

POSITION PAPER

PRESENTED TO:

THE NUCLEAR WASTE MANAGEMENT ORGANIZATION
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PRESENTED BY:

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NUCLEAR WASTE
MANAGEMENT
ORGANIZATION

SOCIÉTÉ DE GESTION
DES DÉCHETS
NUCLÉAIRES



Ontario Metis Aboriginal Association

POSITION PAPER ON PHASE II OF THE NUCLEAR WASTE MANAGEMENT PROCESS

TRADITIONAL BELIEF

**“ We do not inherit the Earth from our ancestors.
We borrow it from our children.”**

PREAMBLE

The Ontario Métis Aboriginal Association is pleased to present a position paper on the results of its involvement in the second phase of the Nuclear Waste Management Process. The preparation of this paper is a result of the synthesis of a number of factors including the following;

- Staff involvement at the Regional Dialogues conducted in North Bay, Ontario on March 4, 2004 and March 27, 2004,
- Staff involvement at the National Dialogue in Ottawa on March 8, 2004,
- Staff involvement in the Traditional Knowledge Workshop conducted in Saskatoon on September 24-25, 2003, and
- OMAA Board of Directors workshop on Nuclear Waste Management conducted in Ottawa on April 14, 2004 at the Ottawa Sheraton Hotel involving the Executive Committee and Board of Directors of the Ontario Métis Aboriginal Association, staff from OMAA and Donna Pawlowski, from the Nuclear Waste Management Organization.

BACKGROUND ON THE ONTARIO METIS ABORIGINAL ASSOCIATION

The Ontario Métis Aboriginal Association is a non-profit corporation incorporated in Ontario. Originally founded in 1971 as the Ontario Métis and Non Status Indian Association (OMNSIA) the association has a long history of articulating and responding to the political, social, and economic aspirations of Métis, Inuit and off- reserve non-status and status Indians in Ontario. With a membership of over 22,000 members OMAA is the largest and fastest growing Aboriginal organization in Ontario. OMAA provides education, training, business opportunities and leadership in self-governance so that Ontario's 250,000 Métis and off-reserve Indian and Inuit population can reach their full potential and realize economic, cultural, social and spiritual well-ness, while becoming more economically independent and self-reliant.

Governed by an 18 member Board of Directors representing the five geographic regions of Ontario, OMAA has tackled a number of issues important to the Aboriginal communities across the Province including:

- Promoting healthy communities,
- Protecting natural resources from loss and exploitation,
- Fighting environmental issues,
- Timber rights,
- Taxation,
- Gaming,
- Land claims,
- Housing and social justice, and
- Economic development, education and jobs.

As the only organization involving all of the off-reserve aboriginal peoples in Ontario it is only natural that OMAA be involved in engagement and consultations involving such an important issue as Nuclear Waste Management. While our participation to date cannot be classed as intensive it is none the less significant from our perspective. The Ontario Métis Aboriginal Association was the only Aboriginal participant at the Regional Dialogues conducted in North Bay, Ontario on March 4, 2004 and March 27, 2004, and the National Dialogue in Ottawa on March 8, 2003. This participation coupled with our involvement at the Traditional Knowledge Workshop conducted in Saskatoon on September 24-25, 2003 provides a unique continuity of involvement and engagement that should illustrate our sincere interest in this regional, provincial, national and global concern.

The Executive Committee and Board of Directors of OMAA wish to thank the NWMO for allowing our participation to date and look forward to even further engagement in the coming months.

POSITIONS ON SELECETD ISSUES

All Board members received in advance of the workshop the NWMO's publication '***Asking the Right Questions***' The Future Management of Canada's Used Nuclear Fuel. This text was used as the basis for the workshop since it greatly assisted the participants in focusing on the important issues that need to be considered in this phase of the process.

FORMAT OF WORKSHOP

This workshop was conducted in a manner that was culturally appropriate and sensitive to the traditional methods of discussion involving aboriginals. The President of OMAA, Mr. Michael McGuire conducted a smudging ceremony to cleanse and purify the location prior to the commencement of the meeting. Elder Dorothy Wynne lead the group in prayer and sought the blessing of the Creator on the proceedings of the day and asked that the Creator provide wisdom to the participants during their deliberations.

PARTICIPANTS

Those participating in the workshop included the following;

Michael McGuire President of OMAA
Henry Wetelainen 1st Vice President OMAA
Lorraine Gisborn 2nd Vice President

Wesawkwete Inc. (Zone 1)
Leah Gardiner: President
Leonard Ledoux: Vice President
Linda Maggrah:

Northern Lake Superior Aboriginal Association (Zone 2)
Eugene LeFrancois: President
Patricia McGuire
Linda McGuire

Aboriginal Peoples Alliance of Northern Ontario (Zone 3)
Dorothy Wynne: President
Shirley Vezina: Vice President
Mike Chamandy: Secretary/Treasurer

Woodland Metis Tribal Area # 4 Community Organization (Zone 4)
John Larabie: President
Edgar Whissell: Secretary-Treasurer
Bill Smith

Southern Ontario Métis and Non-Status Indian Association (Zone 5)
Sherry Hamelin: President
Bill Henderson
Terry Black

Frank Palmater Woodland Métis Tribe
R. Jack Falkins Manager Native Trading House
Donna Pawlowski Nuclear Waste Management Organization

AGENDA

Prior to the meeting an agenda for the day was developed and was approved by the participants, after it was reviewed by President Michael McGuire. A copy of the agenda is attached as Schedule A to this paper.

POWERPOINT

The facilitators had prepared a Powerpoint presentation to illustrate the relevant points to be covered during the day's deliberations. A hard copy of that presentation is attached as Schedule B to this paper and an electronic version is also enclosed.

INITIAL OVERVIEW

Ms. Donna Pawlowski provided an overview of the issue by covering a number of areas for the Board. These included the following;

- Overview of the NWMO mandate, organizational structure, and approach,
- Overview of the engagement process (past, present and future milestones)
- Nuclear Fuel, including the fuel pellets and fuel bundles,
- The hazards of nuclear fuel including radioactivity, heat and toxicity,
- Nuclear Power and Research Reactors in Ontario and in Canada,
- Used Nuclear Fuel storage methods currently being employed,
- Current monitoring of nuclear fuel in Canada, (methods & agencies),
- History of long term management in Ontario and Canada,
- Security issues involving storage of spent nuclear fuel,
- NWMO and Aboriginal people

Ms. Pawlowski took time to explain the rationale behind the involvement of Aboriginal peoples in the process, including the recommendations from the Seaborne report. During, and at the conclusion of, her portion of the agenda she entertained a number of questions from the Board members on concerns they had regarding the problem. Some of the questions were specific to items, which would be covered later in the day in greater depth, but many involved technical issues, which she was well-qualified to answer.

It is fair to comment that Ms. Pawlowski kept the Board's attention throughout her presentation, talked to them in clear and understandable language, commensurate with their abilities to comprehend and absorb, was patient with all manner of questions addressed to her and all this was delivered in a non-condescending, friendly, helpful manner, which is something that Aboriginals often do not experience when dealing with non-Aboriginals. She appears genuinely interested in engaging aboriginals in this dialogue process. The NWMO is to be commended for her assistance and expertise in this process, and specifically in this workshop.

TECHNICAL METHODS

R. Jack Falkins reviewed the technical methods section of the workshop with the Board. This included covering the following areas in detail.

1. Key terms to consider and understand including;
 - a. Disposal
 - b. Storage
 - c. Treatment
2. Limited Interest Options
 - a. Under this section the Board reviewed a number of potential options for addressing the problem. These included;
 - i. Direct injection,
 - ii. Rock melting,
 - iii. Sub seabed disposal
 - iv. Disposal at sea,
 - v. Disposal in ice sheets,
 - vi. Disposal in subduction zones,
 - vii. Disposal in space,
 - viii. Dilution and dispersion
 - b. After a review of this section the Board was allowed to ask questions or proffer opinions on the viability of these options. There was unanimous opposition to any method, involving disposal in the seas of the world, and virtually unanimous opposition to the other methods given the lack of practicability, dearth of research information or lack of clear cost/benefit estimates that would point to their present or potential viability.
 - c. There was some limited interest in disposal in space but all agreed that the present technological risks (rocket failures, explosions, etc.) make such an option as presently untenable, but one that may prove tenable as the safety of space travel is perfected or improved significantly.
 - d. It would appear that the Board of Directors of OMAA would concur that these methods are of limited interest and should not receive much serious consideration at present, either from a research or funding perspective.
3. International Attention Methods
 - a. Under this section the Board reviewed a number of potential options for addressing the problem. These included;
 - i. Reprocessing, partitioning and transmutation,
 - ii. Storage or disposal at international repository.
 - b. The majority of the Board concurred that reprocessing, partitioning and transmutation would bear further research and consideration. As technology and knowledge improves in the future, it is reasonable to assume that methods presently unknown or not envisaged would materialize, much as other information has been discovered in the last 50 years. Progress in this technology might hold out the greatest hope of discovering methods to make the timeline for risk much more manageable, or create other uses for the spent fuel or component parts.

- c. While there was some initial interest in the option of storage or disposal at an international repository, most participants quickly foresaw concerns involving transport across, either land, water or both, that increased risk to unacceptable levels. Concerns were expressed that even if an acceptable location were discovered (which no doubt would prove problematic given public opinion) the manner of disposal, storage or treatment at that site would have to be considered and could potentially cause the same kinds of concerns raised about disposal, storage or treatment in Canada to date.
- d. Many members raised concerns about a host country/region being lured by the potential for financial gain without due consideration given to concerns as to how this may affect other nations or regions, either nearby or far removed. This concern will be echoed later in this paper.

4. Methods Requiring Review

- a. Inasmuch as the *Nuclear Fuel Waste Act* requires the NWMO to investigate in detail three management methods, the Board of Directors for OMAA then considered these three options in greater detail than the limited options. The three that were examined included the following;
 - i. Deep Geological Disposal
 - ii. Centralized storage
 - iii. Reactor-site extended storage
- b. Those attending agreed that the Deep Geological disposal method would be of interest to many countries and many agencies. “Out of sight, out of mind” is a powerful attraction, and one that has fuelled disposal of many harmful agents throughout the years. Of course history has taught us that “out of sight” does not equate with safety, security, minimal risk or even the concept of disposal as it is framed in the text ‘*Asking the Rights Questions*.’ If one considers disposal as being a method of isolating the destructive agent from humanity and the environment, with the method being conclusive and without the intention of retrieval or reuse, then many attempts at disposal of harmful agents have fallen far short of this definition. One only has to recall the Love Canal or the Sydney Tar Ponds incidents to refresh our memory as to how previous governments, corporations, or agencies, have proposed a final solution that ultimately came back to wreck havoc on the environment and those living organisms located in the area. The Board expressed concern however at this being the ‘preferred’ method of disposal. While it bears careful scrutiny and more research in the future as an ultimate disposal method there was concern expressed about it appearing as the pre-emptive solution. The following examples indicate the concern as it was articulated;

- i. Deep geological disposal would by analogy require the transportation of nuclear waste from present reactor-site limited-term storage sites to a disposal site. Given the present state of infrastructure in Canada concern was expressed about dispersal of the used fuel in transit, either through accident (air, rail or road all present potential accident scenarios) or terrorism or unauthorized agent retrieval;
- ii. All evidence points to burial in the Canadian Shield as the preferred option. While part of the shield does extend to and encompasses larger population bases (Thunder Bay, Sudbury, Sault Ste Marie, Timmins, and Ottawa) it is unlikely that any of these sites would be chosen for burial. One can only imagine the public outcry against a site near these population bases. Reason would seem to indicate an area as remote from human habitation as possible and this would indicate burial in Northern Ontario, Northern Manitoba or the former Northwest Territories. Given the fact that most of the used nuclear fuel is produced in Ontario it seems likely that what is primarily Ontario's problem will be visited upon the Far North or the West for solution. The most probable area is primarily inhabited and utilized by Aborigines. Although Aborigines did not create the problem, nor receive many of the economic benefits of the nuclear industry it appears that they may well inherit the 'solution' and all the risks that accompany same. Their full participation in the process is required with this potential scenario and to date that participation cannot be classed as even close to full.
- iii. Some members of the Board expressed concern that the technological issues still appear questionable. Geologists and miners clearly indicate that there is no such thing as 'solid' rock. All is porous to some extent thereby increasing the probability of migration of radioactive and/or toxic elements from the repository, thereby increasing the risk to the groundwater systems and the nearby eco-systems. Even with the use of multiple barriers limiting such migration potential members felt the serious impact on the eco-systems in the area by such migration bear more careful examination and research.
- iv. Other members expressed concern about the possibility of the buried fuel creating a "China Syndrome" effect. While more scientific studies on this possibility may alleviate this concern, nevertheless it remains a perception that present knowledge may not envisage all the potential risks that may occur with deep geological disposal.

- v. Should the favored method be deep geological disposal it would appear that a staged approach to sealing the repository would be more beneficial allowing for retrieval if other technological advances warrant such retrieval for say reprocessing, partitioning or transmutation. This method would also allow a more exact method of monitoring, which may be beneficial in detecting difficulties not presently ascertainable.
 - vi. OMAA's preliminary position would be that the definition of 'disposal' as presently established with the NWMO is sufficiently clear to differentiate it from the other methods, which are more akin to a placement scenario.
- c. Centralized storage would appear to be a more likely scenario than deep geological disposal from the member's viewpoint although it bears inherent risks also. These include;
- i. The same transportation issues as presented in the deep geological disposal proposal,
 - ii. Should the storage be above or below ground to answer security issues,
 - iii. Where should the storage be located (close to available infrastructure or remote locations away from population bases?),
 - iv. The durability of the storage facilities that require more frequent replacement than say deep geological disposal, and
 - v. The cost/benefit analysis of multiple versus single site location, which would also cover the issue of accidental release, catastrophic occurrences, terrorism incidents, forces of nature or similar events.

We would subscribe to greater research into these and other issues applicable to centralized storage in the hope that adequate answers can be provided to these questions.

- d. The final method requiring review is reactor-site extended storage. Of the three methods presented OMAA believes this one merits very careful consideration, if not eventual adoption. Discussion on this method centered on the following observations;
- i. Reactor-site extended storage eliminates all transportation concerns presently expressed,
 - ii. It would clearly minimize the potential for a single large catastrophe by spreading the problem over multiple sites with smaller quantities of used nuclear fuel,
 - iii. Since this is the method being used to store such used fuel to date, without observable difficulty, the extension of this process merely increases the time line that these methods must be continued,
 - iv. The communities within which such facilities are presently located already have come to grips with the reality of dealing

- with the nuclear issue in their backyard, and leaving it there obviates the necessity of educating the potential storage community and securing community acceptance to the management of nuclear fuel,
- v. Extended storage allows for easy retrieval of the fuel for other uses (not yet invented), reprocessing, partitioning or transmutation (should scientific knowledge progress to allow such procedures to be safe, economical and practical) or for ultimate disposal should some method be discovered that adequately meets all concerns about a conclusive disposal without intention of retrieval or reuse.
 - e. The participants of this process firmly believe that scientific knowledge will no doubt create the answer to this issue in the near future. Fifty years ago knowledge of many of the things we take for granted was non-existent or in the realm of science fiction. With the exponential increase in our knowledge base it is probable, if not inevitable, that resolutions which appear unattainable today will be commonplace. Should we elect disposal as a method of management given the inherent unknowns and known difficulties, we may inadvertently be creating another Love Canal situation. Later knowledge may provide finite solutions that obviate the need to take such present risks.
 - f. The OMAA Board also adopts the view of the Ontario Regional participants that the definition of storage is acceptable and further that there be some effort expended in defining 'future activities' since that will assist with understanding and assessing the merits of the proposed storage methods contemplated.

ANALYTICAL CONSIDERATIONS

After the lunch break the Board of Directors considered the 'Key Questions' outlined in *'Asking the Right Questions.'*

Reviewed were these questions, which included;

OVER-ARCHING ASPECTS

Institutions & Governance: Does the management approach have a foundation of rules, incentives, programs and capacities that ensure all operational consequences will be addressed for many years to come?

Engagement and Participation in Decision Making: Does the management approach provide for deliberate and full public engagement through different phases of the implementation?

Aboriginal Values: Have aboriginal perspectives and insights informed the direction, and influenced the development of the management approach

Ethical Considerations: Is the process for selecting, assessing and implementing the management approach one that is fair and equitable to our generation, and future generations?

Synthesis & Continuous Learning: When considered together, do the different components of the assessment suggest that the management approach will contribute to an overall improvement in human and eco-system well-being over the long term? Is there provision for continuous learning?

SOCIAL ASPECTS

Human Health, Safety and Well-being: Does the management approach ensure that people's health, safety and well-being are maintained (or improved) now and over the long term?

Security: Does this method of dealing with used nuclear fuel adequately contribute to human security? Will the management approach result in reduced access to nuclear materials by terrorists or other unauthorized agents?

ENVIRONMENTAL ASPECTS

Environmental Integrity: Does the management approach ensure the long-term integrity of the environment?

ECONOMIC ASPECTS

Economic Viability: Is the economic viability of the management approach assured and will the economy of the community (and future communities) be maintained or improved as a result?

TECHNICAL ASPECTS

Technical Adequacy: Is the technical adequacy of the management approach assured and are design, construction and implementation of the method(s) used in the management approach based on the best available technical and scientific insight?

The Board was unable to add any new considerations that ought to be added to the process. Our concern was more in relation to the emphasis placed upon some of the consideration as opposed to their value in the total equation. The Board agreed that all these questions should be considered in relation to each of the management options examined. From the viewpoint of an Aboriginal organization they would consider that human health, safety and well-being, and

environmental integrity should be the most important questions addressed in the process since the other questions focus more on the procedural steps and considerations to be reviewed, whereas these questions focus more on the raison d'être of the entire process. Also Aboriginal values from our viewpoint will need more consideration but these are highlighted later in this position paper.

Finally in this section we considered the NWMO's statements about applying the analytical framework. While we appreciate the principles, which underlay this approach to the process we believe that the NWMO can learn from our Traditional Knowledge Principles as it proceeds with this process.

ABORIGINAL PARTICIPATION

A considerable portion of the workshop focused on the issue of Aboriginal participation. Frank Palmater reviewed with the Board his involvement including North Bay, Ottawa and Saskatoon. A portion of the meeting reviewed the findings from the Aboriginal traditional knowledge workshop in Saskatoon. This was backed up with a review of the Seaborn Panel's observations on the necessity of Aboriginal involvement in the process. It is clear that Aboriginals are involved, or should be, in the resolution of this problem because of the following reasons;

- Lands primarily occupied or utilized by Aboriginals are being considered as locations for disposal,
- Aboriginals have occupied this continent for over 10,000 years, whereas the non-Aboriginal peoples are recent occupants, but during their short tenure they have visited a host of problems upon the environment and eco-systems that tax the ability of Mother Earth to survive,
- Non-aboriginals have failed to grasp the concept of providing for future generations and that they should be stewards of the land,
- Most of the proposals for resolution of the problem fail to include traditional ecological knowledge into the equation,
- Key aspects of Bill C-27 have not been adhered to as they pertain to Aboriginals, and
- Despite the enunciation of aboriginal values in the key questions it would appear that aboriginal perspectives and insights have not been considered or influenced the development of the management approach.

TRADITIONAL KNOWLEDGE

The workshop conducted in Saskatoon in 2003 discussed the use of traditional knowledge within Aboriginal communities. We do not propose to discuss TK in this report but merely to echo some of the thoughts expressed by the participants in Saskatoon as to how TK may be utilized within the context of this process.

Firstly it should be obvious that Aboriginal communities never had to deal with this specific problem in any of their communities and accordingly would have no “TK silver bullet” which would provide a solution to the problem of nuclear waste. That is not to say that Aboriginal communities did not have to deal with issues that represented as serious a threat to their lives as does nuclear waste to ours. Just as these communities learned to deal with those threats in an appropriate manner, and passed that information on to subsequent generations, through traditional knowledge we can apply the same lessons they learned and promulgated in our search for a solution to this crisis.

Firstly Aboriginals followed certain principles in all processes that included;

- Honor,
- Respect,
- Conservation,
- Transparency, and
- Accountability.

Each of these principles should be guiding parameters of this process. To this end we see these being applied in the following manner;

- **Honor** the wisdom that can be garnered from speaking to the elders in both the aboriginal and non-aboriginal community,
- **Respect** the opinions and suggestions of all who take the time to provide insight into this process,
- **Conservation**, particularly as it applies to the consumption of electricity, must be a major part of the solution, not just a footnote in the NWMO process,
- **Transparency** in the process is required when the NWMO (the producer of the problem) is required to suggest the solution, and
- **Accountability** must be inbred into any solution so as those responsible for a solution (whether it be concept or delivery) are held to high account by the public for their actions, given the nature of the problem.

TRADITIONAL DECISION MAKING PROCESSES

Perhaps the greatest contribution Aboriginals can make to this process involves our traditional decision making processes. Firstly this would involve allowing those who are the wisest speak first (or be given some precedence in the process). To often modern society foregoes formality and etiquette in its search for solutions. Much can be learned from allowing those who have the greatest knowledge speak before anyone else is allowed to venture opinions.

Secondly when the problem impacts the whole community, the whole community must be involved in the process. This issue affects all Canadians, whether the

nuclear waste is disposed of in their area or not, since a failure to adequately store or dispose of the material safely could affect the health of those exposed to the hazard, not to mention the economic ramifications. Aboriginals have always maintained that there must be participation of all, not just the few and that during those deliberations the collective benefits during the short and long term be examined, when the issue affects the entire community. Accordingly this is not an issue that should be examined from the viewpoint of the benefits to the few (the affected storage community, the nuclear industry) but rather the whole of the Canadian population, if not the planet.

Thirdly all matters must be considered. Certainly the NWMO's analytical framework discussion and the key questions posed is an admirable effort to address all aspects of the problem. These discussions could benefit from the Aboriginal use of a holistic approach to difficulties. This involves a consideration of the impact of the proposed solution on all life, not just humans, and examining the issue in light of the seven generation teachings. This is most appropriate for the ' Nuclear Waste management ' debate since the impact of our decisions can and will have effect on future generations. All aspects of this process should involve a long-term view of the consequences on the upcoming generations.

Next, Aboriginal communities adhered to the concept that the authority of the people must be enforced, despite the wishes of the few. Inherent in this approach is a recognition that what the people, collectively, wish to occur, must not only be seen to occur but actually does occur in. This may mean difficult choices for those in authority but no "deals" or "economic considerations" must be allowed to thwart the will of the people.

Also Aboriginals have always understood the consequences of breaking traditional laws or practices. Unfortunately many in Western society do not adhere to this practice, either attempting to shift blame or escape the consequences of their improper behaviour. Whatever solution is ultimately adopted there must be strong accountability built into the solution. We must all understand that there will be consequences if those implementing solutions fail to exercise due diligence.

TRADITIONAL ECOLOGICAL KNOWLEDGE

Aboriginal communities have always possessed a considerable volume of traditional ecological knowledge, built up through centuries of observation, wisdom and experience. This knowledge is constantly growing and changes as new information is added. As stated in Saskatoon this knowledge accepts that people are an inherent component of the land and in fact are primarily guardians of that trust. Our traditional ecological knowledge encompasses the biophysical, economic, social, cultural and spiritual aspects of the environment, and the emphasis is on the complete inter-relationships between all these components of the environment.

Again the NWMO process can learn from these experiences by examining all potential solutions to the nuclear waste management within the context of these various parameters.

ABORIGINAL INVOLVEMENT

Bill C-27 dealing with long-term management of nuclear fuel waste makes several mention 's of Aboriginal involvement.

1. In establishing an Advisory Council aboriginal organizations are to be involved and specifically 'expertise in traditional aboriginal knowledge" should be a criteria for appointing board members. While it is apparent that there may be Aboriginal members of the Board it is not readily apparent, at least yet, that these members have such expertise and if not this should be remedied forthwith.
2. Clauses 12 to 15 of the Bill dealing with the study specifically mention the requirement for the general public, and **in particular Aboriginal Peoples, must be consulted** and a summary of the comments provided.

It is obvious from the comments made at the Saskatoon and North Bay regional dialogues that the process to date, including the involvement of OMAA to date, is not to be considered as consultations. The Board of Directors concurs with this position and repeats the assertion that the one-day workshop, while well appreciated by the members, **is likewise not to be construed as consultations.** More will be stated about this in our recommendations section.

RECOMMENDATIONS

Throughout the process to date, including the Regional Dialogues, the Saskatoon conference and the one-day workshop, the Ontario Métis Aboriginal Association has firmly kept its eye on the development of recommendations and advice, from an Aboriginal perspective. The following thoughts constitute opinions expressed by the participants with regard to the issue of nuclear waste management. These opinions reflect the points of concern that we as an Aboriginal organization are putting forward to the Nuclear Waste Management Organization.

1. While we appreciate that the mandate of the NWMO is specifically spelled out in the legislation and some of what we say here is not included in that mandate nevertheless we feel these points should be addressed.
 - (a) The mandate for the NWMO should have included all nuclear waste, not just spent fuel. More correctly the whole nuclear power process should have been addressed. While

some of these issues may be within exclusive or shared provincial jurisdiction, they must still be addressed. These include the reactors, the buildings, the piping, and the radioactive material other than spent fuel, all of which present similar danger to the environment through radioactivity or toxicity. The potential decommissioning of reactor sites may be within Provincial mandates, but Aboriginal peoples have had little success in their dealings with Provincial bodies. While this is improving incrementally we only have the past to guide us and accordingly we have substantial concern that the same care and the same process that the NWMO is taking, will not be echoed by their provincial counterparts. Accordingly we ask that the NWMO in its report to the Federal Government clearly recommend the continued participation of Aboriginal peoples when future plans for commissioning or decommissioning Nuclear Generating Sites are undertaken by any level of government.

(b) Similarly the mining operations which produced the raw material for the nuclear power process should be part and parcel of this process of addressing the nuclear issue.

2. We are not naïve enough to believe that nuclear waste will no longer be produced when the useful projected life span of the current reactors has been met. We subscribe to the belief that until there is a change in the lifestyle of Canadians when it comes to the consumption of power (unlimited consumption versus conservation) Canadians will demand power at the flick of a switch and this will lead to creation of more nuclear plants and production of additional used fuel bundles. All of the proposed solutions examine the issue from the standpoint of current project waste bundles. If this number will increase then projections will vary, and not just in costs. What may have been an acceptable solution involving 3 million bundles may present different outcomes when involving 5 million bundles.

We concur with other spokespeople who have called for a national dialogue on the issue of power generation that will examine the issue from all aspects, not just a waste management perspective. **If the NWMO and the Canadian consumer are not part of the formation of Provincial policy regarding power generation, then they cannot be fully capable of providing an adequate solution that addresses not just current waste production, but also nuclear waste that may be generated in the future.** We urge the NWMO to point out this glaring oversight in its final report. We believe that if an organization has an overall task to develop and/or provide a solution to a problem, then logically that organization must have a say in how that problem is being created, may be mitigated or may be controlled.

3. We must state categorically that although Aboriginal people were not the primary engineers nor beneficiaries of the technology that provides us with nuclear generated power, we as an integral part of this planet recognize a responsibility to our future generations to attempt to find a solution that is realistic, pragmatic as well as practical. We must retain the thought that we do not know all of the long-term effects of spent nuclear fuel on ecosystems and the environment, but nevertheless it is our responsibility today to attempt to control, mitigate and minimize the long-term effects that we are cognizant of. Bearing this in mind, OMAA advocates that the safe and effective storage of the dangerous products of nuclear generated power be consistent with the principles of traditional knowledge including the Seven Generations principle. We repeat our concern as a Board and an Aboriginal organization that a disposal approach focusing on out of sight out of mind concept is fraught with potential danger when being applied to this problem.
4. Whatever decision that is made on this problem as it currently exists, should not and must not bind the hands of future generations, because their technology may equip them to deal in a safer, more appropriate manner with this issue than we can presently envisage. We should be mindful that we are merely borrowing this Earth from our children and as careful stewards of the Earth we must exercise due caution when making such monumental decisions.
5. While we appreciate the effort by the NWMO in making information on this complex issue available to all, we repeat the concern of many that the issue must be explained in terms comprehensible to the average citizen. There is a fine line between talking to people and talking down to people but we are satisfied that the NWMO is up to the challenge of the former without risk of the latter. When it comes to Aboriginal people the information should be presented in a culturally appropriate manner.
6. This process could benefit from some of the lessons taught by the Aboriginal community. These include:
 - a. Consult with the whole community, not just the leaders,
 - b. Ensure that rights are not being breached in the process,
 - c. Empower communities through the process,
 - d. Consult with elders and the wisest,
 - e. Make the information understandable to all, and
 - f. Respect existing management structures.
7. Similarly the NWMO in assessing the progress it has made towards its mandate to date and determining what tenets it will apply to the balance of the process should keep in mind the following:

- a. Traditional knowledge provides information on the physical, biological and social components of a particular landscape,
 - b. Then assists to establish rules for using them without damaging them irreparably,
 - c. Clarifies and enhances the relationships amongst the users,
 - d. Assists in the development of technologies for using them to meet the subsistence, health, trade, and ritual needs of the local people, and
 - e. Helps to create a view of the world that incorporates and makes sense of all of the above in the context of a long-term and holistic perspective in decision-making.
8. Bearing in mind the Seaborn recommendations, the legislative requirements in Bill C-27, the likelihood of disposal options being within the vicinity of Aboriginal communities, and NWMO's position on 2004 engagement (Aboriginal engagement and consultations), the Ontario Métis Aboriginal Association repeats its call for **complete consultations**. While we appreciate the effort that the NWMO has taken to engage OMAA in this dialogue we maintain that discussions with a few does not equal consultations. Most logically these consultations should transpire upon the release of Discussion Document # 2 (which is the Evaluation of Management Approaches) but would also include some aspects of the previous processes. OMAA's proposal in that regard will be submitted in due course and we respectfully request careful consideration be given to the proposal at this stage of the process, so that once approved it can be adequately rolled out across Ontario, and perhaps as a model in New Brunswick and Quebec also.
9. Much of Western society has been moulded by Biblical teachings on morality, such as the Ten Commandments. Aboriginal communities have similar teachings, albeit on an oral tradition basis. Some of our teachings are eminently applicable, if not to the process NWMO is following, certainly to the spirit of that process. We repeat and commend those teachings for your consideration.

“ Treat the earth and all that dwell thereon with respect.”

“ Show your respect for your fellow beings.”

“ Work together for the benefit of all Mankind.”

“ Do what you know to be right.”

“ Be truthful and honest at all times.”

“ Take full responsibility for your actions.”

Once again the Ontario Métis Aboriginal Association thanks the Nuclear Waste Management organization for this opportunity to participate in the process to date and looks forward to future participation in consultations.

All of which is respectfully submitted;

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