



Canadian Nuclear  
Safety Commission

Commission canadienne  
de sûreté nucléaire

## Record of Decision

In the Matter of

Applicant AREVA Resources Canada Inc.

Subject Licensee Corporate Name Change for the  
McClellan Lake Operation from AREVA  
Resources Canada Inc. to Orano Canada Inc.

Date of  
Decision July 12, 2018

## **RECORD OF DECISION**

Applicant: AREVA Resources Canada Inc. (now Orano Canada Inc.)

Address/Location: P.O. Box 9204 – 817 – 45th Street West, Saskatoon, SK  
S7K 3X5

Purpose: Licensee Corporate Name Change for the McClean Lake  
Operation from AREVA Resources Canada Inc. to Orano  
Canada Inc.

Application received: February 15, 2018

Date of decision: July 12, 2018

Location: Canadian Nuclear Safety Commission (CNSC)  
280 Slater St., Ottawa, Ontario

Panel of Commission: M. Binder, President

**Licence:** Amended

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## 1.0 INTRODUCTION

1. AREVA Resources Canada Inc. (AREVA) (now Orano Canada Inc.) has submitted an application to the Canadian Nuclear Safety Commission<sup>1</sup> (CNSC) to amend the McClean Lake Operation (MLO) Uranium Mine Operating Licence (UMOL) UMOL-MINEMILL-McCLEAN.00/2027, pursuant to subsection 24(2) of the *Nuclear Safety and Control Act*<sup>2</sup> (NSCA), to reflect the corporate name change from AREVA Resources Canada Inc. to Orano Canada Inc. (Orano).
2. The MLO is located in the Athabasca Basin of northern Saskatchewan, approximately 750 kilometers north of Saskatoon. The MLO processes uranium ore mined from Cameco Corporation's Cigar Lake mine. On July 1, 2017,<sup>3</sup> the Commission renewed, for 10 years, the operating licence for the MLO, which expires on June 30, 2027.

### Issue

3. In considering the application, the Commission was required to decide:
  - a) whether Orano is qualified to carry on the activity that the amended licence would authorize;
  - b) whether, in carrying on that activity, Orano would 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.

### Hearing

4. Pursuant to section 22 of the NSCA, I established myself to preside as a Panel of one Commission Member to hear the application. The Commission, in conducting a public hearing based on written materials, considered written submissions from AREVA (CMD 18-H104.1) and CNSC staff (CMD 18-H104).
5. Further, the Commission notes that the licence amendment application submitted by AREVA also requests an amendment reflecting the licensee's corporate name change to the Uranium Mine Decommissioning Licence (UMDL-MINEMILL-CLUFF.00/2019) for its Cluff Lake Project. The Commission states that this licence amendment request will be considered in a separate proceeding.

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<sup>1</sup> The *Canadian Nuclear Safety Commission* is referred to as the "CNSC" when referring to the organization and its staff in general, and as the "Commission" when referring to the tribunal component.

<sup>2</sup> Statutes of Canada (S.C.) 1997, chapter (c.) 9.

<sup>3</sup> CNSC Record of Decision – AREVA Resources Canada Inc., "Application to Renew the McClean Lake Operation Uranium Mine Operating Licence", July 1, 2017.

## 2.0 DECISION

6. Based on its consideration of the matter, as described in more detail in the following sections of this *Record of Decision*, the Commission concludes that Orano satisfies the conditions of subsection 24(4) of the NSCA. Therefore,

The Commission, pursuant to section 24 of the *Nuclear Safety and Control Act*, amends the Uranium Mine Operating Licence UMOL-MINEMILL-McCLEAN.00/2027 issued to AREVA Resources Canada Inc. for its McClean Lake Operation to reflect the licensee corporate name change to Orano Canada Inc. The amended licence, UMOL-MINEMILL-McCLEAN.01/2027, is valid until June 30, 2027.

## 3.0 ISSUES AND COMMISSION FINDINGS

7. In making its licensing decision, the Commission considered a number of issues and submissions relating to Orano's qualification to carry out the licensed activities. The Commission also considered the adequacy of Orano's measures for protecting the environment, the health and safety of persons, national security and international obligations to which Canada has agreed.
8. AREVA submitted a licence amendment application for the MLO on February 15, 2018 to reflect the corporate name change. In its consideration of this matter, the Commission examined the completeness of the application and the adequacy of the information submitted by AREVA, as required by the NSCA, the *General Nuclear Safety and Control Regulations*<sup>4</sup> (GNSCR) and other applicable regulations made under the NSCA.
9. The Commission notes that, pursuant to section 7 of the GNSCR, since AREVA has applied for a licence amendment, the licence application may incorporate by reference any information that is included in AREVA's current licence.
10. Details and the Commission's consideration of information submitted by AREVA in support of its licence amendment application and of CNSC staff assessments submitted in relation to this matter are provided in the following sections of the *Record of Decision*.

### 3.1 Matters for Consideration

11. AREVA informed the Commission through written materials that the purpose of its corporate name change to Orano was to support the new strategic vision and brand identity of the parent company to reflect the focus on the nuclear fuel cycle. AREVA confirmed to the Commission that Orano would continue to meet all licensing and regulatory requirements.

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<sup>4</sup> SOR/2000-202.

12. AREVA submitted that, under Section 178 of the *Canada Business Corporations Act*,<sup>5</sup> AREVA had changed its corporate name to Orano Canada Inc., effective February 7, 2018. The Commission noted that, as part of its submission for this hearing, AREVA submitted a copy of its Certificate of Amendment under the *Canada Business Corporations Act*. CNSC staff confirmed that the Certificate of Amendment showed that only the corporate name had changed, and that the corporation number remained the same.
13. AREVA explained in its written materials that it would ensure that all relevant documentation would be amended to account for the corporate name change and that all of AREVA's stakeholders would also be advised of the change.
14. The Commission notes that, following its assessment of AREVA's licence amendment application, AREVA had demonstrated that it met the requirements of Section 6 of the GNSCR.
15. The Commission requires that AREVA maintain a financial guarantee for the decommissioning of the MLO site pursuant to licence condition G.3 of the MLO operating licence. CNSC staff submitted that there would be no change to the existing financial guarantee amount or the financial instruments for the MLO that were accepted by the Commission in its 2017 licence renewal decision.<sup>6</sup> CNSC staff also submitted that AREVA would submit updated financial instruments by October 2018, in order to reflect the corporate name change.
16. The Commission is satisfied that AREVA's licence amendment application to reflect the corporate name change to Orano does not propose any additional changes to the existing licence.

#### **4.0 CONCLUSIONS**

17. The Commission has considered the licence amendment application submitted by AREVA to reflect the change in corporate name from AREVA Resources Canada Inc. to Orano Canada Inc. Based on its consideration of the information submitted, the Commission is satisfied that the application submitted by the AREVA meets the requirements of the NSCA and the GNSCR.
18. The Commission has also considered the information and submissions of AREVA and CNSC staff as set out in the material available for reference on the record.
19. The Commission is satisfied that the licensee meets the test set out in subsection 24(4) of the *Nuclear Safety and Control Act*. That is, the Commission is of the opinion that Orano

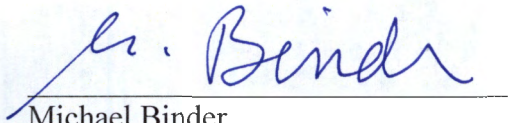
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<sup>5</sup> R.S.C., 1985, c. C-44

<sup>6</sup> CNSC Record of Decision – AREVA Resources Canada Inc., “Application to Renew the McClean Lake Operation Uranium Mine Operating Licence”, July 1, 2017.

is qualified to carry on the activity that the proposed licence will authorize and that it will 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.

20. Therefore, the Commission, pursuant to section 24 of the *Nuclear Safety and Control Act*, amends the Uranium Mine Operating Licence issued to AREVA Resources Canada Inc. for the McClean Lake Operation to reflect the licensee corporate name change from AREVA Resources Canada Inc. to Orano Canada Inc. The amended licence, UMOL-MINEMILL-McCLEAN.01/2027, is valid until June 30, 2027.
21. The Commission expects Orano to amend all relevant documentation to account for the corporate name change and to advise all stakeholders in regard to this change.
22. The Commission also expects Orano to submit updated financial guarantee instruments reflecting the corporate name change by October 2018.

  
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Michael Binder  
President  
Canadian Nuclear Safety Commission

JUL 12 2018  
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Date