

Report on NWMO-First Nations Quebec and Labrador Sustainable Development Institute Project, Discussion Project between the First Nations and the NWMO

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October 2009

First Nations Quebec and Labrador Sustainable Development Institute

nwmo

NUCLEAR WASTE
MANAGEMENT
ORGANIZATION

SOCIÉTÉ DE GESTION
DES DÉCHETS
NUCLÉAIRES



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Report on NWMO-FNQLSDI Project

Discussion Project between the First Nations

and the

Nuclear Waste Management Organization (NWMO)



Report produced by the First Nations of Quebec and Labrador Sustainable Development
Institute (FNQLSDI)

And

Submitted to the Nuclear Waste Management Organization

Wendake

October 30, 2009

Introduction

Nuclear energy is used to produce electricity in four Canadian provinces: Ontario, Quebec, New-Brunswick and Saskatchewan. Even though this type of energy produces less greenhouse gas, irradiated nuclear waste must be stored in a safe manner for present and future generations.

The FNQLSDI and the Energy Committee made known their position on nuclear energy during the energy hearings in Quebec (January 11, 2005). However, the committee has never adopted a position on irradiated nuclear waste.

Following the extent of consultations that were held across Canada, the NWMO developed a « Site Selection Process ». The goal of the meeting on September 10, 2009 was to provide the NWMO the opportunity to meet First Nations' Chiefs in order to introduce the validity of the process. This was AN information session. Since the FNQLSDI has a very good network of contacts, the two organizations developed a project for submissions to the Chiefs.

NWMO

The Nuclear Waste Management Organization was created in 2002 by Ontario Power Generation Inc, Hydro-Quebec and the enterprise group New-Brunswick Energy. It was created as a corporation, the main mandate of which is the long term management of Canadian irradiated fuel.

The Nuclear Waste Management Organization (NWMO) was given the mandate to choose an appropriate site. After public consultations, the NWMO recommended **Progressive Adaptive Management**. However, before selecting the site, it is essential to develop a site selection process. This process was completed after lengthy consultations with thousands of stakeholders in Canada, including members of the Aboriginal population.

Project Objectives

Two main objectives were targeted for the purposes of conducting the project:

1. Inform First Nations about the NWMO, its process, and the project for the selection of the corporate site;
2. Develop recommendations, which will be submitted to the Assembly of Chiefs in Quebec and Labrador.

The first objective was completed by the FNQLSDI project head and the NWMO. A document explaining the meeting included a link to the NWMO internet site was sent to all first Nations

communities before the meeting. For its part, the NWMO informed the First Nations about their roles, the process, the project and the site selection process during the meeting.

However, the second objective was slightly modified. The NWMO preferred to hold a meeting with as many elected representatives as possible. It was therefore agreed to organize a special assembly of Chiefs. More than twenty elected Chiefs were present at that meeting.

Organization of the meeting

The meeting took place on September 10, 2009 at the Hôtel Classique in Quebec City. More than 60 persons were in attendance at that meeting: including Chiefs and the technicians from all areas of Quebec. However, due to a technical problem, it was impossible to hand out the document to the individuals attending. The NWMO made a commitment at this meeting to send documents to all band councils.

Summary of the meeting

The meeting began with a presentation by NWMO on the "Proposed Site Selection Process". According to the NWMO, this project will never be imposed on the communities. However, a community may volunteer and if so, all individuals from the region must be involved in the agreement. If some individuals do not want the project, the community could then refuse. There are both social and technical criteria that must be respected and the federal government recognizes the principal of the community approval.

Mr. Billy Two Rivers reported that it is the responsibility of the elders to ensure respect for traditional knowledge, and if there is any intention to participate, the elders have the responsibility of informing members of the community of the cultural consequences and any other impact.

The NWMO reiterated that no site has been targeted. However, a site must be identified in one of the four "nuclear" provinces: Ontario, New-Brunswick, Quebec and Saskatchewan.

Ms. Patton communicated the information, and she would like to know the reaction of the communities. The NWMO is obliged to consult Aboriginal communities, but there will be other formal consultations between the communities and the local populations. The meeting on September 10 was not organized as a consultation session, but rather as an information meeting to hear the comments and the opinions on the proposed process for selection of a site. The project will be discussed in details in any communities who so request. Therefore, there will be no discussion with communities who are not interested.

This process is a federal process because the federal government is responsible for nuclear safety. Nuclear waste producers have created a trust fund and have also indicated their support for the project. They have the obligation to provide the funds for the creation of nuclear waste burial sites.

A document produced by the Assembly of First Nations (AFN) was handed out. One paragraph in this document stipulates that "the AFN will play a support role in upcoming discussions by establishing a process to facilitate discussions. Such sessions should not be considered as consultation sessions because their main purpose is to provide information about spent nuclear waste and guidance on the process for the identification of a long term burial site". Whenever First Nations desire to adopt a policy, a resolution is required from the Band Council, and it must be signed and delivered to all parties interested. This is the process for adopting positions. If no resolution is delivered for the acceptance of a project or a consultation, it is deemed that a Nation is not interested and the corporation must respect the process outlined in the AFN document in the present case.

Mr. Patton repeated that this meeting was only an information session.

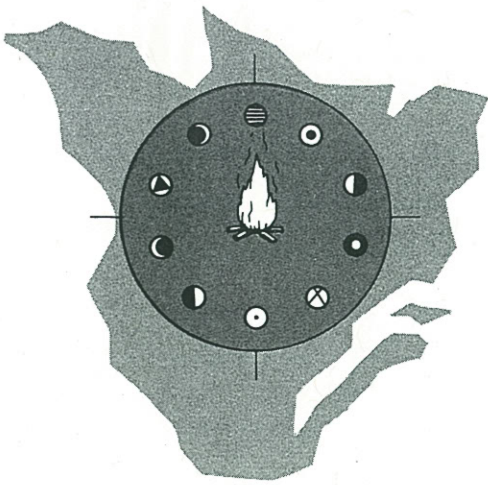
None of the comments made at this meeting will be transmitted to the NWMO. The Chiefs decided to refrain from making comments on the proposed process, because it is not a consultation, but a discussion session. A resolution was adopted to this effect and is appended to this document.

Conclusion

It is important for communities to continue discussions with the NWMO. The issue is the burial of irradiated nuclear waste in our territories. First Nations desire to obtain more relevant information concerning the eventual identification of a long term deep geological burial site for nuclear waste. But they also wish to obtain appropriate financial resources in order to support the consultation process in all communities.

It is important for the First Nations to clearly understand what this document means. The First Nations must be consulted and informed in an enlightened way about any impacts or benefits that such projects may represent for First Nations territories. It is important that each First Nation be consulted individually on this subject. This is a major issue which will be passed down to future generations.

Appendix: resolution N° 03/2009



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de l'Assemblée des
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du Québec
et du Labrador

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RESOLUTION NO. 03/2009

**POSITION OF THE CHIEFS OF QUEBEC AND LABRADOR ON THE SELECTION
OF A SITE FOR A LONG-TERM DEEP GEOLOGICAL REPOSITORY**

- WHEREAS** the Chiefs of the First Nations in Quebec and Labrador, meeting in general assembly at Quebec the 8, 9 and 10 of September 2009, accepted to meet with the Nuclear Waste Management Organisation (NWMO) for an information session concerning the selection of a site for the long term deep geological deposit for the storage of nuclear waste in Quebec;
- WHEREAS** the region of Quebec is one the four (4) regions targeted by the NWMO in the selection of a long term deep geological deposit for the storage of nuclear waste;
- WHEREAS** the AFN has published an information memorandum which stipulates that: "the AFN will play a supportive role in upcoming dialogue sessions by assisting in the development of a First Nations dialogue process which will insure First Nations participation. It is important to note that these dialogue sessions should not be interpreted as consultation with First Nations";
- WHEREAS** the management of nuclear waste is a very important question of territory for First Nations;
- WHEREAS** the management of nuclear waste must be considered in much greater depth by all First Nations in Quebec and Labrador;
- WHEREAS** the Assembly of First Nations in Quebec and Labrador has adopted a consultation protocol,
- BE IT RESOLVED** to affirm that the session held on September 10 2009 with the NWMO and the information gathered from the Chiefs shall not be interpreted, in any way whatsoever, as being a consultation as defined in the criteria determined by the AFNQL;


BE IT ALSO RESOLVED to pursue the process with the NWMO in order to assure that all First Nations in Quebec and Labrador receive, not only the information pertinent to the selection of a long-term deep geological repository to store nuclear waste but that they also receive adequate financial resources in support of each First Nation's consultation process respectively;

LET IT ALSO BE RESOLVED THAT each First Nations in Quebec and Labrador Band Council indicate to NWMO, through the passing of a resolution, its intention to participate or not to participate in the consultation process.

PROPOSED BY: Grand Chief Konrad Sioui, Wendake

SECONDED BY: Chief Jean-Charles Pietacho, Ekuanitshit

ADOPTED BY CONCENSUS IN QUEBEC CITY ON SEPTEMBER 10, 2009



Ghislain Picard

Chief of the AFNQL