



Government  
of  
Saskatchewan

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February 4, 2016

Mr. Brian Torrie  
Director General  
Regulatory Policy Directorate  
Canadian Nuclear Safety Commission  
P.O. Box 1046, Station B,  
280 Slater Street, Ottawa ON, K1P 5S9

Dear Mr. Torrie:

**Re: Saskatchewan Ministry of Environment's review and comments on the Revised  
Regulatory Document 2.9.1**

Thank you for allowing the opportunity to review and provide comment to the latest revision of the Canadian Nuclear Safety Commission's (the Commission) draft Regulatory Document 2.9.1 – *Environmental Protection: Environmental Policy, Assessments, and Protection Measures*, hereafter termed the regulatory document. As in comments submitted on the previous draft of the regulatory document, the Saskatchewan Ministry of Environment (the ministry) acknowledges and commends the Commission's efforts since May 2013 to increase transparency regarding the conduct of environmental assessment (EA) under the *Canadian Environmental Assessment Act, 2012* (CEAA 2012) and/or the *Nuclear Safety and Control Act* (NSCA).

Saskatchewan is Canada's sole producer of uranium with a global market presence. The ministry, and the province's uranium producers, recognizes that the regulatory burden from two separate EA processes erodes competitiveness and can be a significant barrier to growth and investment attributable to increased uncertainty with respect to requirements and administration. The ministry shares the Government of Canada's aim to move toward a goal of "one-project-one-review" to reduce the costly internal and external regulatory burden and uncertainty resulting from duplicative administrative requirements, and the Commission's objectives of protecting the safety and security of Canadians and the environment.

Currently, an informal approach to streamlining administrative EA requirements is utilized between the Commission and the Province, as the previous Canada-Saskatchewan Agreement on Environmental Assessment Coordination expired when the CEAA 2012 came into force. The ministry is encouraged to see that the regulatory document commits to, where possible, establishing agreements regarding a single coordinated EA process when a project requires assessment under both the CEAA 2012 and provincial legislation. The ministry encourages the Commission to provide greater clarity within the regulatory document as to what activities may be considered for coordination and a timeline for establishing agreements.

The ministry notes that the regulatory document does not extend the option to use a single coordinated EA process for lower risk projects where the CEAA 2012 does not apply and a provincial assessment is required. The ministry is confident that a single coordinated EA process would be more than adequate to support the Commission's mandate under the NSCA and CEAA 2012 for all project reviews, and encourages the Commission to expand this option to all project reviews where federal and provincial assessment is required to enhance efficiency and further reduce regulatory burden and uncertainty.

The regulatory document introduces the Environmental Risk Assessment (ERA) as the preliminary document to identify the risk of adverse environmental effects and propose mitigation measures to avoid or reduce this risk, which is updated throughout a project's lifecycle to incorporate new knowledge and experience. The ministry encourages the Commission to clarify within the regulatory document how the ERA updates are related to the license renewal process to allow greater understanding of how information from the ERA is considered by the Commission throughout a project's lifecycle.

The regulatory document identifies the EA under the NSCA as always being required as part of a license application, including a description of the general steps, as a means to demonstrate the Commission's commitment to environmental protection. However, EA is broadly understood to be an upfront planning process to identify and address adverse environmental effects prior to proceeding with a project. The ministry encourages the Commission to provide greater clarity within the regulatory document how the EA under the NSCA relates to the ongoing commitment and work of the Commission in ensuring environmental protection. As well, the ministry encourages the Commission to provide greater detail on any differences in the aspects considered within an EA under the NSCA and an EA under the CEAA 2012 to provide greater certainty to proponents and stakeholders regarding informational requirements and the administration of applications.

Thank you again for the opportunity to review the Commission's revised EA Regulatory Document. We look forward to future collaboration with the Commission to identify next steps to formally coordinate and streamline our EA processes to reduce duplication and uncertainty for industry and enhance efficiency.

Sincerely,



Erika Ritchie

Assistant Deputy Minister, Environmental Protection and Audit Division  
Ministry of Environment

cc: Sharla Hordenchuk, Environmental Assessment Branch, Ministry of Environment

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