



**CMD 26-M3.10**

Date: 2026-01-28

**Written Submission from the  
Métis Nation - Saskatchewan**

**Mémoire de la  
Nation métisse de la Saskatchewan**

In the matter of the

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**Regulatory Oversight Report for Uranium  
Mines and Mills in Canada: 2024**

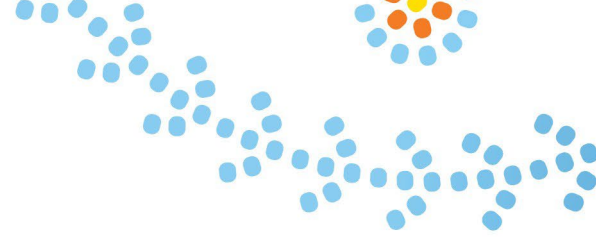
**Rapport de surveillance réglementaire  
des mines et usines de concentration  
d'uranium au Canada : 2024**

**Commission Meeting**

**Réunion de la Commission**

March 2026

Mars 2026



**Métis Nation–Saskatchewan (MN–S) Written  
Intervention  
2024 Regulatory Oversight Report (ROR) for Uranium  
Mines and Mills in Canada CMD26-M3**

**Ministry of Lands & Resources, Agriculture, and Environment  
March 2026**



## Overview


The Regulatory Oversight Report for Uranium Mines and Mills in Canada (“2024 UMM ROR”) contains information from the Canadian Nuclear Safety Commission (“CNSC”) staff on the 5 uranium mines and mills licensed to operate in 2024, all of which are located in northern Saskatchewan.

These existing projects affect Métis Aboriginal rights, including Métis Aboriginal title to the lands and resources in the project areas. In particular, these mines and mills impact the right for Métis to freely access and use the land as they have throughout previous generations, without interruption, and without individual and community anxiety regarding the health of plants, animals, and fish around and within project areas, while denuding our lands of their resources, wealth and opportunity.

In its review of the 2024 UMM ROR, the MN-S has focused on three things:

- **Métis as s. 35 Rights Holders:** Métis people are recognized as protected “Aboriginal peoples” under s. 35 of the *Constitution Act, 1982*, and assert Aboriginal rights protected thereunder, including, among other things, rights to harvest and gather animals, plants, and materials for personal, social, ceremonial and trade purposes, rights to self-government, and rights to land (i.e., Aboriginal title). The review includes consideration of Métis rights and title.
- **United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP):** The MN-S endorses the importance of UNDRIP, and especially the importance of applying the free, prior and informed consent (FPIC) standard. The MN-S is interested in how the operation of existing uranium mines and mills might affect its Homeland, including its FPIC rights regarding the development of its Homeland and the storage of hazardous materials in the form of tailings.
- **Reconciliation:** In 2015, the Truth and Reconciliation Commission of Canada issued its 94 Calls to Action among which were recommendations for reconciliation with the mining industry. Specifically, the MN-S looked at opportunities to promote reconciliation.

On the basis of these domestic and international requirements, the MN-S seeks consultation and engagement in activities that will have a long-term effect on our interests. This review sets out opportunities for the MN-S to remain involved and/or become involved going



forward, such as opportunities for the MN-S to support improvement in the inclusion of Métis Knowledge and the dissemination of information to the Métis community.

## **Background**

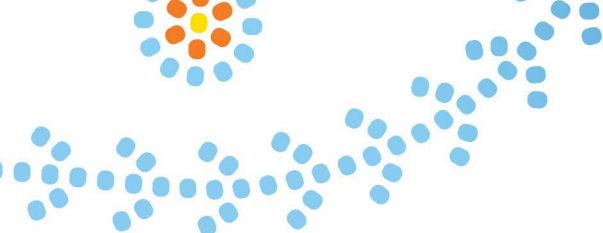
The Métis emerged as a distinct Indigenous people and nation in the historic Canadian Northwest during the 18<sup>th</sup> and 19<sup>th</sup> centuries. Saskatchewan is a part of the “historic Métis homeland,” which includes the three prairie provinces, Ontario, British Columbia, the Northwest Territories, and the northern United States. The Métis have a shared history, common culture (song, dance, dress, national symbols, etc.), unique language (Michif, with various regional dialects), extensive kinship connections, distinct way of life, traditional territory, and collective consciousness.

### *Métis as s. 35 Rights Holders*

The Métis claim Aboriginal title to the historic Métis homeland, which the Government of Canada attempted to extinguish through the issuance of “scrip” and land grants in the late 19<sup>th</sup> and 20<sup>th</sup> centuries. This includes the areas of the active and legacy uranium mines and mills.

The MN-S is the representative of the rights of the Métis Nation in Saskatchewan affected by the uranium mines and mills. The Federal Court has recognized that “section 35 rights matter such as title... are held at the Nation level”. The MN-S is the government of the Métis Nation in Saskatchewan, as agreed to by Canada in the 2023 Métis Nation within Saskatchewan Self-Government Recognition and Implementation Agreement between the MN-S and His Majesty the King in Right of Canada (“Self-Government Agreement”). The Self-Government Agreement recognizes that the MN-S is exclusively mandated to engage in consultation with Canada where Canada’s conduct has the potential to adversely impact Métis rights within Saskatchewan.

The Métis Nation in Saskatchewan are pursuing our title claim, including through the 1994 Northwest Saskatchewan Métis title claim. In January 2025, MN-S produced more than 3,000 pages of research material and more than 24,000 records in relation to the 1994 Northwest Saskatchewan Métis title claim. The Métis Nation in Saskatchewan’s title claim is not limited to the 1994 Northwest Saskatchewan Métis title claim.



The Government of Canada has agreed to negotiate the 1994 Northwest Saskatchewan Métis title claim under the 2018 Framework Agreement for Advancing Reconciliation, as well as under the Self-Government Agreement. In 2025, the Supreme Court of Canada commented that “it is clear that Saskatchewan has knowledge of MNS’s claim for Aboriginal rights and title, and it is this knowledge which is relevant to the duty to consult analysis.”<sup>1</sup>

*United Nations Declaration on the Rights of Indigenous Peoples*

UNDRIP contains several articles that are relevant to the present review, including articles 19, 25, 26, 27, 29, and 32:

**Article 19**

States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free, prior and informed consent before adopting and implementing legislative or administrative measures that may affect them.

**Article 25**


Indigenous peoples have the right to maintain and strengthen their distinctive spiritual relationship with their traditionally owned or otherwise occupied and used lands, territories, waters and coastal seas and other resources and to uphold their responsibilities to future generations in this regard.

**Article 26**

1. Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired.
2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired.

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<sup>1</sup> *Saskatchewan (Environment) v. Métis Nation – Saskatchewan*, 2025 SCC 4, at para. 54.



3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.

#### **Article 27**

States shall establish and implement, in conjunction with indigenous peoples concerned, a fair, independent, impartial, open and transparent process, giving due recognition to indigenous peoples' laws, traditions, customs and land tenure systems, to recognize and adjudicate the rights of indigenous peoples pertaining to their lands, territories and resources, including those which were traditionally owned or otherwise occupied or used. Indigenous peoples shall have the right to participate in this process.

#### **Article 29**

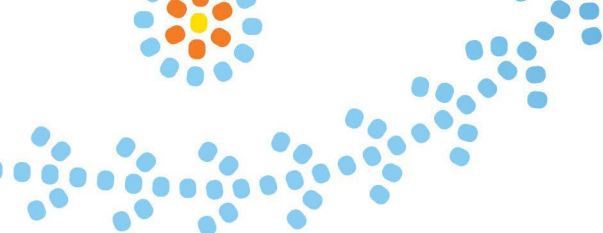
1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programmes for indigenous peoples for such conservation and protection, without discrimination.

2. States shall take effective measures to ensure that no storage or disposal of hazardous materials shall take place in the lands or territories of indigenous peoples without their free, prior and informed consent.

3. States shall also take effective measures to ensure, as needed, that programmes for monitoring, maintaining and restoring the health of indigenous peoples, as developed and implemented by the peoples affected by such materials, are duly implemented.

#### **Article 32**

1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.



2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.

3. States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.

The MN-S endorses the importance of UNDRIP, especially the importance of understanding free, prior and informed consent (FPIC), and with respect to this review is interested in how the operation of existing uranium mines and mills might affect our Homeland. The MN-S calls for processes that recognize our laws as well as our rights within and distinct connection to our Homeland.

### *Reconciliation*

In 2015, the Truth and Reconciliation Commission of Canada issued its 94 Calls to Action among which were recommendations for private industry:

92. We call upon the corporate sector in Canada to adopt the United Nations Declaration on the Rights of Indigenous Peoples as a reconciliation framework and to apply its principles, norms, and standards to corporate policy and core operational activities involving Indigenous peoples and their lands and resources. This would include, but not be limited to, the following:

i. Commit to meaningful consultation, building respectful relationships, and obtaining the free, prior, and informed consent of Indigenous peoples before proceeding with economic development projects.

This Call to Action confirms the critical role that private industry plays in furthering reconciliation. The MN-S calls for the recognition of our rights through meaningful consultation and relationship building with proponents, including for existing mines and mills affecting our Homeland.





## **Review of 2024 Regulatory Oversight Report for Mines and Mills in Canada**

The MN-S has focused its review on two sections of the 2024 UMM ROR: Environmental Protection and Indigenous Consultation and Engagement.

### *4.9 Environmental Protection*

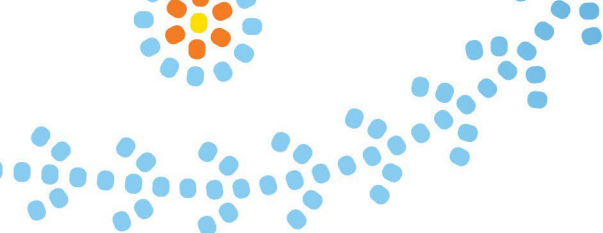
The 2024 UMM ROR assigns a rating of “satisfactory” to all five of the facilities covered by its review. CNSC staff conclude that the licensees’ environmental protection programs were effectively implemented and are protective of the environment and people. Despite this rating, the 2024 UMM ROR contains various findings that are of concern to the MN-S.

For example, in 2024, CNSC issued four notices of non-compliance in relation to pond liner maintenance and environmental protection corrective actions implementation. All four were deemed to be of low safety significance and have since been closed by CNSC staff.

The 2024 UMM ROR also notes that 11 spills were reported in 2024:


- Cigar Lake
  - On May 24, 2024, a compressor for the process water cooling loop refrigerant system was observed not running, and it was later determined that this was because the condenser had lost its entire 310-pound charge of refrigerant. The source of the release was a pin hole leak in a 3-way valve, which was replaced, and following pressure testing with nitrogen, it was brought back into service.
  - On October 25, 2024, a forklift accident caused a spill of approximately 50 Ls of corrosive material onto the ground. The contaminated soil was collected for disposal and the procedure for moving reagents from the warehouse to the underground mine was reviewed with both shifts.
- Key Lake
  - On March 12, 2024, approximately 100 cubic meters of treated effluent was released from the industrial water pipeline underground. Contaminated materials were deposited in the Key Lake tailings facility and soil and water samples were collected and analyzed.
  - On April 27, 2024, a drain hose ruptured while draining water containing residual ammonia resulting in ammonia vapor being released to the





Vaporizer Building then vented to the atmosphere. Corrective actions included replacing the ruptured hose with a specialized hose designed for this task.

- On May 3, 2024, approximately 150 cubic meters of treated industrial water was released to the ground from the industrial water pipeline. The leaking valve was isolated to stop the leak and will remain isolated until repairs can be completed.
- On November 26, 2024, approximately 8 cubic meters of contaminated water overflowed from the crushing and grinding facility sump to the ground following a power outage. Contaminated samples had elevated levels of uranium and radium-226 and were disposed of in the Key Lake tailings facility.
- On December 27, 2024, Cameco reported an increase in seepage flow rates from reservoirs #1 and #2 to the underdrain system. Corrective actions are still underway including ongoing monitoring and a geotechnical review of the reservoir facility.
- McArthur River
  - On June 20, 2024, approximately 170 cubic meters of industrial water was released to the ground from the industrial water tanks as a result of a faulty valve. Laboratory analysis of water samples from the dam was of good quality and the corrective actions included a new system where pumps automatically shut down when the automatic valve is closed and water tank levels are above 96%.
  - On November 4, 2024, the Argon Tank was found to be venting, caused by a failed diverter valve on the safety release assembly. The vendor was brought to site and the issue was rectified.
- McClean Lake
  - On February 13, 2024, approximately 3 cubic meters of yellowcake slurry solution was spilled into an excavation area by the sand filter berm in the Precipitation circuit of the mill due to a leak in the cone valve at the base of the yellowcake thickener. Corrective actions included pumping the yellowcake solution back into the Precipitation Circuit and removing contaminated soil for disposal into the Sue C contaminated landfill.
- Rabbit Lake

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- On September 25, 2024, workers clearing vegetation and sediment around the perimeter of a lined mine water pond accidentally created an exit for water in the liner. The damaged area was isolated from the rest of the pond and released water was recovered. Repairs to the liner were completed by a qualified third party prior to the mine water pond returning to service.

CNSC staff rated all of these spills as low safety significance resulting in no residual impact on the environment.

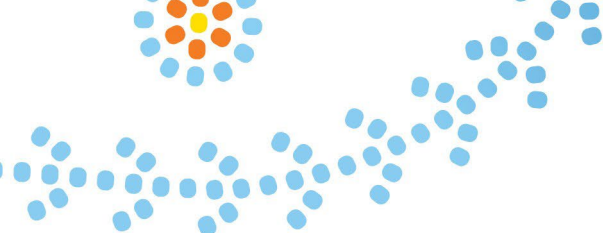
Despite the CNSC's evaluation of all mines as satisfactory, and the "low safety significance" of all notices of non-compliance and reportable releases, the content of the 2024 UMM ROR demonstrates that the operation of existing uranium mines and mills continues to impact the Métis Homeland.

The MN-S is concerned that these CNSC labels imply that there is an acceptable level of adverse impact to surrounding lands and to the exercise of Métis rights. In the MN-S' view, all adverse impacts should be identified and minimized, even when they fall below the CNSC's significance thresholds. The present process does not contemplate Métis title claims, nor does it incorporate Métis laws for governing our lands, as contemplated by UNDRIP. The MN-S seeks a meaningful table with the CNSC to assess the severity of these impacts and the appropriate mitigation. As outlined below, the MN-S seeks further opportunities to engage with the CNSC.

The MN-S also seeks further transparency from CNSC and from proponents, especially regarding any spills or unexpected concentrations in effluent release, both as they occur and as mitigation measures are developed and implemented. This dissemination of information is critical to build a relationship of trust between industry, regulators, and the Métis community.

### *5.1 Indigenous Consultation and Engagement*

The 2024 UMM ROR contemplates the CNSC's role in upholding Indigenous peoples' rights pursuant to s. 35 of the *Constitution Act, 1982*. It notes that CNSC staff efforts in 2024 focused primarily on ongoing environmental assessments and licensing processes for projects including NexGen Energy Ltd.'s Rook I Project and Denison Mines' Wheeler



River Project, and that these consultation efforts advanced CNSC's relationships with many Indigenous Nations and communities. The MN-S has provided consent to both of these projects, and our submissions are provided only in respect of those projects to which we have not granted consent.

The 2024 UMM ROR states that CNSC staff worked with Indigenous Nations and communities in northern Saskatchewan with an interest in the uranium mine and mill sites to identify opportunities for formalized and regular engagement throughout the lifecycle of those facilities, through meetings and workshops.


In particular, the 2024 UMM ROR states that the CNSC undertook the following engagement activities with the MN-S:

- Continued engagement and consultation activities with several Indigenous Nations and communities (including the MN-S) on NexGen's Rook I Project EA, ongoing in northwestern Saskatchewan. This included a week-long community tour in northwestern Saskatchewan providing a forum for discussions.
- Continued to conduct regular meetings with MN-S that focused on the operating uranium mine and mill sites in northern Saskatchewan.
- Attended the MN-S' "Back to Batoche Days" in July 2024, participating in Métis cultural events and providing information on the CNSC to Métis citizens.

In Appendix E, the 2024 UMM ROR also notes that CNSC staff have offered to develop terms of reference for long-term engagement with the MN-S:

For the 2023 ROR, CNSC staff are using an issues and concerns tracking table, as well as monthly meetings, to monitor and address MN-S' input. CNSC staff are committed to working with MN-S to address each key theme to the greatest possible extent. CNSC staff have offered to develop a long-term engagement TOR with MN-S, however, MN-S has not expressed an interest to date.

The MN-S appreciates the opportunities it has had to engage with the CNSC, both through this written intervention regarding the 2024 UMM ROR and through other avenues. However, the MN-S is seeking more meaningful participation with the existing mines. In particular, the MN-S seeks clarity on the statement that CNSC staff have offered to develop long-term engagement terms of reference. The MN-S would be interested in learning more



about what the CNSC is contemplating, and what opportunities there are for further participation. The MN-S invites the CNSC to propose a framework for establishing long-term engagement terms of reference, including any resources available to facilitate associated discussions and negotiations.

## **Conclusion**

In recent years, the MN-S has provided consent for NexGen Energy Ltd.'s Rook I Project and Denison Mines' Wheeler River Project. As noted above, our submissions are provided only in respect of those projects to which we have not granted consent.

Section 35 of the *Constitution Act* recognizes and affirms Métis rights, giving rise to the duty to consult. UNDRIP and the TRC Calls to Action demand free, prior, and informed consent where a project will impact Indigenous peoples' lands or territories. These instruments also call for recognition of our rights as well as our laws within our Homeland.

However, contrary to these domestic and international requirements, the existing uranium mines and mills in Saskatchewan were built without Métis consent or meaningful participation. Given the mines' continued impacts on the exercise of Métis rights in Saskatchewan, the MN-S seeks further engagement on a prospective basis, both with proponents and with the CNSC, to ensure meaningful Métis participation at all stages.