



UNION OF NEW BRUNSWICK INDIANS

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Nuclear Waste Management

&

First Nations in New Brunswick

submitted by

Union of New Brunswick Indians

August 29, 2005

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Nuclear Waste Management Workshop Red Bank Adventure Lodge

Minutes

08/18/05

Present:

	<u>Name</u>	<u>Title</u>	<u>First Nation</u>
1.	Mike Krizanc	Nuclear Waste Mangement. Org (NWMO)	Attended morning session only
2.	Ronald Perley	Union of New Brunswick Indians (UNBI)	
3.	Joseph Knockwood	UNBI	Fort Folly
4.	Floyd Bernard	UNBI	Madawaska Maliseet
5.	Linda Waite	UNBI	
6.	Norville Getty	UNBI	
7.	Tim Culligan	North Shore Micmac District Council	
8.	Barbara Bartibogue	Aboriginal Human Resources	Burnt Church
9.	Arthur Bartibogue	Elder	Burnt Church
10.	Emerson Francis	Councillor	Eel Ground
11.	Kyle Francis	NSMOC	Eel Ground
12.	Mario LaPointe	Community Planner	Eel River Bar
13.	Oasoeg Milliea	Atlantic Policy Congress of First Nations Chiefs (APC)	Elsipogtog
14.	Adela Levi	Elder	Elsipogtog
15.	Franklin Levi	Tek Specialist	Elsipogtog
16.	Chief H. Knockwood	Chief	Fort Folly
17.	Ilene Knockwood		Fort Folly
18.	Richard Francis	Economic Development Officer (EDO)	Kingsclear
19.	Chief Joanna Bernard	Chief	Madawaska Maliseet
20.	Dominic Bernard		Madawaska Maliseet
21.	Gail Bernard		Madawaska Maliseet
22.	Rose Keyszko	EDO	Pabineau
23.	Gabrielle Paul	Employment & Training Councillor	St. Mary's
24.	Jesse Perley	EDO	Tobique

- First Nations Absent:**
1. Bouctouche
 2. Indian Island
 3. Oromocto
 4. Red Bank
 5. Woodstock

10:15 am OPENING PRAYER: Emmerson Francis

10:20 am WELCOME: Ronald Perley, UNBI

- Introductions around the room
- Brief review of UNBI and NWMO involvement over the last 2½ years

10:25 am INTRODUCTION: Norville Getty, UNBI

- Brief description of nuclear fuel in Canada and Canada built nuclear power stations around the world.
- Aboriginals are involved because of the recognition that suitable geography would most likely be on aboriginal territories i.e. remote mountainous region.
- AFN and other national aboriginal groups (Innu, Metis, etc.) funded to participate in the strategic planning stage. This resulted in APC conducting dialogues on nuclear waste management in Atlantic Canada. The Union has argued that each of the 15 First Nation in New Brunswick should have a dialogue session and that this dialogue process should continue.

Chief Bernard If people were more informed about nuclear waste, there would be more participation. Is there a way to inform people more adequately?

- NWMO approach is to have an on-going process. All results are also posted on NWMO's website.

10:30 am GUEST SPEAKER: Mike Krizanc, NWMO

- The issue of nuclear waste is being dealt with by a number of countries but not many are decided on what to do. Sweden and United States have opted for underground storage. Sweden decided on their approach by consensus – engaging in citizen dialogue while in the United States, it was an administrative decision.

Richard Francis Why wait for 30 years to have consultations? Why was this problem not addressed prior to today?

- When nuclear energy started to be used to generate electricity, the decision to manage the nuclear waste was deep geological disposal in 30 years time. It would take that amount of time for the spent fuel to cool down sufficiently so that it can be stored in sealed concrete canisters.
- At that time the decision making process was much different than it is today. Society has changed since then and expects to be consulted when there are important policies to decide. Although the original approach was scientifically sound, today, society also has to participate in in order accept any decision on the management of nuclear waste.
- Recommendations from the NWMO founded on public discussions held over the last 2½ years. Initially dialogues were held with more global groups but there has been the indication for more grass roots level dialogue
- NWMO does not take a position on nuclear power. There has to be a decision on what to do with the existing waste, no matter what.

Richard Francis Why not investigate the possibility of extracting more (e.g. 65%) of the potential energy content of natural uranium instead of the existing level (i.e. ~8%)? If you are dealing with managing nuclear waste, why not investigate ways that it can be utilized, reducing the amount.

- There is a good description in the draft report on how the CANDU reactor burns natural uranium. Probably more than 90% of the energy remains in the uranium but the CANDU reactor will no longer burn after this relatively small amount of energy is released. When the spent uranium is reprocessed, there is much more radioactive by-products generated that are more dangerous and volatile. Reprocessing also yields a liquid waste which is very volatile and much more dangerous than solid waste. There is a non-proliferation treaty that prevents participating countries to reprocess the spent uranium from the nuclear power plants.

Chief Bernard What is the potential of this nuclear waste being a target for terrorism?

- The Nuclear Safety Commission oversees security at the Canadian nuclear power plants as safety and security is of utmost importance. In Canada, the nuclear waste generated by the power plants is not in a form that is useful to terrorists.

Chief Bernard When you have nuclear waste in your own back yard, it is a cause for concern. You have to assume that other countries are aware of this knowledge and also, that this knowledge has the potential to be dangerous.

- Agree

Unknown There were rumours that a storage container at Point Lepreau had been damaged? Is NWMO aware of any such events?

- There have been no major incident in any of the nuclear power stations in Canada.
- In terms of siting, the community where the storage will take place has to be willing to have the waste stored and this decision has to be made with knowledge. Once the recommendations have been accepted, then the siting process will begin.

Mario LaPointe What type of design does NWMO have for the siting process?

- Teutonic or shale formations, which are generally found on the fringe of the Canadian Shield, are considered suitable substrate for a nuclear waste disposal site. There must also be no indication of minerals or fissures in the rock formation. The Canadian Shield encompasses most of Quebec and northern Ontario and the disposal site will most likely be within one of these provinces.

Chief Knockwood Once a site has been established, what guarantee is there that the United States will not use this site for their nuclear waste?

- 'Self-Efficiency Principal' which is an agreement of no import or no export of used nuclear fuel. The exception exists in small countries that are very close together when it is advantageous to have only one repository for nuclear waste such as in Europe.
- Ontario generates 95% of the nuclear waste in Canada.
- Potential disposal regions: New Brunswick, Ontario, Quebec, Saskatchewan but New Brunswick not a serious contender.
- Adaptive phase recommendation takes advantage of the 3 methods investigated and introduces citizen engagement at each step of the process allowing decisions to be easily reversed and the nuclear waste to be continually monitored.

Richard Francis Regarding nuclear waste, we can accept ignorance of the past as a common thing and we can even plead ignorance today. But we should decide today on our future ignorance. The aboriginals involved on advisory boards to date have been treaty rights west aboriginals. We want to solve our own problems; we want to pay our own people so we can be informed today.

We should look forward and prepare a budget for the Indians proper of New Brunswick; not MAWII, UNBI but an independent budget for the future of our children.

Existing agencies (including NWMO and UNBI) are limited when they receive funding.

Are we going to again react 30 years later; why not react now. There are issues that we need to be aware of such as transportation, etc. and that we should be consulted on today.

11:00 am BREAK

11:15 am DISCUSSION & QUESTIONS

Chief Bernard I would like it to be noted that during the break a 9-year-old child asked what are the chances of something happening? NWMO reply was that there is risk in life. As a First Nation citizen he has a right to an answer. We do not increase day-to-day risk. What can we do to lower the risk tomorrow? What are we going to do to secure the safety of the children's future?

Mike Krizanc There is risk in life – but what do we do to manage that risk? Risk exists today – what do you require to reduce that risk?

Chief Bernard What do you do to make people feel safe? People should not feel afraid.

Mike Krizanc People affected have to be given resources.

Richard Francis NWMO does not have the trust responsibility that the Federal Government and the Queen has. There should be money available which is not discretionary i.e. UNBI and NWMO.

Mike Krizanc Funds and support have to be available to people who are impacted in order for them to make decisions in their own best interests.

Richard Francis This meeting is premature. We do not have information we require to ask questions. We cannot trust an organization to protect our children.

We have to have the promise that money is attached to the fiduciary responsibility.

Norville Getty The Federal government is responsible for taking representation forward to cabinet. Report going forward from AFN and NWMO to Natural Resources after which it is forwarded to the federal cabinet (Andy Scott). Any first Nation can put forward a document.

- Richard Francis Recommend a continuous and protective process put in place from this point on which is totally separate from existing process for the purpose of protecting First Nations.
- Mario LaPointe Why are there no provincial or nuclear people invited?
They are the ones required to answer questions.
- Ronald Perley They were asked for funds and refused to fund part of this process.
- Richard Francis That defeats the process. They should respond to First Nations.
- Norville Getty They were invited but they declined.
- Franklin Levi Did Premier Lord and NWMO consult over waste management?
- Mike Krizanc There was no meeting between NWMO and Premier Lord or discussions with any province on nuclear waste.
- Franklin Levi Regarding recommending some ongoing process, would embrace an independent process. It would work very well with NWMO approach and it would be a long-term commitment to future generations.
- Richard Francis Do you have a First Nations person on the Board of Directors?
- Mike Krizanc No. There are 5 people on the Board of Directors. The independent Advisory Council, guarantors of public interests, has an aboriginal.
- Richard Francis The representative is a treaty Indian not an aboriginal.
- Mike Krizanc It is felt that the Advisory Council is not adequate and the Board has said it is prepared to open up for additional members. Work is guided by an ethics round table.
- Richard Francis If you look at the process of involvement: Point Lepreau 1) generates power in-house and 2) sells power to the US. A lot of concession to allow Point Lepreau to make money. Why is First Nations not involved in power generating plants?
Land, air or water will be used to transport nuclear fuel and we will not be aware until the time comes to do that. We do not want to wait that long.
- Mike Krizanc The way we operate, you will be informed. Concerning transportation, any little community along the route will be involved.
Dangerous goods are starting to require that communities be informed. Resources will have to be divided so that these communities can respond responsibly.

12:00 pm LUNCH

1:30 pm DISCUSSION & QUESTIONS Continued; Mike Krizanc absent

Norville Getty

NWMO deals only with nuclear waste. Refurbishment of Point Lepreau is a different process. In Canada, the Nuclear Safety Commission looks at the operation of nuclear plants (30) according to certain guidelines. To refurbish is a provincial decision and deals with the Atomic Energy Commission of Canada who created the CANDU reactor. Once it is decided to build a reactor, there is a presentation to the Nuclear Safety Commission who decides on the process.

In New Brunswick, Point Lepreau is authorized to operate for a certain period of time that is coming up (close to 30 years). There has been no nuclear power plant in Canada that has been decommissioned yet. Point Lepreau has not reached that stage yet. It will cost \$3-4 hundred million for decommissioning Point Lepreau.

Point Lepreau is to go before the Nuclear Safety Commission this fall. UNBI is to appear at this hearing. Point Lepreau will first seek approval to operate to 2008 in order for regulatory commission to monitor what is going on allowing public to voice opinion on closing or refurbishing then, later, for approval on refurbishment.

There is no provision for funding for interveners. UNBI is lobbying government, public utility board, etc. for funding to intervene. For example, meetings at a distance cost money to attend. Nuclear Safety Commission meetings are in Ottawa. There is a difference in what is going on and what we can do.

Richard Francis

The decision to refurbish is in 2008. A document will be reviewed before refurbishment is decided.

Norville Getty

The federal government is responsible for nuclear energy. In order to get involved, need to get support, most likely from the Minister of Natural Resources.

Chief Bernard

What is the technical explanation of refurbishment?

Norville Getty

Take fuel bundles out, replace existing tubes and put fresh rods in existing infrastructure.

Richard Francis

Regarding permission to refurbish, need to know the amount of waste generated. Is it known how much waste will be dispersed for the next 30 years?

Norville Getty

Waste already generated or to be generated will be initially stored on site then transported to a central site with a surface storage area.

Richard Francis

We are talking 60 years as a life span for Point Lepreau – the chemical breakdown of concrete and steel takes 100 years. What then? Another plan to build another CANDU in that area?

Norville Getty

New Brunswick Power has money set aside to decommission Point Lepreau.

Richard Francis

The water cooling the rods is now radioactive. What happens to the water in 30 years?

Norville Getty Stored in containers.

Chief Bernard Including all equipment?

Franklin Levi They store it because their knowledge is not great enough. They leave it for future generations to figure out.

Norville Getty The robot used for refurbishment becomes radioactive and in turn has to be stored.

Richard Francis Where is the liability when something goes wrong?

Norville Getty At 3-mile Island because of what happened 30 years ago the area is still radioactive.

Chernobyl in the Ukraine, 10 years ago, controls were not tight enough and there was an explosion and a nuclear cloud went around the world several times with fall out even in this province. This is not something that has a local effect but a global effect.

Chief Bernard NB Power must have been in touch with Maine.

Norville Getty NWMO deals only in Canada. There are reactors in Maine. At one, the people wanted it shut down so it was shut down.

Richard Francis What happens if there is a meltdown in the storage area?

Norville Getty They say that that is impossible.

Richard Francis What plan is there to address these issues?

Norville Getty UNBI is applying for intervenor status. If the Chiefs took a position of not being in favour of Point Lepreau, UNBI would make that argument to the Nuclear Safety Commission.

Point Lepreau was supposed to operate for 30 years but problems have shortened this time. They had planned on building more than 1 reactor, at present there is room for more reactors.

Chief Bernard for Dominic What colour is nuclear waste?

Ronald Perley It glows blue.

Norville Getty When it stops glowing, it is stored in concrete. The original colour is yellow.

Richard Francis Why are we involved as a separate group to deal with?

Ronald Perley It is in the act.

Norville Getty The Federal government decided, because of various court actions, that they should go through a consultation process with aboriginals because of land.

Richard Francis If the Federal government made that decision – ownership of land – then independent monies should be got through this argument.

Norville Getty In western Canada even under treaty, aboriginal peoples have to be consulted.

Richard Francis Should be meeting with the National Chief and his group.

Norville Getty

AFN and other aboriginal groups went through on a good faith consultation process. The Federal government cut back funding to do only a minimum.

The only way around it is to become independent in order to generate funds to do what you have to do.

The Nuclear Safety Commission is a neutral decision maker and decides if you can intervene against Point Lepreau. Up to now, the only aboriginal organization that has ever intervened is UNBI.

UNBI claims representation only of the 12 First Nations but encourages more people to intervene.

Franklin Levi

Accidents happen. Our children are the ones who will have to deal with this.

Norville Getty

If the process cannot be stopped (generating nuclear waste) then NB Power should be creating jobs for First Nations people such as safety and security monitoring and environmental monitoring.

Richard Francis

Once you are signed on you are part of the process. We want to remain independent of the process.

We should look at the big picture.

Recommend a resolution to be passed by the Chiefs for a package of long term funding to develop this process.

Need a proposal for the Chiefs to sign of a plan to determine on how we will proceed from here for the next 30 years.

We need a vague idea of what is required to move forward.

Mario LaPointe

The best mechanism to have sustained funding required to continue is through a NB Power trust fund as with NWMO. This would be a good mechanism to develop a trust fund.

Richard Francis

Have a memorandum of understanding between Nova Scotia, New Brunswick, Prince Edward Island and Newfoundland.

This would allow everyone to move at the same pace; the thinking would be at a regional level with support from all the provinces.

Suggest for the Regional Chiefs meeting that UNBI prepare and present a MOU. This MOU should be distributed to the Chiefs a week before the meeting in order for the Chiefs to have time to review it.

We should meet again; I don't think that this should be dropped; I hope that more funding is available; NWMO is recommending more funding and more dialogue.

Mario LaPointe

A possible solution may be approaching the Community Foundation of Canada. They assist in developing individual foundations on a long-term process. Also, Point Lepreau/NB Power is contributing \$20 million per year to this subject.

There will be a report generated and given to NWMO and posted on their website in the near future.

14:50 pm CLOSING PRAYER: *Arthur Bartibogue*

The following topic was briefly discussed even though it was recognized that it is not within the NWMO mandate. First Nations of New Brunswick feel it to be a concern that should be addressed in terms of future nuclear waste management options for this province:

Point Lepreau Refurbishment:

Why is Point Lepreau being refurbished when, today, we do not have the solution to a 30-year-old problem? With the problem of what to do with nuclear waste still unresolved, why is effort being directed into refurbishing aging nuclear power plants instead of investigating other renewable resources such as wind power?

Appendix A. Attendance at individual First Nation nuclear waste management briefs – July/August 2005.

1. Fort Folly First Nation July 20, 2005

Joe Knockwood	Jen Knockwood	Tim Nye
Floyd Bernard	Melissa Knockwood	
Linda Waite	Edmund Belliveau	
Gail Bernard	Tiffany Hunter	

2. Woodstock First Nation July 25, 2005

Joe Knockwood	Shawn Saulis EDO	Arthur L Jacobson
Floyd Bernard	Roger A Jacobson	
Linda Waite	Trudy Cummings	
Gail Bernard	Ronald J Paul	

3. Saint Mary's First Nation July 26, 2005

Joe Knockwood	Mark Brooks III	Patrick Hardy
Linda Waite	Jesse Paul	Patrick Brooks
	Colin Paul	Ryan Paul
	Gainer Somerville	Jeremy Paul
	John Paul	Simon Paul
	Gabrielle Paul	Tim Paul

4. Tobique First Nation August 2, 2005

Joe Knockwood	Wayne Nicholas EDO	Jesse Perley
Linda Waite	Dwayne Sappier Jr.	Daniel Messinger
	Roger Perley	

5. Madawaska Maliseet First Nation August 2, 2005

Joe Knockwood	Chief Joanna Bernard	Marco Thèriault
Floyd Bernard	Robert Bernard	Jason Lizotte
Linda Waite	Thomas Bernard	Mitchel Pelletier
	Thérèse Bernard	

6. Oromocto First Nation (at Woodstock) August 3, 2005

Joe Knockwood	Chief Roger Atwin
Linda Waite	John Keenan

7. Kingsclear First Nation August 3, 2005

Joe Knockwood	Richard Francis EDO
Linda Waite	Dale Solomon

8. Eel Ground First Nation August 4, 2005

Joe Knockwood	Chief George Ginnish
Linda Waite	Theresa Simonson
	Kenny Larry
	Emerson Francis

9. Red Bank First Nation August 4, 2005

Joe Knockwood	Anita Boyle EDO
Linda Waite	Maurice Richard
	Gerry Hare

10. Big Cove (Elsipogtog) First Nation August 5, 2005

Joe Knockwood	Lynn Francis EDO	Irene Sanipass
Linda Waite	Franklin Levi	Adela Levi
	Mark Augustine	Francis Simon

11. Pabineau First Nation August 8, 2005

Floyd Bernard	Rose Kryszko EDO
Linda Waite	Barbara Calderone
	Christine Sparks
	Elizabeth Duguay

12. Burnt Church First Nation August 8, 2005

Floyd Bernard
Linda Waite

We were not able to hold a formal session. The councilor we were to have met was unavoidably detained. We had a brief discussion with First Nations at the Band Office. Information documents were distributed.

13. Bouctouche First Nation August 9, 2005

Floyd Bernard	Chief Gary Sanipass
Linda Waite	William Sanipass
	Jackie Ward
	Melanie Barns

14. Indian Island First Nation August 11, 2005

Joe Knockwood	Catherine Sanipass
Linda Waite	Rachel Augustine
	Nancy Leger

15. Eel River Bar First Nation August 16, 2005

Joe Knockwood	Mario LaPointe
Floyd Bernard	Norma Labillois
Linda Waite	Bobby Jo Labillois

Appendix B. Power Point Presentation: "Canada's Used Nuclear Fuel"

Future Management

Choosing a Way

1. Nuclear Fuel Waste Act (NFWA) November 15, 2002

- Required major nuclear fuel waste owners to establish:
 - Nuclear Waste Management Organization (NWMO),
 - NWMO Advisory Council and
 - NWMO trust funds

2. Nuclear Fuel Waste Org (NWMO) Mandate

- Long-term Management of Used Nuclear Fuel?

3. Guiding Principles

1. To ensure the safety & security of the people & environment is pre-eminent
2. Time dimension longer than recorded history
3. Sustainable - socially acceptable,
 - technically sound,
 - environmentally responsible,
 - economically feasible
4. Collaborative (i.e. citizen engagement)

4. Technical Approaches Assessed

1. Deep geological disposal i.e. Canadian Shield
2. Centralized storage (above or below ground)
3. Storage at existing nuclear reactor sites

5. Results Re handout (executive summary)

- No one approach addresses all identified values & objectives
- Each approach has distinct advantages & limitations

6. Recommendation

- Adaptive Phased Management
 - Risk management approach
 - Builds on advantages of the other approaches
 - 3 phased staged implementation allows
 - sequential decision making (adaptable)
 - conservative financial approach
 - improvement through R & D

7. 3 Phases of Development

- Phase 1 (first 30 years)
Preparing for central used fuel management
- Phase 2 (30 to 60 years)
Central storage + technology demonstration
- Phase 3 (60 to several hundred years)
Long-term containment, isolation + monitoring

8. Implementation

- Financial surety - established trust funds
- Focus: 4 provinces that generate nuclear waste (Ont., Que., NB, Sask.)
other provinces are welcome to express an interest

9. Site Establishment

- Willing host community
- Technical and scientific criteria are met
- Demonstrated community support
- Aspirations of people are respected

10. Participants

- NWMO (implementing agency)
- Federal governments
- Provincial governments
- Aboriginal Peoples
- Host communities

11. Draft Study Public Dialogue & Comments

- Dialogue & comment period to August 31, 2005
- Continued Aboriginal dialogues
- Open houses in reactor site communities
- Scheduling of other meetings and events upon request

12. Canada's Used Nuclear Fuel Workshop

- Redbank, August 18, 2005
- Opportunity to voice personal opinions on the direction of nuclear waste management for New Brunswick & for Canada
- Important for FN's in New Brunswick to be an active participant in order to protect traditional culture and territories
- Now is the time to have your voice heard

13. Submission Final Study

- Minister of Natural Resources Canada, and public release by November 15, 2005
- Final recommendations
- Advisory Council comments
- Summary of comments from dialogues (e.g. Red Bank, August 18, 2005)

14. Question 1: Is the recommended management approach appropriate for Canada?

- In what ways is it appropriate?
- What concerns, if any, do you have?
- How can it be improved?

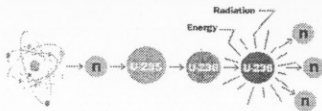
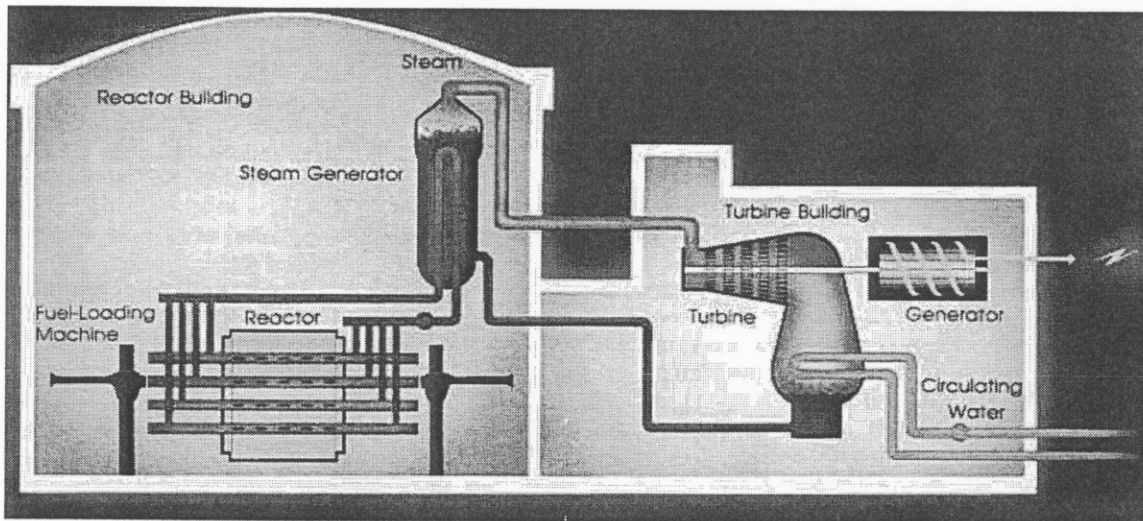
15. Question 2: What are the conditions required to successfully implement the approach?

- What matters to you most in implementation?
- What assurances do you need to be confident in implementation?

16. Errata Refurbishment

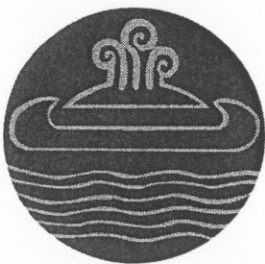
	Reactor	Year Planned	Est Cost
Point Lepreau, NB	2007	\$1.4 billion	
Gentilly, Que	2008-2010	?	
Pickering + Bruce, Ont		2008-2009	\$3 billion

17. TYPICAL CANDU NUCLEAR POWER PLANT



18. Nuclear Waste Bundles

- Current: 2 million
- Expected: 3.4 million (year 2010)



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Nuclear Waste Management

Red Bank First Nation

Workshop Agenda

August 18, 2005

10:00 am Opening Prayer

Welcome: Ron Perley, UNBI

Introduction: Norville Getty, UNBI

- Comments from introductory sessions with New Brunswick First Nations attached.

10:15 am Guest: Nuclear Waste Management Organization

11:00 am Break

11:15 am Discussion & question period

12:30 pm Lunch (provided)

1:45 pm Discussion & question period continued

3:00 pm Break

3:15 pm Wrap-up

Logistics

Overnight accommodations Aug. 17th at Red Bank Lodge and Eel Ground Lodge
(506) 836-6128.

Individuals will be reimbursed for meal and gas expenses at the workshop.

1. How will nuclear fuel waste be transported from Point Lepreau? When it is, will First Nations be fully informed?
2. Some First Nation members have attended NWMO information session previously and feel that even though they have this consultation process, there is a hidden agenda. Members feel that their voice is not being heard; their opinions don't appear to be coming across.
3. What consultation process was employed by Premier Lord to make the decision on refurbishing the Point Lepreau nuclear power plant? Nuclear waste had to have been a consideration.
4. What will happen to the nuclear waste if Lepreau is not refurbished?
5. Why was waste management not addressed prior to today? Nuclear fuel waste has been generated for as long as the plant has been operating.
6. Why wasn't First Nations consulted initially?
7. It is important to include the children because their future holds this problem.