendation 12: AOPFN recommends that each licensee be required to develop AOPFN-specific engagement plans with input and review by AOPFN, and that the CNSC to measure licensee engagement adequacy by comparing engagement activities with the contents of the relevant plan.

AOPFN has seen some progress, and some stalling, of steps in its relationship with these facilities and licensees, and has some additional recommendations for further improvement. One is that AOPFN should be given the opportunity and resourcing to be involved, to the degree that we determine, with any regulatory documents written by the licensees. These include Environmental Risk Assessments, Annual Compliance Reports, site emergency response planning, licensing and environmental programs. Given the technical nature of these documents, the licensees should take care to prepare proper communication materials without jargon or overly technical descriptions.

Recommendation 13: AOPFN recommends that the licensees give AOPFN the opportunity to be involved in the development and communication of regulatory documents and that materials related to the development and communication of the regulatory documents be in plain language and use visuals where possible.



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AOPFN'S REVIEW OF BWXT, SRBT, BTL, AND NORDION OPERATIONS

AOPFN used the following criteria to evaluate licensee performance:

- Recognition, protection, and promotion of Aboriginal rights;
- Risk communication with Indigenous peoples and management of public concern;
- Integration of Indigenous Knowledge into site monitoring and management;
- Engagement of Indigenous peoples in site planning, monitoring, and management;
- Contribution to reconciliation with Indigenous peoples;
- Level of community knowledge and support for site waste management and waste transport;
- Engagement adequacy with Indigenous peoples; and
- Communication and management of reportable incidents.

The table below lists the metric/ARSCA; provides a description of the metric; reviews the UNSPF's performance; and rates the performance according to the following rating system:

- AE (Above Expectation) — AOPFN's expectations were exceeded;
- ME (Meets Expectation) — AOPFN expectations were met;
- Neutral — There was room for improvement in meeting AOPFN's expectations;
- BE (Below Expectation) — AOPFN's expectations were not met; and
- FBE (Far Below Expectation) — This rating was added in the 2023 ROR submission to indicate where expectations were drastically unmet.

Please note that this review is for the 2024 calendar year only and any changes since January 1, 2025, which can include improvement or backsliding, are not reflected in these findings. An overview of the performance of each UNSPF is provided after the table.

For the record, AOPFN has heard some of the UNSPF staff and management, and some of the CNSC staff, suggest that some of these facilities are "small" with relatively limited radiological footprints, as an excuse for why these facilities and licensees should not have to engage to the level expected by AOPFN of all proponents in our unceded Algonquin territory. This is a totally unacceptable premise for AOPFN. These facilities and licensees have been working, without seeking or garnering AOPFN consent, sometimes for decades, within our territory, in a sector that causes a great deal of public concern and consternation for our members. They all make money off our unceded lands, and they owe a duty of meaningful engagement as defined by our leadership and members, and will be treated like all other proponents in AOPFN's unceded Algonquin territory.



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Table 1. AOPFN Review of SRBT, Nordion, BTL, and BWXT using ARSCA Criteria.

Metric / SCA	SRBT	Nordion	BTL	BWXT
Overall Rank	Neutral, slightly improved from 2023.	Below Expectations, slightly improved from 2023	Far Below Expectations, no improvement from 2023.	Neutral, slightly improved from 2023.
Recognition of, protection and promotion of Aboriginal rights	<p>Below Expectations, improving.</p> <p>All staff at SRBT have undergone our Cultural Awareness Training course, and there has been interest communicated for new staff to take the training. SRBT has shown interest and implemented actions to include Algonquin Knowledge in environmental sampling methods.</p> <p>To improve, we recommend increasing meaningful engagement and ensuring proper</p>	<p>Below Expectations, improving.</p> <p>Nordion has included acknowledgement of operating within AOPFN's unceded territory in the 2024 Annual Compliance and Operational Performance Report.</p> <p>Nordion has shown interest in pursuing a Long-Term Relationship Agreement (LTRA) with AOPFN, and discussions on an engagement plan started in May 2024.</p> <p>Nordion has included AOPFN in the license renewal process, though this was mostly in 2025.</p>	<p>Far Below Expectations.</p> <p>No changes from last year.</p>	<p>Neutral.</p> <p>BWXT has included acknowledgement of operating within Algonquin territory in the 2024 Annual Compliance and Operational Performance Report, but does not specify AOPFN or that the territory is unceded.</p> <p>BWXT as a larger company made efforts to update the Indigenous Relations Roadmap in 2024, and AOPFN was involved in providing feedback on the drafted version. However, this updating has resulted in ongoing discussions</p>



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Metric / SCA	SRBT	Nordion	BTL	BWXT
	funding for AOPFN to be engaged.			between BWXT and AOPFN on an LTRA to be paused. To improve, BWXT needs to return to pursuing an LTRA with AOPFN in good faith.
Risk communication with Indigenous peoples and management of public concern	<p>Neutral.</p> <p>Sample analysis from the Special Annual Sampling Campaign (SASC) provided to AOPFN in an accessible and transparent manner.</p> <p>Communication, especially regarding the Reportable Event of Tritium gas release on November 28, 2024, has not met AOPFN's expectations.</p> <p>To improve, SRBT should pursue an LTRA with AOPFN, including a communication protocol.</p>	<p>Below Expectation, improving.</p> <p>Nordion proactively reached out to AOPFN regarding the Class 1B license renewal process, and communications began regarding that.</p>	<p>Far Below Expectations.</p> <p>Communications are sparse and not meaningful. There was no communication regarding the continued status of BTL being out of compliance regarding financial guarantees for decommissioning.</p>	<p>Neutral.</p> <p>AOPFN and BWXT were in communication throughout 2024 for engagement efforts (e.g. Indigenous Roadmap exercise, event invitations, report language revisions).</p> <p>Specific discussions still need to occur for BWXT to understand AOPFN's expectations regarding risk communications.</p>



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Metric / SCA	SRBT	Nordion	BTL	BWXT
Integration of Indigenous Knowledge into site monitoring and management	<p>Neutral.</p> <p>Upon request from SRBT, AOPFN sent our sampling plan expectations prior to the SASC activities on August 12, 2024. SRBT made efforts to commit to our sampling plan expectations, but were unable to accomplish all of them, as per communication with SRBT on September 6, 2024.</p> <p>There is still no evidence of Algonquin Knowledge being integrated into site planning and management.</p>	<p>Below Expectation, improving.</p> <p>Nordion has shown interest in developing an engagement plan with AOPFN, which will create a path to improving this metric.</p> <p>AOPFN looks forward to seeing how Nordion has utilized our recommendations provided through their license renewal process in 2025.</p>	<p>Far Below Expectation.</p> <p>BTL has expressed interest in cultural awareness training for staff, however they have outright refused to pay the required costs.</p>	<p>Below Expectation.</p> <p>BWXT sought feedback from AOPFN on the engagement summaries in their corporate sustainability report, but no other actions have been evident.</p>
Engagement of Indigenous peoples in site planning,	<p>Meets Expectations.</p> <p>SRBT hosted a facility tour in July 2024 for interested members, staff, knowledge holders,</p>	<p>Below Expectations.</p> <p>Nordion has been making positive improvements in engagement with AOPFN since 2023, when they</p>	<p>Far Below Expectations.</p> <p>BTL has been unwilling to fund any engagement activities with AOPFN and instead have directed</p>	<p>Neutral.</p> <p>BWXT conducted consultation to discuss and update the Indigenous Relations</p>



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Metric / SCA	SRBT	Nordion	BTL	BWXT
monitoring and management	<p>and Neyagada Wabandangaki Guardians.</p> <p>SRBT worked with AOP on an AOPFN-focused SASC for 2024. This included funding for training, a site visit, and sample analysis by a third-party.</p> <p>The SASC in November focused on AOPFN valued components, like water, plants, and game, SRBT sent a follow up email thanking AOPFN for participating.</p> <p>SRBT sent environmental sampling results from 2020-2024 upon request. Expressed interest in drafting technical sampling plan in the next 2 years for long term monitoring and sampling with AOPFN.</p>	<p>acknowledged that as per AOPFN's 2022 ROR submission, engagement was not adequate and needed improving.</p> <p>In 2024, Nordion reached out to AOPFN to initiate engagement regarding the Class 1B license renewal. This engagement was mostly done during 2025.</p> <p>Engagement is still unsatisfactory for AOPFN, and Nordion needs to make further strides to commit to an LTRA.</p>	<p>AOPFN to apply for funding from the CNSC.</p> <p>BTL invited AOPFN for a site visit, but offered no associated funding, which left AOPFN unable to attend.</p>	<p>Roadmap. AOPFN's Advisory Committee (AAC) participated in this consultation in July 2024, which was funded by BWXT. The AAC also conducted a site visit in November 2024, supported by BWXT.</p> <p>These actions are a good step towards building a relationship, however no substantial AOPFN involvement has been demonstrated yet.</p>



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Metric / SCA	SRBT	Nordion	BTL	BWXT
Contribution to reconciliation with Indigenous peoples	<p>Neutral.</p> <p>All staff at SRBT have undergone our Cultural Awareness Training course, and there has been interest communicated for new staff to take the training.</p> <p>The SASC also shows movement towards reconciliatory actions.</p> <p>To improve, AOPFN recommends that SRBT commit to developing and LTRA with AOPFN, including funding for engagement.</p>	<p>Below Expectations.</p> <p>Similar to our grading above for Recognition of Rights.</p> <p>Nordion has included acknowledgement of operating within AOPFN's unceded territory in the 2024 Annual Compliance and Operational Performance Report.</p> <p>Nordion has shown interest in pursuing a Long-Term Relationship Agreement (LTRA) with AOPFN, and discussions on an engagement plan started in May 2024.</p> <p>Nordion has included AOPFN in the license renewal process, though this was mostly in 2025.</p>	<p>Far Below Expectations.</p> <p>No changes from last year.</p>	<p>Neutral.</p> <p>BWXT has provided funding for community initiatives such as the Pow-Wow and the Round Dance; and its staff have taken AOPFN's Cultural Awareness Training.</p> <p>Engagement with the AAC on how to meet reconciliation efforts was positive, however, this caused LTRA engagement to pause. To continue improving, LTRA negotiations need to resume.</p>



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Metric / SCA	SRBT	Nordion	BTL	BWXT
Level of community knowledge and support for site waste management and waste transport	<p>Neutral.</p> <p>As per our 2023 ROR submission, SRBT reached out to AOPFN to begin engagement on site waste transport plans, including what's being transported, frequency, and related regulatory information. They requested feedback on how AOPFN would like this information to be communicated.</p> <p>AOPFN is appreciative for this increased offer for communication, but has not been able to provide feedback due to limited staff resources.</p>	<p>Below Expectations.</p> <p>No changes have occurred in communications regarding waste transport and management.</p>	<p>Far Below Expectations.</p> <p>No changes from last year.</p>	<p>Neutral.</p> <p>AOPFN's AAC participated in an engagement session for the Indigenous Roadmap in July 2024, and attended a site visit in November 2024, and BWXT was supportive by covering all costs associate with this.</p> <p>To improve, and LTRA and communications plan need to be negotiated.</p>



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Metric / SCA	SRBT	Nordion	BTL	BWXT
Engagement adequacy with Indigenous peoples	<p>Below Expectation, improving.</p> <p>SRBT hosted a facility visit with AOPFN members, Neyagada Wabandangaki Guardians, and staff in July 2024.</p> <p>Communication regarding short-term engagement items and recommendations for the SASC from AOPFN, including how they have been met or are planned to be met.</p> <p>Showed flexibility in changing the SASC sampling date at AOPFN's request.</p> <p>To improve, AOPFN requests further funding for engagement activities, and to work towards an LTRA.</p>	<p>Below Expectations, improving.</p> <p>Nordion engaged proactively regarding the 25 year Class 1B license renewal, requesting feedback and collaboration.</p> <p>Nordion expressed interest in making an AOPFN engagement plan based on AOPFN's engagement and consultation guidelines, including a communication strategy.</p> <p>To improve, discussions between the parties must be reinitiated to better identify AOPFN's engagement expectations.</p>	<p>Far Below Expectations.</p> <p>In April 2024, BTL reached out to AOPFN for introductions and to initiate engagement, also acknowledged "limited" interaction in the past.</p> <p>In May 2024, AOPFN provided our expectations for consultation, and proposed starting engagement activities with staff taking Cultural Awareness Training and moving to engagement planning. In response, BTL stated that no funds could be put towards consultation.</p> <p>Engagement has not improved since, as AOPFN cannot put resources towards this relationship if there is no reciprocity and support.</p>	<p>Neutral, improving.</p> <p>See the above ARSCAs on engagement for the Indigenous Relations Roadmap, which BWXT contracted a consultant to do.</p> <p>AOPFN has been happy with BWXT's financial support and appreciates the prompt provision of funds.</p> <p>BWXT reached out to AOPFN to offer two invitations to attend the Society of Nuclear Medicine and Molecular Imaging (SNMMI) annual meeting, and offered AOPFN a speaking spot. Unfortunately, AOPFN could not attend.</p> <p>As stated before, LTRA negotiations have been stalled in 2024, and</p>



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Metric / SCA	SRBT	Nordion	BTL	BWXT
				remain stalled even in January 2026.
Communication and management of reportable incidents	<p>Below Expectations.</p> <p>See the waste management and risk communications ARSCAs above.</p> <p>SRBT has maintained an open, consistent and responsive line of communication with AOPFN. To improve this, an LTRA is needed to formalize communication expectations and plans.</p>	<p>Below Expectations.</p> <p>See Engagement Adequacy ARSCA above.</p> <p>To improve, Nordion needs to re-initiate engagement and move towards an LTRA.</p>	<p>Far Below Expectations.</p> <p>No changes from last year.</p>	<p>Below Expectations.</p> <p>AOPFN was not notified of any incidents in 2024. There is no formal communication plan between BWXT and AOPFN to communicate about reportable incidents.</p> <p>An LTRA must be negotiated to outline AOPFN's expectations for communications.</p>



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SRBT Rating for 2024: Neutral, slightly improved from 2023

Positive steps included improvements to the Independent Environmental Monitoring Program and SASC program, and SRBT's commitment to AOPFN's Cultural Awareness Training for staff. To improve, a Long-Term Relationship Agreement needs to be negotiated to lay out engagement expectations, funding, and communications plans.

Nordion Rating for 2024: Below Expectations, slightly improved from 2023

There were some improvements in engagement in 2024. Nordion initiated consultation for the 25-year Class 1B license renewal process and shared the draft engagement plan with AOPFN. These engagement steps did not yield any concrete results for AOPFN in 2024.

BTL Rating for 2024: Far Below Expectations, no improvement from 2023

BTL expressed interest in initiating and improving consultation with AOPFN, but was unwilling to provide funding or follow AOPFN's engagement expectations. Interest in improved relationships needs to be followed up with concrete actions that support AOPFN's work in improving BTL's engagement.

BWXT Rating for 2024: Neutral, slightly improved from 2023

LTRA negotiations between BWXT and AOPFN stalled in 2024 and there has been no commitment to returning to the table. This means that overall engagement cannot be considered to be moving in a positive direction. Many of the issues and concerns we lay out in this submission would be addressed by an LTRA, which needs to be a priority. Even now in January 2026, there has been no movement on the LTRA.



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CONCLUSIONS

To move toward meaningful consultation and engagement that protects AOPFN rights and interests, several elements must come together in our relationship with CNSC and the UNSPFs:

Recommendation 1: AOPFN requests that in future years, CNSC staff engage with AOPFN prior to issuing their ROR to the Commission such that AOPFN's perspective on the UNSPF's performance with SCA's and ARSCAs as well as consultation adequacy, can be integrated early. This requires a more timely provision of funding and advance engagement by CNSC staff with AOPFN prior to the ROR being filed.

Recommendation 2: CNSC should provide advanced funding at the end of each calendar year so that Nations can conduct a retrospective analysis of work with CNSC and proponents immediately after that year ends. This will support with implementation of Recommendation 1 above.

Recommendation 3: AOPFN expects that the ARSCAs will be integrated into all future RORs to support our rights as the backbone of how nuclear safety and risk are assessed in relation to our members, and how adequacy of engagement, communications and other critical relationship factors are assessed.

Recommendation 4: AOPFN requires that the CNSC and UNSPF engage closely with AOPFN in 2026 to finalize "when you know, we know" operational and communication requirements, and to report these requirements back to the Commission in the next ROR or similar process.

Recommendation 5: Future ROR reports need to contain more information beyond a simple summary on the status of issues and concerns from each Nation, and the degree to which CNSC has proactively and properly responded to AOPFN recommendations from previous ROR submissions. This includes publishing the issues tracking tables in their entirety in the ROR and providing each Nation with the opportunity to review and add their comments on the competency to which issues have been addressed.

Recommendation 6: AOPFN requests that CNSC staff inform AOPFN in advance of any future inspections at UNSPF sites in AOPFN territory, with an open invitation to join said inspections.

Recommendation 7: AOPFN expects each UNSPF working in AOPFN's territory to work with AOPFN to develop an annual Neyagada Wabandangaki Guardians monitoring plan, starting in 2026, and report on this in their annual compliance reporting.



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Recommendation 8: AOPFN requests that CNSC require that its staff properly consult with AOPFN prior to making any orders that have implications on the movement, storage or deposition of radiological waste materials into AOPFN's unceded and unsurrendered traditional territory.

Recommendation 9: AOPFN's Cultural Awareness Training should be required for all CNSC and UNSPF employees and board members who operate on unceded and unsurrendered AOPFN territory, and should inform the development of all policies and procedures related to engagement with AOPFN.

Recommendation 10: CNSC should provide a clear link between the principles and requirements of UNDRIP, UNDA, and FPIC and consultation requirements for CNSC (staff and Commission) and engagement requirements of licensees, and report in RORs on whether CNSC staff and licensees are meeting those expectations and where improvements are necessary.

Recommendation 11: AOPFN recommends that the Commission expedite updates and revisions to REGDOC 3.2.2, to be developed through meaningful consultation with nuclear sector affected Indigenous groups, and report on adherence of individual licensees to these requirements in future RORs.

Recommendation 12: AOPFN recommends that each licensee be required to develop AOPFN-specific engagement plans with input and review by AOPFN, and for the CNSC to measure licensee engagement adequacy by comparing engagement activities with the contents of the relevant plan.

Recommendation 13: AOPFN recommends that the licensees give AOPFN the opportunity to be involved in the development and communication of regulatory documents and that materials related to the development and communication of the regulatory documents be in plain language and use visuals where possible.

These recommendations are intended to encourage a stronger relationship and greater trust between parties concerning how nuclear facilities are managed in AOPFN territory. AOPFN expects the CNSC to integrate our recommendations into its practices and requirements, something that has not readily occurred from prior ROR submissions. We sincerely hope that the prior practice of listening to AOPFN's concerns and not acting on them – the allowing of “blowing off steam” – is not replicated by the Commission and its staff in relation to the 2024 ROR process.



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APPENDIX 1: AOPFN's RECOMMENDED SCAs FOR CNL SAFETY METRICS (2021 SUBMISSION)

In AOPFN's submission regarding the 2021 ROR, AOPFN and Sagkeeng Anicinabe First Nation proposed a set of eight safety and control areas (SCAs) to be added to CNSC's existing 14 SCAs to promote and protect Aboriginal Rights and address Indigenous determinants of health and safety. The expectation was that these new SCAs (the "ARSCA Criteria") would be used in post-2021 reporting for CNL and other nuclear activities on Indigenous lands. However, the ARSCA Criteria are not in evidence in CNSC's 2022 reporting. They have been included again here as part of a renewed recommendation on the part of AOPFN that CNSC adopt the ARSCA Criteria as an integral part of their future reporting.

Proposed SCA	Description
Recognition of, protection and promotion of Aboriginal rights	<ul style="list-style-type: none"> Does the site have measures in place, co-identified with impacted Indigenous peoples, to support the protection and promotion of: <ol style="list-style-type: none"> Rights protected under Section 35 (hunting, trapping, harvesting, and fishing) and; Principles under UNDRIP (Free, Prior and Informed Consent; Self-Determination; Cultural Protections; Indigenous Health);
Risk communication with Indigenous peoples and management of public concern	<ul style="list-style-type: none"> Does the site have an effectively functioning program that communicates risks to Indigenous peoples in a timely, effective, and accepted manner? Is the information being sent through effective and accepted communication channels? Are public concerns about the facility low, moderate, or high?
Integration of Indigenous Knowledge into site monitoring and management	<ul style="list-style-type: none"> How is Indigenous Knowledge integrated into monitoring of the site and its surroundings? Do impacted Indigenous groups have a demonstrable role in identifying adaptive management measures?
Engagement of Indigenous peoples in site planning, monitoring and management	<ul style="list-style-type: none"> Is there a system in place whereby impacted Indigenous groups are integrated into site planning, monitoring and management -



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Proposed SCA	Description
	research, analyses, decisions, and implementation?
Contribution to reconciliation with Indigenous peoples	<ul style="list-style-type: none"> • Do the site operations and the relationship between CNL and impacted Indigenous groups contribute to better relations between Canada and impacted Indigenous peoples? • Are there demonstrable positive benefits to Indigenous peoples from the site? • Does the site communicate effectively and regularly with impacted Indigenous nations regarding past, present, and future operations? • How is the site improving communication and relations with Indigenous nations regarding past relationships? • Do CNL and CNSC integrate Indigenous values into site monitoring, planning, and reviews? (i.e., assessing risk from an Indigenous lens, accounting for past harms and traumas)
Level of knowledge and support for site waste management by Indigenous peoples.	<ul style="list-style-type: none"> • Does the site maintain communication and consultation with impacted Indigenous groups regarding onsite materials management, ultimate disposal plans, import and export types and volumes, and transportation methods and protocols? • How are Indigenous concerns and recommendations integrated?
Engagement adequacy with Indigenous peoples	<ul style="list-style-type: none"> • Does the site meet a minimum standard of adequacy of engagement with each impacted Indigenous group by CNL in a given year? (As a Pass or Fail outcome)
Communication and management of reportable incidents	<ul style="list-style-type: none"> • Were all reportable incidents promptly reported to impacted Indigenous groups and followed up on with additional communications?