

After Site Selection: What Happens Next?

Regulatory Next-Steps

**Impact Assessment
Agency of Canada**

CANADA.CA/IAAC

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NWMO Adaptive Phased Management Project Federal impact assessment process and next steps

SOUTH BRUCE NUCLEAR DISCOVERY FORUM – APRIL 5, 2023



Impact Assessment
Agency of Canada

Agence d'évaluation
d'impact du Canada

Canada

Outline

- The Impact Assessment Agency of Canada
- Overview of the Impact Assessment Process
 - Public Participation Opportunities
- Integrated Review Panel Process
- Pre-Planning and Planning Phases
- Next Steps





The Impact Assessment Agency of Canada

OVERVIEW



The Impact Assessment Agency of Canada

The Impact Assessment Agency of Canada (the Agency):

- a federal government body;
- accountable to the Minister of Environment and Climate Change.

The Agency leads federal impact assessments that:

- contribute to informed decision-making in support of sustainable development; and
- help to eliminate or reduce a project's potential adverse effects.




The *Impact Assessment Act*

The *Impact Assessment Act* (IAA) outlines a process for assessing the impacts of major projects, including the assessment of:

- positive and negative environmental, economic, health and social effects; and
- potential impacts of projects on Indigenous Peoples and their rights as recognized and affirmed in section 35 of the *Constitution Act, 1982*.



The image features a sunset scene with a power transmission tower on the right. Two silhouetted figures wearing hard hats are in the foreground, looking at a set of plans. The sky is filled with soft, golden light from the setting sun. A green horizontal bar with white text is overlaid across the center of the image.

FEDERAL IMPACT ASSESSMENTS: GUIDING CANADA'S SUSTAINABLE FUTURE



The Impact Assessment Process



KEY PARTICIPANTS IN THE IMPACT ASSESSMENT SYSTEM



Site Selection and Impact Assessment Process



For the Adaptive Phased Management Project, **the impact assessment process will begin *after* site selection has been completed.**



Public Participation in Impact Assessments

Public participation is an essential part of an open, informed and meaningful impact assessment process.

Members of the public may:

- Identify benefits of a project
- Raise areas of concern related to a project
- Provide knowledge specific to their community
- Help inform mitigation measures that could lead to better outcomes



Public Participation in Impact Assessments

When a project assessment begins, a project page will be made publicly available on the Canadian Impact Assessment Registry

The public may sign up to receive updates on the assessment from the Agency.

There will be various opportunities where participants can share their views on the project:

- Public comment periods
- Information sessions or open houses
- Public hearing



Consultation with Indigenous Peoples

- The Agency seeks to work with Indigenous Peoples to advance reconciliation
- The process provides opportunities to Indigenous Peoples to identify issues of importance, and shares these with the proponent
- Comments sought on key documents throughout the impact assessment process
- Collaboration in the development of the Indigenous Engagement and Partnership Plan and the Tailored Impact Statement Guidelines
- Weaving in of Indigenous Knowledge



Participant Funding Program

The Participant Funding Program:

- helps the public and Indigenous Peoples participate and share valuable insight, perspectives and knowledge

Funding is available during public participation opportunities at key stages of the assessment process.





Integrated Assessments under the *Impact Assessment Act*

OVERVIEW



Integrated Assessments

When a project includes activities regulated under the *Nuclear Safety and Control Act*, the Minister must refer the impact assessment to an independent review panel.

The Agency and the Canadian Nuclear Safety Commission (CNSC) will cooperate, to the extent possible, with the common objective that all their requirements are achieved as “**one project, one assessment**”.

The Agency and the CNSC have developed an agreement that outlines how integrated assessments will be carried out.



Integrated Review Panel

- A review panel is a group of independent experts appointed by the Agency to conduct an impact assessment.
- Review panel members are:
 - selected for their knowledge, experience and expertise relative to a project and its potential effects;
 - selected for their knowledge of the interests and concerns of the Indigenous peoples that are relevant to the assessment; and
 - must be free from bias or conflicts of interest related to the project.
- An **integrated review panel** with the CNSC conducts an integrated assessment that meets the requirements of both the *Impact Assessment Act* and the *Nuclear Safety and Control Act*.
 - At least 1 member of the integrated review panel must be from the CNSC roster.





Overview of Pre-Planning Phase and Planning Phase

OBJECTIVES, TIMELINES AND KEY DOCUMENTS IN PRE-PLANNING AND PLANNING PHASES



Planning Phase


Key Steps and Timelines

 PUBLIC
 NOTIFICATION Only


Planning Phase – First 80 days

 **Initial Project Description posted on Registry; 20–30 day comment period**


20–30 DAYS (service standard)

 **Prepare Summary of Issues**

10 DAYS

 **Detailed Project Description including response to Summary of Issues**

30 DAYS

 **Determination if an impact assessment is required & Referral of IA to Integrated Review Panel**

10–20 DAYS

DAY 1


Ongoing consultation and engagement


DAY 80


 Grant Funding released

Proponent may request a time limit suspension
 (After receiving Summary of Issues and before submitting Detailed Project Description, for example)

Key documents

 INITIAL PROJECT DESCRIPTION

 SUMMARY OF ISSUES

 DETAILED PROJECT DESCRIPTION AND RESPONSE TO SUMMARY OF ISSUES

Planning Phase

Key Steps and Timelines

 PUBLIC
 NOTIFICATION Only

Planning Phase – Next 100 days

Draft Tailored Impact Statement Guidelines (TISG) and Plans

30 DAYS (service standard)

Engage on draft TISG and Plans

30 DAYS

Finalize TISG and Plans

40 DAYS

Issue Notice of Commencement and posts final TISG, Plans, and Notice of the Establishment of Time Limits for the IA Phase



DAY 80



Consultations and engagement continue

\$ Grant Funding released



DAY 180



Key documents

  COOPERATION PLAN

  PERMITTING PLAN

  INDIGENOUS ENGAGEMENT AND PARTNERSHIP PLAN

  PUBLIC PARTICIPATION PLAN

  TAILORED IMPACT STATEMENT GUIDELINES

Initial Project Description

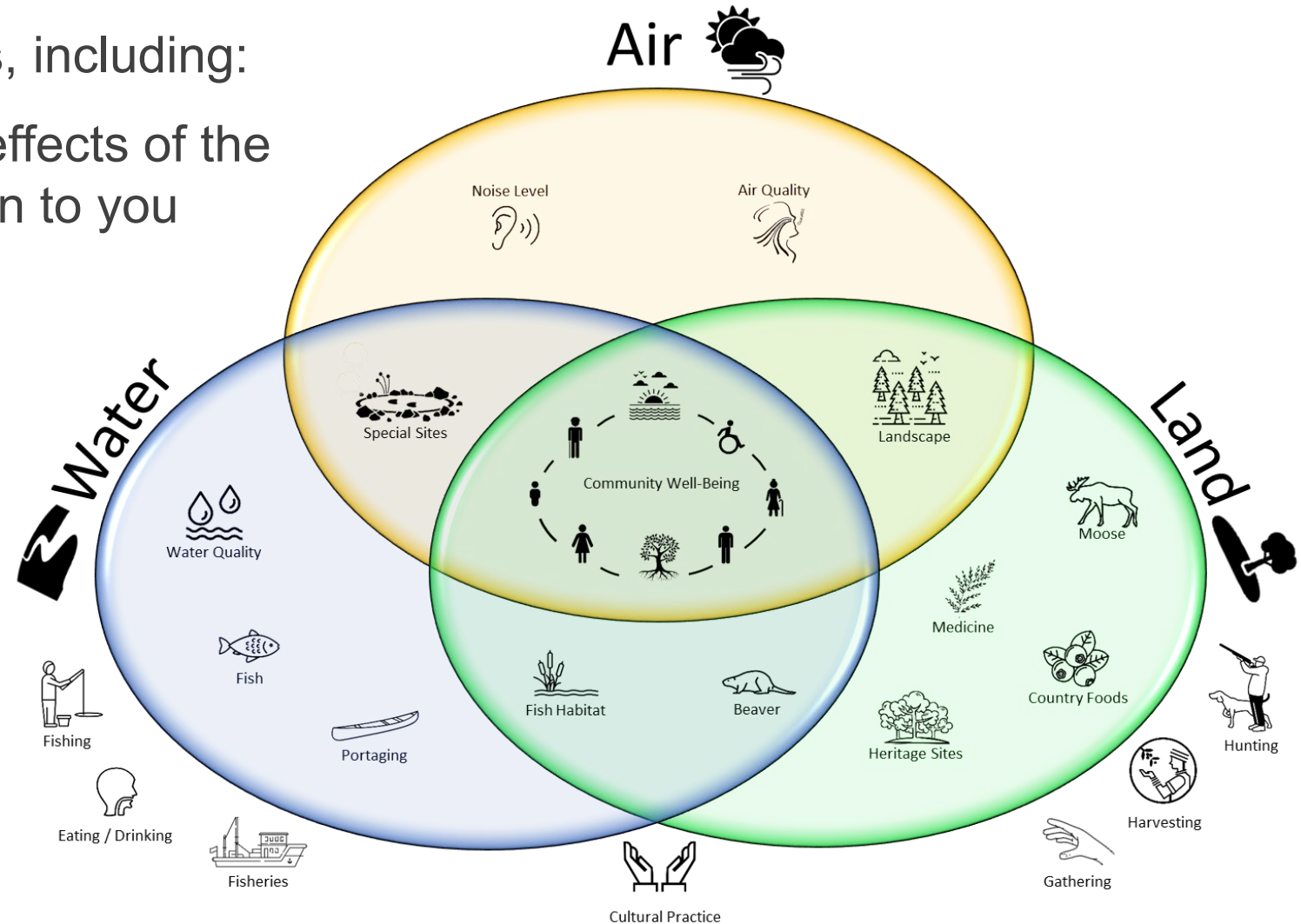
- Prepared by the Proponent
- Includes a description of:
 - the Project and its location;
 - existing conditions (environmental, health, social and economic);
 - potential effects (environmental, health, social and economic); and
 - any Indigenous, federal, provincial or municipal involvement.
- A plain-language summary of information in the Initial Project Description will also be provided



Comments on Initial Project Description

Consider providing comments, including:

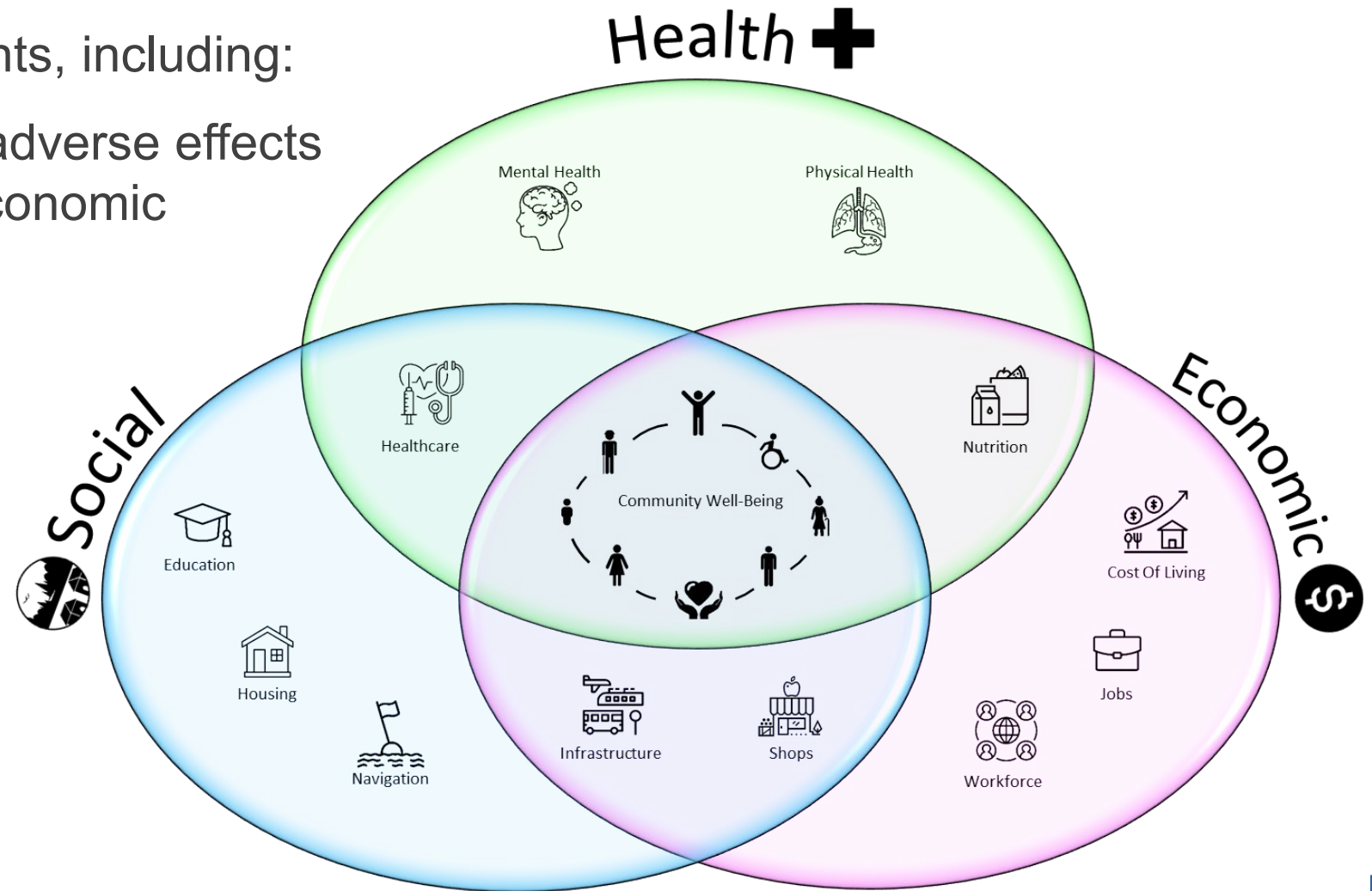
- Potential environmental effects of the project that are of concern to you



Comments on Initial Project Description

Consider providing comments, including:

- Potential positive and adverse effects to health, social and economic conditions



Comments on Initial Project Description



Consider providing comments:

- Identifying potential effects that are of concern to you.
- Identifying places, wildlife, things, or conditions that are important to you.
- Suggesting how the Agency and how the Proponent should engage with you during the assessment process.





Next Steps

NEXT STEPS AND TAKE-HOME MESSAGING



Next Steps

- The Agency and CNSC will continue to participate in pre-assessment engagement and capacity-building activities
- Once a final site is selected, the NWMO will be required to submit an Initial Project Description (IPD), to begin the impact assessment process
- Once the IPD is accepted, the Agency and CNSC will notify the public and Indigenous communities and commence a public comment period on the IPD



Take-Home Messages

- The impact assessment process will begin *after* site selection has been completed
- The Agency and CNSC will notify communities of any next steps in the pre-planning phase of the impact assessment process

Contact Information:

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Canadian Nuclear Safety Commission (CNSC)





OUR MANDATE



REGULATE

the use of nuclear energy and materials to protect health, safety, security and the environment



IMPLEMENT

Canada's international commitments on the peaceful use of nuclear energy



DISSEMINATE

objective scientific, technical and regulatory information to the public

Risk-informed regulatory oversight

OVER 75 YEARS OF REGULATORY EXPERIENCE



COMMISSION TRIBUNAL



**MS. RUMINA
VELSHI**



**DR. TIMOTHY
BERUBE**



**MR. RANDALL
KAHGEE**



**DR. MARCEL
LACROIX**



**DR. VICTORIA H
REMENDA**

- Quasi-judicial administrative tribunal
- Agent of the Crown (duty to consult)
- Decisions reviewable by Federal Court
- Independent Commission members



WHAT WE DO, AND WHAT WE DON'T DO

- We are an **independent** regulator, we **do not report** to any Federal department or minister.
- We report **to Parliament through** the Minister of Natural Resources.
- Staff **review** applications and **provide recommendations to** the Commission.
- The Commission **makes** licencing decisions.
- Staff **verify** safety and compliance – take action if needed



- We do **not** select sites
- We do **not** own, manage, construct or operate projects
- We **don't** issue approvals for boreholes
- We do **not** promote the nuclear industry





Regulatory Oversight

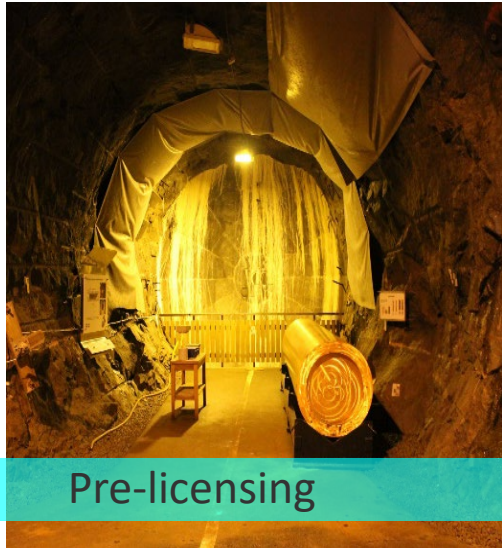




CNSC Activities: During the Site Selection Phase (1/2)

CNSC staff activities:

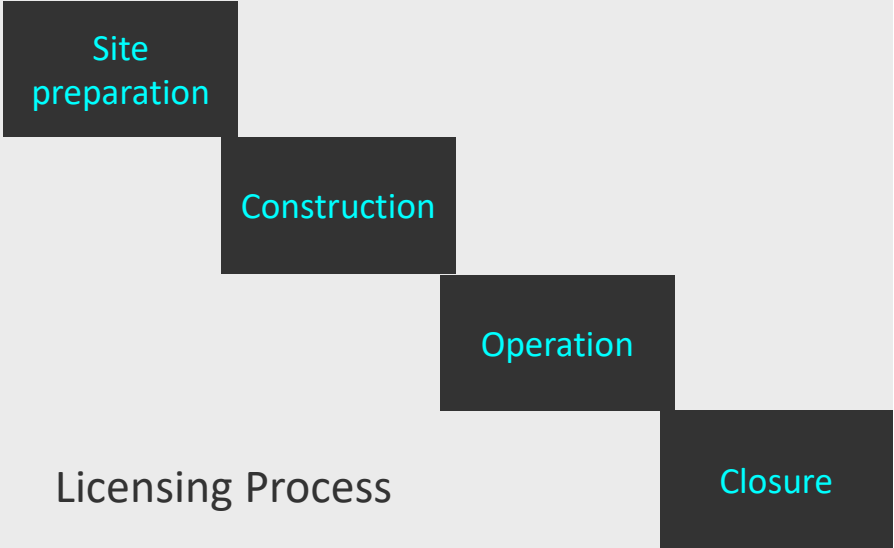
- Regulatory framework for waste management
- Outreach and engagement
- Technical reviews
- International collaboration
- Independent advisory group
- Independent research



Pre-licensing

Regulatory oversight starts

Impact Assessment



Licensing Process

Closure

2002

2010

2024



CNSC Activities: During the Site Selection Phase (2/2)

Regulatory Framework Activities

Regulatory documents published:

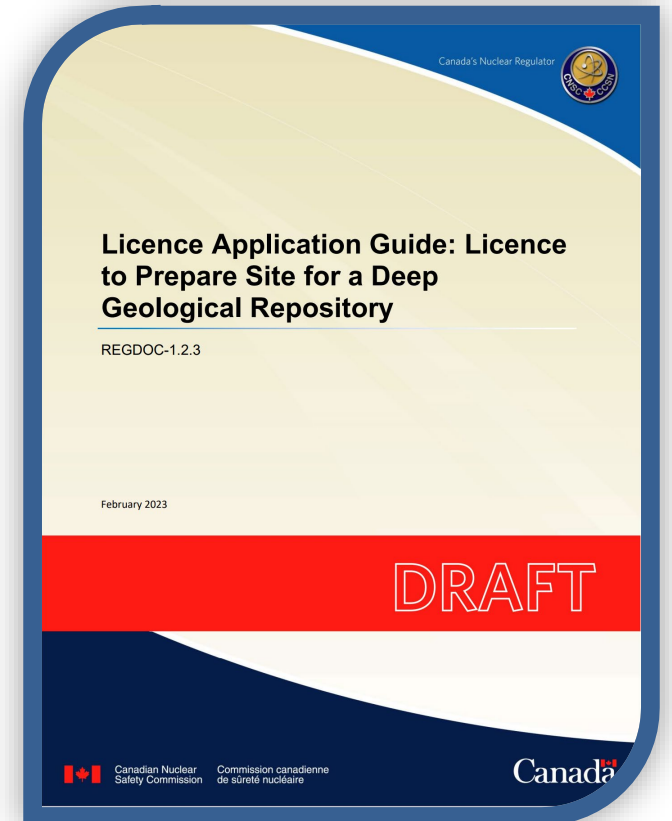
REGDOC 2.11 (*Framework for Radioactive Waste Management and Decommissioning in Canada*)

REGDOC 2.11.1 Volume I (*Management of Radioactive Waste*)

REGDOC 2.11.1 Volume III (*Safety Case for the Disposal of Radioactive Waste*)

Regulatory documents under development:

REGDOC 1.2.3 (*Licence Application Guide: Licence to Prepare Site for a Deep Geological Repository*)



Close of
consultation period:
May 23rd



CNSC Role: During Integrated Assessment (1/2)

Provide technical and specialist expertise and collaborate with the Agency in conducting the process

Participate and collaborate with IAAC in

- Crown Consultation activities
- Ensuring meaningful public engagement and participation

Roles and responsibilities are clarified with a Memorandum of Understanding (MOU) with IAAC



*Scan to see the
MOU*



CNSC Role: During Integrated Assessment (2/2)

- Confirm regulatory requirements under the NSCA are met
- Verify research data of the proponent
- Review geoscience characterization and underground research
- Confirm environmental monitoring programs are sufficient



CNSC role: Integrated Assessment Panel

The Integrated Review Panel (the Panel) conducts an integrated assessment that meets the requirements of both the Impact Assessment Act and the Nuclear Safety and Control Act

- The CNSC will provide staff to be a part of the Panel Secretariat providing professional and administrative support.

At least one member of the Panel must be from the roster provided by the CNSC.

The Panel will make on a decision on the first licence – licence to prepare a site.

- All subsequent licence decisions will be made by the Commission





CNSC Role: In Regulating Licenced Facilities (1/2)

Staged Approach



Consultation at every licence application





CNSC Role: In Regulating Licenced Facilities (2/2)

Inspect and evaluate how licensees ensure compliance with the CNSC's regulatory requirements

Perform independent field inspections

Review licensee self-reporting

Follow up with licensees to ensure that corrective actions are implemented

Engagement and outreach





Outreach and Engagement

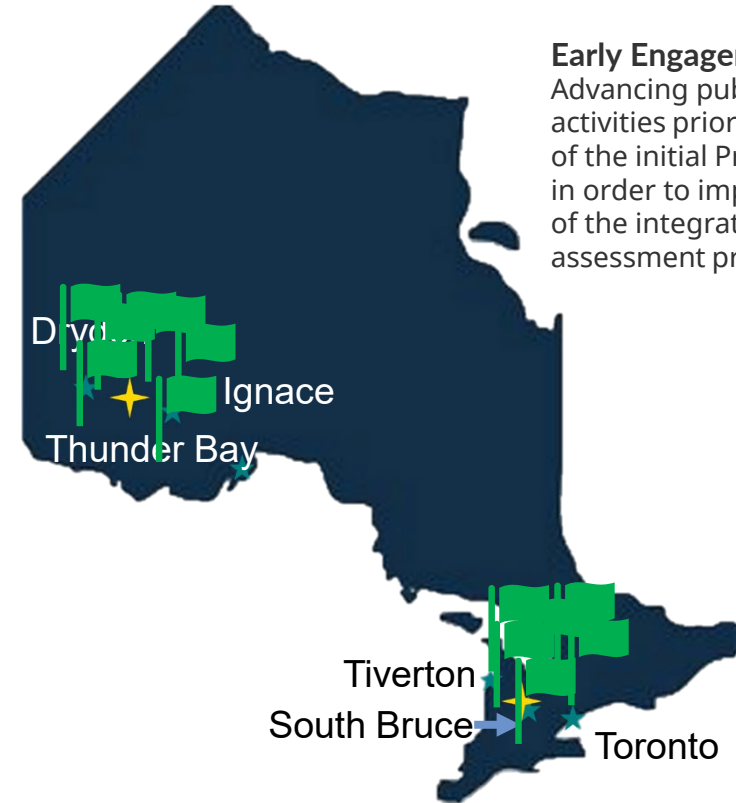




Commitment to our Mandate



CNSC staff presenting at the Saugeen Ojibway Nation trade show



Early Engagement
Advancing public engagement activities prior to the submission of the initial Project Description in order to improve awareness of the integrated impact assessment process.

NSCA s.9(b) – Objects of the Commission: *“to disseminate objective scientific, technical and regulatory information to the public..”*



CNSC's Commitment to the Indigenous Peoples

- To strengthen CNSC's relationships with Indigenous Nations and communities and develop on-going, respectful, and open dialogue
- To learn about and address Indigenous Nations and communities' issues and concerns in meaningful and productive ways
- To support Indigenous Nations and communities' participation in CNSC regulatory processes
- To ensure proponent engages with potentially affected Indigenous peoples





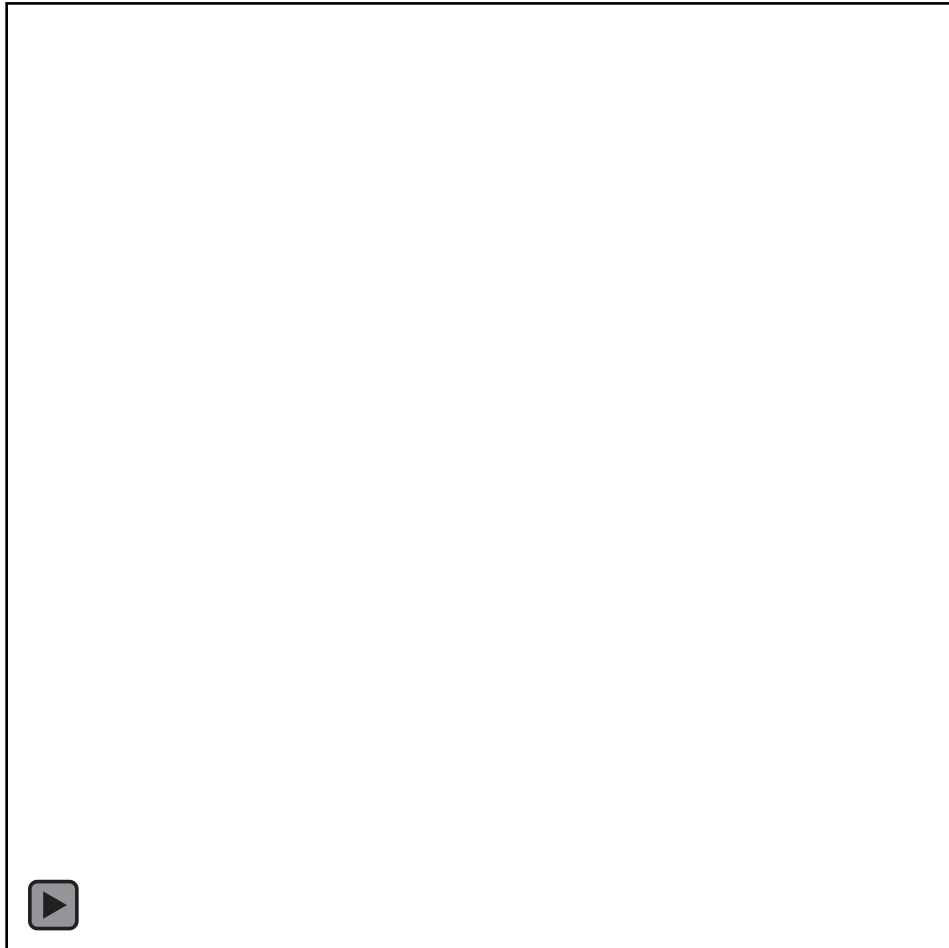
CNSC's Commitment to the Public

- To learn about and address, or cause the proponent to address, public concerns in meaningful ways
- To support public participation in all phases and stages of the regulatory processes
- To ensure proponent engages effectively with the public





The Importance of Transparency





Conclusion



Summary

Public Participation and Indigenous engagement are an ongoing commitment

With respect to the NWMO APM project,

- CNSC will continue early engagement with interested communities
- If a licence application is submitted, it would be subject to rigorous safety-focused regulatory review



Connect with Us!



[Let's Talk Nuclear Safety \(letstalknuclearsafety.ca\)](http://letstalknuclearsafety.ca)

[Canadian Nuclear Safety Commission \(cnscccsn.gc.ca\)](http://cnscccsn.gc.ca)

[What is radioactive waste?](#)



Questions?

