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## **Supplementary Information**

### **Presentation from the Algonquins of Pikwakanagan First Nation**

## **Renseignements supplémentaires**

### **Présentation des Algonquins of Pikwakanagan First Nation**

### **Regulatory Oversight Report for Uranium and Nuclear Substance Processing Facilities in Canada: 2019**

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### **Rapport de surveillance réglementaire des installations de traitement de l'uranium et des substances nucléaires au Canada : 2019**

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Commission Meeting

Réunion de la Commission

**December 8, 2020**

**Le 8 décembre 2020**

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# Algonquins of Pikwakanagan First Nation

CNSC Public meeting on the  
Regulatory Oversight Report  
for Uranium and Nuclear  
Substance Processing Facilities  
in Canada: 2019

Date: December 8, 9, 10 2020



# Algonquins of Pikwakanagan First Nation

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- AOPFN currently working towards negotiating a Final Land Claim Agreement/Settlement with the Ontario Provincial Government and Canadian Federal Government.
- Projects within AOPFN territory require full direct engagement and accommodation of AOPFN rights.
- AOPFN members are active harvesters across their territory
- AOPFN members are concerned about the Nuclear Substance Facilities and their separate and combined long-term effects on the environment and the resources that they rely on
- Consent to build and operate these facilities within AOPFN territory was never sought



Nuclear substance processing facilities located within the territory of the AOPFN

- SRB Technologies (Canada) Inc. (SRBT) in Pembroke;
- Nordion (Canada) Inc. (Nordion) in Ottawa;
- Best Theratronics Ltd. (BTL) in Ottawa

Pikwakanagan

AOPFN has Indigenous Knowledge (IK) and community insight relevant to these three Projects, as well as interests in potential project impacts on their lands and is therefore seeking deeper engagement with the licensees and CNSC through their submission.



# The Report

- AOPFN provided comments on the *Regulatory Oversight Report for Uranium and Nuclear Substance Processing Facilities in Canada: 2019* (the Report)
- AOPFN has reviewed the Report and undertaken a deeper review of certain sections of the Report, providing seven recommendations.

# Summary of AOPFN Recommendations

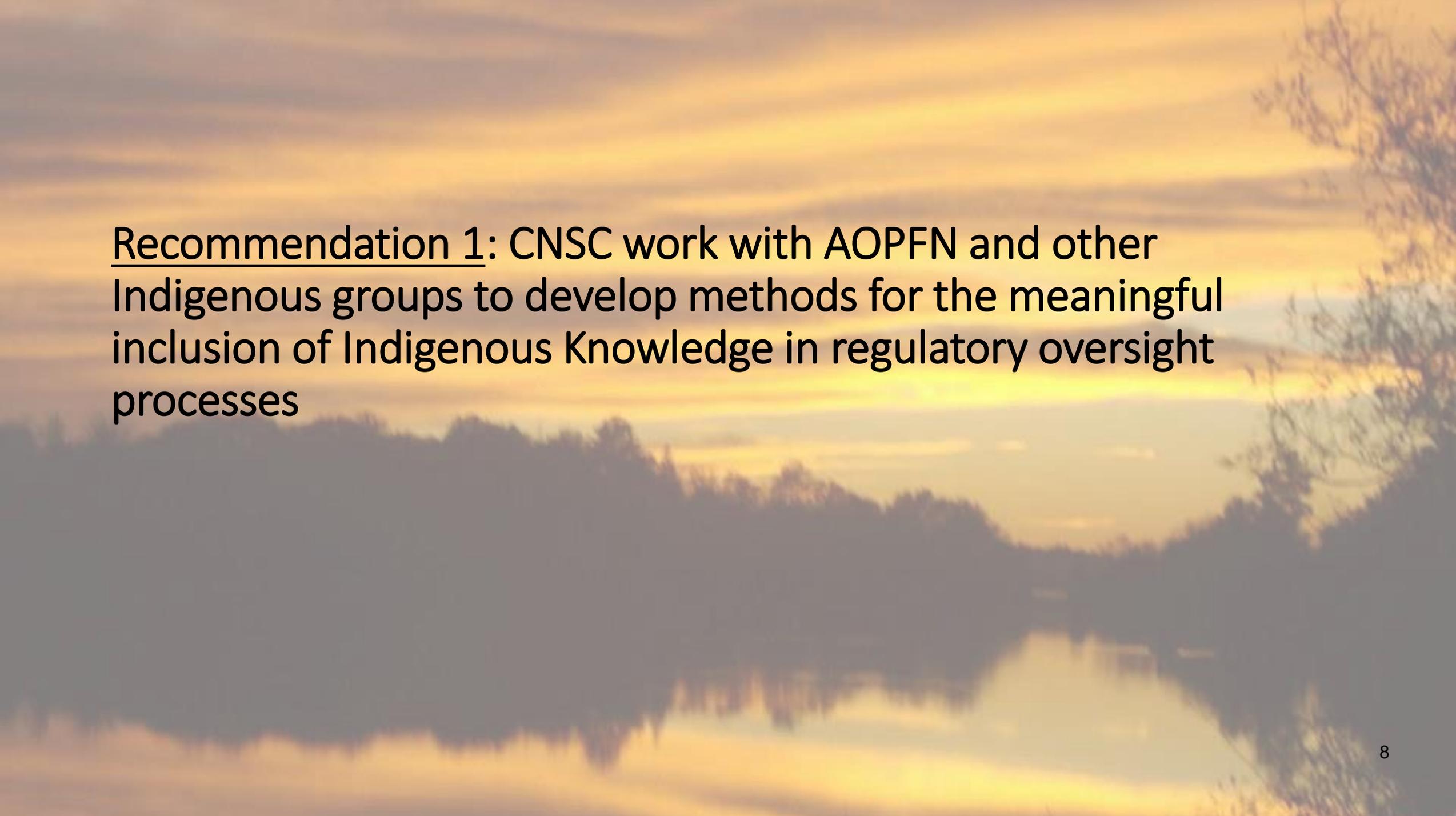
1. CNSC work with AOPFN and other Indigenous groups to develop methods for the meaningful inclusion of Indigenous Knowledge in regulatory oversight processes
2. CNSC work with AOPFN to identify more frequent and funded engagement opportunities (including involvement of AOPFN knowledge Keepers and AOPFN leadership) concerning nuclear substance processing facilities within AOPFN territory
3. CNSC work with Indigenous groups to improve transparency and methods for accessing funding for post-environmental assessment engagement activities such as monitoring
4. CNSC work with Indigenous groups to develop indicators and metrics for reviewing effective Indigenous engagement
5. Reporting on Indigenous participation in the IEMP in all future regulatory oversight reports
6. CNSC further engage with AOPFN on funded opportunities for AOPFN participation in the IEMP.
7. CNSC work with AOPFN and other Indigenous groups to develop funded meaningful roles for Indigenous monitors in CNSC compliance and verification monitoring

# Recommendation 1: CNSC Regulatory Oversight and Indigenous Knowledge

- **Neither the Report nor the presentation provided evidence that IK was sought in the regulatory oversight of the facilities**
- **14 safety and control areas used to evaluate projects do not include steps for collecting and considering IK**

***“IK improves federal decision-making and strengthens the rigour of project reviews and regulatory decisions. IK enables federal organizations to have a more complete understanding of Indigenous worldviews, Indigenous cultures, the environment, and the social, health, and economic conditions of Indigenous peoples” (p. 2)***

**- Discussion Paper: IK Policy Framework for Proposed Project Reviews and Regulatory Decisions**



Recommendation 1: CNSC work with AOPFN and other Indigenous groups to develop methods for the meaningful inclusion of Indigenous Knowledge in regulatory oversight processes

# Recommendations 2 & 3: Indigenous Consultation and Engagement

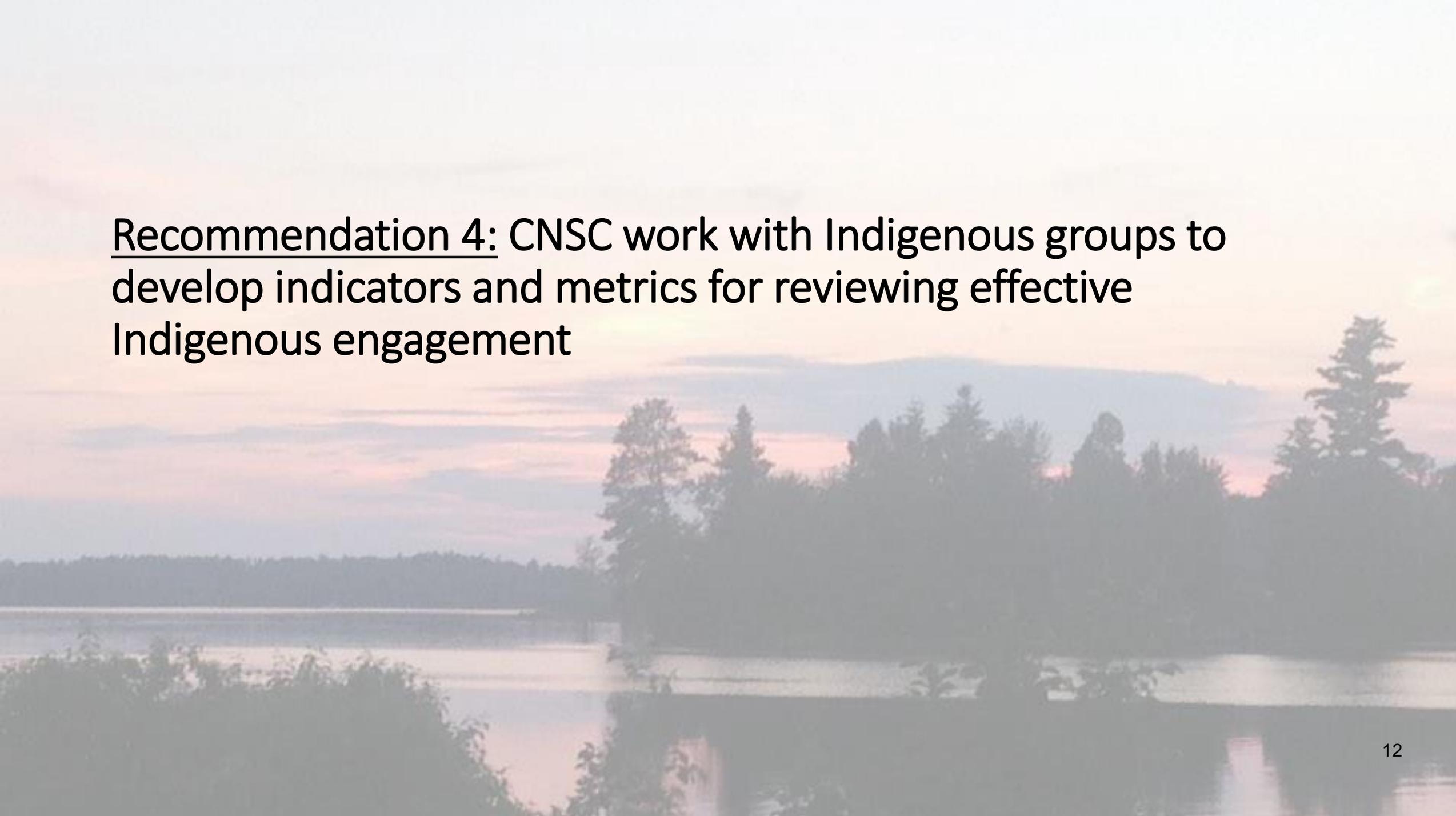
- **AOPFN encouraged by participant funding to participate in review of Report**
- **There are opportunities for greater Indigenous involvement in regulatory processes**
- **AOPFN is seeking involvement and engagement through the entire lifecycle of the Projects, which includes participation in monitoring and reg oversight**
- **CNSC Staff Engagement has improved over-time but could be better**

Recommendation 2 : CNSC work with AOPFN to identify more frequent and funded engagement opportunities (including involvement of AOPFN knowledge Keepers and AOPFN leadership) concerning nuclear substance processing facilities within AOPFN territory

Recommendation 3: CNSC work with Indigenous groups to improve transparency and methods for accessing funding for post-environmental assessment engagement activities such as monitoring

# Recommendation 4: Indigenous Consultation and Engagement

- **Evaluation of Indigenous engagement must be strengthened as part of regulatory oversight**
  - Move from assessing if engagement was done → to how well it was done and whether it meets Indigenous expectations.
- **Meaningful engagement with a Licensee for AOPFN would include:**
  - Increased engagement on Project operations and discussions of real benefits and opportunities for AOPFN members;
  - Better effort to seek input on how AOPFN wants to be involved in the facilities and be open to collaborative input on engagement activities
  - Provide the funding required for real and meaningful participation in engagement activities, including the provision of funding for IK studies;
  - Provide adequate time to review and comment on Project related documents

A scenic landscape featuring a calm body of water in the foreground, a dense line of evergreen trees in the middle ground, and rolling mountains in the background under a soft, hazy sky. The lighting suggests either dawn or dusk, with a gentle glow on the horizon.

Recommendation 4: CNSC work with Indigenous groups to develop indicators and metrics for reviewing effective Indigenous engagement

# Recommendations 5 & 6: CNSC Monitoring Programs - IEMP

- **AOPFN would like to see discussion of Indigenous participation in the Independent Environmental Monitoring Program (IEMP) in all future regulatory oversight reports.**
- **There should be more opportunities for Indigenous Knowledge Keepers to be involved in sampling and monitoring activities as part of CNSC's IEMP (real participation involves activities beyond simply reviewing reports)**

An aerial photograph of a river with a dam in the background. The river flows from the top left towards the bottom right. The surrounding area is densely forested with green trees. The sky is clear and blue. The text is overlaid on the upper half of the image.

**Recommendation 5: Reporting on Indigenous participation in the IEMP in all future regulatory oversight reports**

**Recommendation 6: CNSC further engage with AOPFN on funded opportunities for AOPFN participation in the IEMP.**

# Recommendation 7: CNSC Monitoring Programs – Compliance Monitoring

- **The Report does not discuss AOPFN involvement nor Indigenous participation in CNSC’s compliance and verification monitoring of the facilities.**
- **Canadian Energy Regulator (another life-cycle regulator) is making steps to include Indigenous monitors in their compliance program. The CNSC should follow this example.**
- **Providing funding for and working with Indigenous groups to develop roles for Indigenous monitors in CNSC monitoring would improve consideration of Indigenous Knowledge in regulatory decisions**

# Conclusion

AOPFN would like to see more opportunities for Indigenous involvement in CNSC regulatory oversight beyond reviewing reports. AOPFN has submitted seven recommendations to address the concerns concerning Indigenous Knowledge, Indigenous Engagement, and Monitoring.