



Canadian Nuclear
Safety Commission

Commission canadienne
de sûreté nucléaire

CMD 23-M35.5A

Date: 2023-12-05

File / dossier : 6.02.04

Edocs pdf : 7181486

Supplementary Information

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

Renseignements supplémentaires

**Présentation de la
Première Nation des Algonquins
de Pikwakanagan**

**Regulatory Oversight Report for
Uranium and Nuclear Substance
Processing Facilities in Canada: 2022**

**Rapport de surveillance réglementaire
des installations de traitement de
l'uranium et des substances nucléaires
au Canada :2022**

Commission Meeting

Réunion de la Commission

December 13-14, 2023

13-14 décembre 2023

Review of the Regulatory Oversight Report for Uranium and Nuclear Substance Processing Facilities in Canada: 2022

December 14th, 2023

Photo Credit: PJ Leroux, AOPFN

*Algonquins of Pikwakanagan
First Nation*



PRESENTATION OUTLINE

- 1 Introduction to AOPFN's submission
- 2 Part One of the Submission
- 3 Part Two of the Submission
- 4 Conclusions and Next Steps



INTRODUCTION

Photo Credit: PJ Leroux, AOPFN

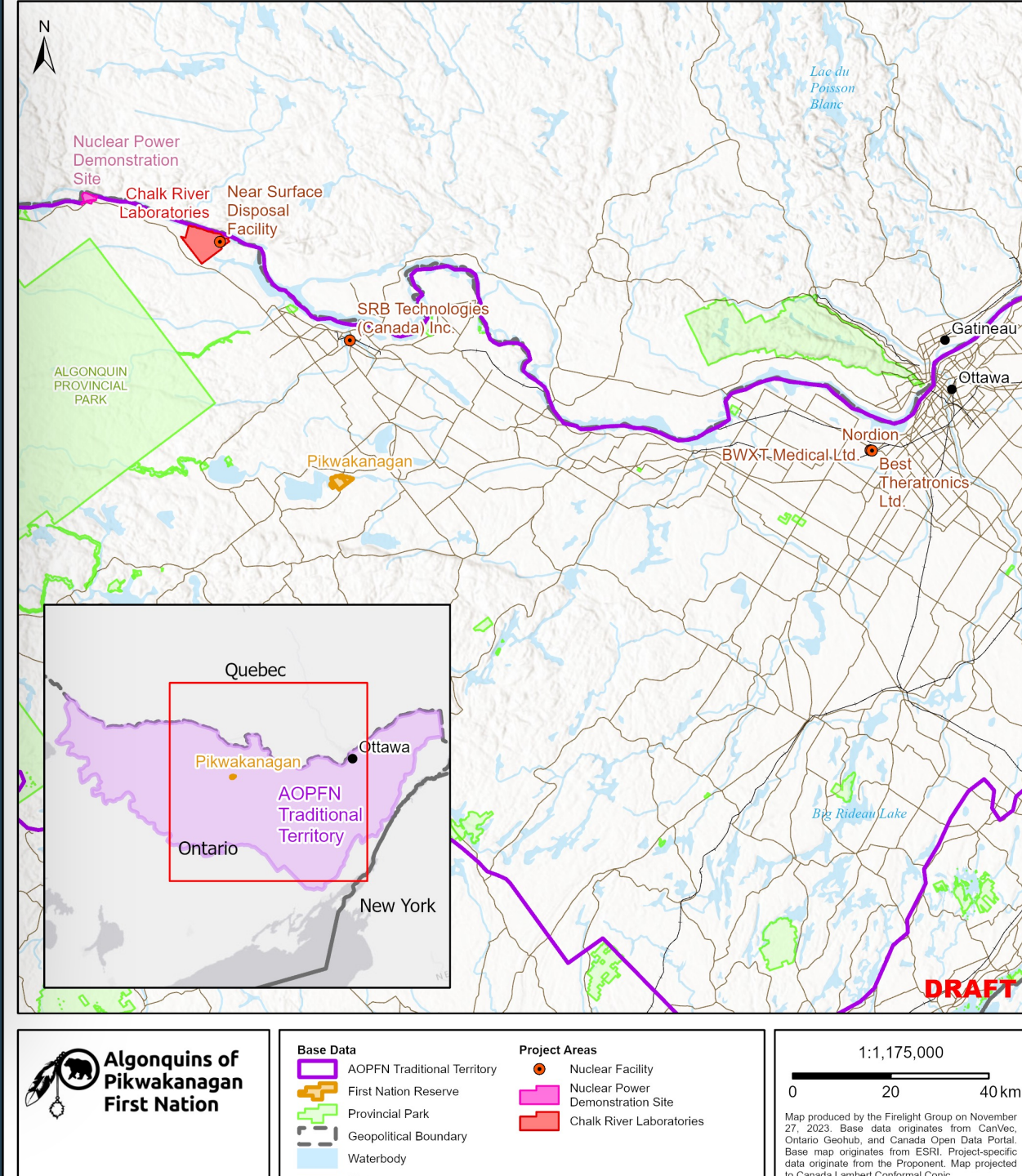
INTRODUCTION TO THE SUBMISSION

- This submission is based on a review of the Regulatory Oversight Report (ROR) for Uranium and Nuclear Substance Processing Facilities (UNSPF): 2022 and our experiences working with the four UNSPF facilities in 2022 (2023 activities are not included)
- The submission has two parts:
 - **Part 1** provides AOPFN-specific comments on the ROR and AOPFN's experiences with the CNSC in 2022 and
 - **Part 2** provides a thorough review of the UNSPF 2022 operations.

UNSPFs in AOPFN Territory

AOPFN's submission focused on UNSPFs operating on AOPFN territory:

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



A wide-angle landscape photograph capturing a serene sunset or sunrise scene. The sun is positioned low on the horizon, partially obscured by a large, dark, textured cloud formation. The sky transitions from a deep blue at the top to a warm orange and yellow near the horizon. The sun's light creates a bright, shimmering reflection on the calm surface of the water. The water is dotted with several dark, forested islands and peninsulas. In the foreground, the silhouettes of trees and a small building are visible on the left. The background features rolling hills and mountains under the vast sky.

PART 1

HIGH LEVEL REVIEW (1)

- AOPFN's proposed Aboriginal Rights Safety and Control Area Criteria (ARSCA) were not included in the 2022 ROR. The CNSC should incorporate these in future RORs, alongside active engagement.
- The CNSC's review of UNSPF Indigenous engagement activities in 2022 was that it was "satisfactory;" AOPFN strongly disagrees with this. The CNSC needs to incorporate Indigenous feedback on UNSPF performance into the review of engagement activities.
- In 2022, the CNSC began to track how and whether issues and concerns brought forward by Indigenous Nations were being responded to. The CNSC needs to expand on this reporting to include how these concerns were resolved and how feedback has been implemented.
- The CNSC needs to ensure that public communication from licensees is meaningful to the target audience. The CNSC should explain how it monitors and evaluates licensee engagement and public disclosure.
- The CNSC must work with AOPFN to incorporate Algonquin Knowledge and Indigenous perspectives on health, wellbeing, risk, and trust into its health and safety monitoring and evaluations.

HIGH LEVEL REVIEW (2)

- There is a lack of accessible, plain language materials. The CNSC must share report findings in clear, detailed, jargon-free documentation and provide opportunities for community engagement activities to share findings, explain methods, and allow for feedback.
- The CNSC must extend their plain-language materials to cover highly technical documents like safety analysis reports and radionuclide release data. This reporting should be accompanied by support for interpreting data in a way that can be used in AOPFN analysis and assessments.
- The CNSC must support, through funding, the Safe Algonquin Food Program, which would help to restore trust in foods harvested from AOPFN's lands and waters.
- The CNSC must communicate its criteria for significance and satisfaction ratings and improve communication regarding the release of hazardous substances. AOPFN has very low tolerance for the release of radioactive substances, and high distrust in nuclear proponents and government oversight; it is important to bridge this gap in both communications and trust.

GAPS AND RECOMMENDATIONS (1)

- Notable gaps in the UNSPF ROR:
 - The CNSC has not responded to the comments and recommendations in our 2021 UNSPF review, and it is unknown how our comments will be incorporated into future RORs;
 - Licensees have not, and are not required to, communicate with AOPFN on reportable events;
 - The CNSC does not account for cumulative effects in its reporting;
 - The CNSC has not described efforts to better incorporate findings from the Neya Wabun Guardian Program; and
 - No information regarding AOPFN's recommendation for Nation-specific cultural awareness training.

GAPS AND RECOMMENDATIONS (2)

- Recommendations to resolve gaps:
 - Provide AOPFN with a written response to this submission;
 - Establish a more substantive and integrated monitoring role for the Neya Wabun Guardian Program;
 - Funding for the better incorporation of Algonquin Knowledge into the development and execution of IEMPs;
 - The incorporation of Nation-specific cultural awareness training into CNSC and UNSPF staff training curricula; and
 - Ensure that AOPFN has sufficient time and resources to do their own licensee evaluations for future RORs.



PART 2

Photo Credit: PJ Leroux, AOPFN

THE NEED FOR AN INDIGENOUS RIGHTS CRITERIA

- Last year, AOPFN proposed new criteria, Aboriginal Rights Safety and Control Criteria ("ARSCA Criteria") to add to CNSC's 14 safety and control areas (SCA's).
- The submission uses this criteria to review the operations of the UNSPF's from an Indigenous rights and reconciliation-based perspective.
- The following rating system was applied:
 - AE (Above Expectation) — AOPFN's expectations were exceeded;
 - 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 has been added this year to indicate where expectations were drastically unmet.
- We ask that the CNSC review this and work with AOPFN and the UNSPFs to help the UNSPFs improve how they work with Indigenous people going forward.

OVERALL REVIEW OF UNSPFs

BWXT

Neutral (continuing to improve)

- Financial support for AOPFN's pow-wow and programs
- Potential to move to "Above Expectation" with a Long-Term Agreement (LTRA), improved integration of Algonquin Knowledge into monitoring activities

SRBT

Below Expectation (some improvement)

- Participated in AOPFN Cultural Awareness training in 2021
- 2022, no progress, SRBT did not cover engagement costs. 1 email in 2022
- Potential to move to "Meets Expectations" with regular meetings, engagement funding and an LTRA

Nordion

Far Below Expectation

- Met with AOPFN for the first time in Spring 2023, nothing since
- In 2022, there was no interest demonstrated in collaborating with AOPFN

BTL

Far Below Expectation

- Engagement remains absent
- Limited to a single email in 2022
- No interest demonstrated in collaborating with AOPFN

A scenic landscape photograph featuring a calm body of water in the foreground, reflecting the surrounding environment. A large, dark green evergreen tree stands prominently on the left bank, its reflection clearly visible in the water. To the right, a dense line of trees displays vibrant autumn foliage in shades of red, orange, and yellow. The sky is a clear, deep blue. The overall scene is peaceful and picturesque, typical of a natural park or reserve.

CONCLUSIONS

Photo Credit: PJ Leroux, AOPFN

CONCLUSIONS AND NEXT STEPS

Overall, the CNSC and some of the UNSPF licensees have made efforts to improve relations with AOPFN in 2022. BWXT has made the biggest efforts, and SRBT has made progress. Nordion and BTL remain uninterested in improving their relationship with AOPFN. AOPFN asks that the CNSC and UNSPFs continue to make improvements in several areas:

- Transparency and communication;
- Collaboration and information sharing with AOPFN community members;
- Providing explanations on how AOPFN input is incorporated into reporting;
- Incorporating Algonquin Knowledge and Indigenous perspectives into monitoring and reporting;
- Involving Indigenous Nations and communities in the evaluation of UNSPF engagement activities for future RORs; and
- Incorporating the ARSCA Criteria into future RORs.

To facilitate AOPFN's recommendations, adequate funding and the development of LTRAs with all UNSPFs is needed.

An aerial photograph showing a large outdoor gathering. In the center is a large, dark, square building with a flat roof. Surrounding the building is a large circle of people sitting on the ground. Many of the people are wearing colorful, patterned clothing. The ground is covered in green grass and some fallen leaves. The text "MEEGWETCH / THANK YOU" is overlaid in the center of the image.

MEEGWETCH / THANK YOU

Photo Credit: PJ Leroux, AOPFN