

Advisory Council to the
Nuclear Waste Management Organization

Record of Discussion: December 2, 2005 Meeting

Record of discussion of the meeting of the Advisory Council to the
Nuclear Waste Management Organization (NWMO) /
Société de gestion des déchets nucléaires (sgdn)

Convened at 49 Jackes Avenue, Toronto, Ontario,
commencing at 10:00 a.m. EST. on December 2, 2005.

Present

Advisory Council:

David Crombie	Chairman
David Cameron	Member
Helen Cooper	Member
Gordon Cressy	Member
Fred Gilbert	Member
Eva Ligeti	Member
Derek Lister	Member
Donald Obonsawin	Member
Daniel Rozon	Member

NWMO:

Elizabeth Dowdeswell	President (except Item 9)
Kathryn Shaver	Corporate Secretary (except Item 9)
Tony Hodge	NWMO (Agenda Item 8)

ADVISORY COUNCIL BUSINESS

1. Constitution of Meeting / Approval of Agenda

The Chairman called the meeting to order at 10:00 a.m.

The Agenda was approved with the addition of two communications items.

2. Minutes of Previous Meeting

The Advisory Council reviewed and approved the minutes of the Council meeting convened on September 15th, 2005.

3. Communications

Ms. Ligeti reported to the Advisory Council on an upcoming speaking opportunity at the University of Toronto, scheduled for December 7th, 2005. She offered to provide the details of the event to Council members who may be available to speak on behalf of the Advisory Council.

The Council discussed and confirmed its administrative process for review and timely response to Council's incoming correspondence.

4. Upcoming Meetings

The Chairman invited discussion around the 2006 meeting schedule.

- It was agreed that quarterly meetings would be planned for 2006, to take place in Toronto.
- Additional conference call meetings may be required to discuss the annual report.
- The first meeting of the year would be targeted for February, subject to Council members' availabilities.
- Agendas for upcoming meetings would include discussion of the NWMO's draft annual report and the Council's 2006 workplan.

The Corporate Secretary undertook to proceed with scheduling meetings as discussed.

DISCUSSION WITH NWMO

5. Submission of Final Study Report

The Chairman invited the President to review the process followed in submitting the Final Study Report to the federal government. The President noted that the NWMO submitted the Report to the Minister of Natural Resources Canada on November 3, 2005. The Report was made public at the same time. The NWMO convened an event at the National Press Club in Ottawa in support of the November 3rd release of the Report.

Mr. Crombie and Ms. Dowdeswell briefed the Advisory Council on their meeting with the Minister of Natural Resources Canada on November 2, 2005, in advance of the study submission. In the presentation to the Minister, the President, Council Chairman and Board Chairman addressed the study from the perspectives of the organization, Advisory Council and Board of Directors, respectively. The Minister has since tabled the Final Study Report in Parliament.

The President reported that the NWMO was pleased to have had the opportunity to appear before the Standing Committee on Environment and Sustainable Development

on November 22, 2005. The NWMO appeared at the request of the Committee. The Board Chairman, President and Advisory Council Chairman each delivered remarks.

At the invitation of the Chairman, the President highlighted the nature of comments and media reaction in the weeks following the release of the Final Study Report. The President undertook to keep the Advisory Council briefed on the public comments received on the Final Study Report.

The President reported on recent international meeting opportunities to profile NWMO's recommendation and study process. It was reported that the NWMO had recently participated in meetings of the Nuclear Energy Agency's Forum for Stakeholder Confidence, international radioactive waste management conferences and a technical meeting at the International Atomic Energy Agency.

6. 2006 Workplan

The Chairman invited the President to speak to the NWMO's 2006 workplan.

In introducing the plan the President discussed the planning context for the 2006 fiscal year. With the study report now submitted to the federal government, the NWMO anticipates that 2006 will be a period of transition during which the federal government will be reviewing the NWMO Final Study Report and developing the government response.

The President noted her interest in reviewing with the Advisory Council the priority areas of focus proposed for the organization in 2006. The President reported that the focus of the 2006 Business Plan would be on compliance and preparedness. Against these overarching objectives, a number of activity areas were reviewed:

- There will be continuing due diligence requirements for the NWMO associated with corporate governance. This includes ongoing operations of a Board of Directors and Advisory Council.
- NWMO must prepare an annual report to the Minister of Natural Resources Canada, required by legislation. The annual report is tabled in Parliament by the Minister and represents an important component of the NWMO's formal public record of accountability. The production of the annual report will take place in January and February 2006.
- There will be further work undertaken in 2006 concerning the funding formula. The NWMO must address the requirements in the *Nuclear Fuel Waste Act (NFWA)*. The *NFWA* requires that NWMO provide additional financial information in its first annual report following a government decision.
- In addition to its formal reporting obligations to the Minister of Natural Resources Canada, the NWMO must be positioned to respond to government requests for information and briefings in support of the government's review of the NWMO study.
- During the transition period, the NWMO will seek to sustain relationships that it has established with many communities of interest and will respond to meeting requests.
- The NWMO's website is planned to remain an important communication tool with the general public. The organization will be reviewing the website structure to consider opportunities for refinement.

- During this transition period, NWMO will have an opportunity to review best practices to help inform implementation of the management approach selected by the government. It was emphasized that, in advance of a government decision, the NWMO does *not* have the mandate to proceed with implementation or siting activities.
- NWMO will maintain its liaison with other jurisdictions to continue to benefit from the exchange of research and lessons learned internationally.

The President reported that the Board of Directors had approved the NWMO operating budget at its October meeting.

Having provided an overview of suggested priorities for 2006, the President invited Advisory Council discussion and comment.

Council members thanked the President for the overview. Members discussed elements of the workplan and offered suggestions.

- Council members underscored the importance of NWMO remaining a visible proponent for its report, available to speak to its recommendations and support the government's review of the study.
- Council discussed the format and approach of the NWMO's 2005 annual report. It was proposed that the annual report on 2005 be summary in nature, in light of the substantive reporting out of activities already undertaken by the NWMO through its Draft Study Report and Final Study Report issued in 2005.
- The Council discussed its own operations for 2006:
 - It was agreed that while quarterly meetings would be planned for 2006, additional conference calls may be required from time to time.
 - Members anticipate that there may be requests or opportunities for the Chairman to speak on behalf of the Advisory Council and its report.
 - The President welcomed continued Advisory Council participation in meetings and conferences, noting Council's valuable contributions to previous conferences.
- Council members encouraged the NWMO to maintain the website which they believe, through the comprehensive posting of research and engagement reports, forms an important information base for NWMO's continued work. Members reported that they find the website to be user-friendly. They encouraged the organization to retain this information foundation on the site.
- Recognizing that the NWMO does not have the authority to proceed with implementation or siting processes in advance of a government decision, Council discussed areas of background staff work, of a generic nature, that might be useful in the transition period.
- As the NWMO considers the next phase of its mandate following a government decision, the Council urged the NWMO to consider carrying forward some of its practices and approaches that had proven to work well in the past. Specifically, it was suggested that NWMO's approach to early testing and validating of key questions and issues with the public be continued as a means of confirming the early steps proposed for the development of implementation plans. The Council

emphasized that a strong social policy foundation will be essential as the frame for future implementation.

- The Council supported the NWMO's intentions to remain engaged internationally. Members underscored the importance of the NWMO continuing to seek opportunities to review its experiences and findings, and to learn from other jurisdictions. Members encouraged the NWMO to stay abreast of the considerable social and technical research effort being directed to this issue internationally.

The President thanked the Advisory Council for its comments. She confirmed that details of the 2006 activities would be developed, incorporating the suggestions of the Advisory Council.

7. Discussion of the Advisory Council Comments and Recommendations

The President expressed the NWMO's appreciation to the Advisory Council for including in its report on the NWMO study the thoughtful comments and recommendations concerning the next phase of the organization's mandate.

The President emphasized the NWMO's intent to take these recommendations into account as it prepares for its next stage of work. In this regard, the President expressed her interest in having this opportunity to review with Council members the areas in which recommendations were put forward. Discussion ensued, as the Council reviewed the recommendations put forward in the Council report, as set out in pages 435 to 451 of the NWMO Final Study Report.

Mr. Hodge joined the meeting.

8. NWMO's Engagement with Aboriginal Peoples

The Chairman introduced this agenda item which invited Advisory Council discussion around possible next steps for the NWMO's engagement with Aboriginal people.

At the invitation of the Chairman, and as context for the discussion, Mr. Hodge and Ms. Dowdeswell began by reviewing the NWMO's dialogue with Aboriginal people that had taken place over the course of the last three years. It was reported that the focus of the program had been on dialogues and meetings designed and delivered by the Aboriginal organizations. In addition, the NWMO led some supplementary meetings. One such dialogue was the Elders' Forum, convened by the NWMO in August 2005.

Through the engagement which unfolded in 2003 through 2005 the NWMO received approximately 50 reports from the Aboriginal dialogues. The NWMO has benefited from important input generated from these dialogues. This input, which was summarized in the NWMO's Final Study Report, helped to shape the NWMO study. The NWMO noted that it has begun to develop important relationships with Aboriginal people. The NWMO will seek to sustain and build on these relationships as the organization proceeds with its future phases of work.

The NWMO noted that reports from the individual Aboriginal organizations are posted on the NWMO website. The NWMO has also prepared a paper, now available on the

website, entitled “Building Relationships: The NWMO Aboriginal Dialogue”, in which the NWMO describes and reports out on its program of engagement of Aboriginal peoples during the three-year study phase. In addition, the NWMO plans to create a CD-ROM which would provide a compendium of the reports flowing from the engagement with Aboriginal peoples. The CD-ROM will be distributed to organizations that participated in the Aboriginal dialogue and to other interested parties. The Advisory Council supported the development of such summaries. The NWMO was encouraged to maintain these types of compendia as it proceeds with its work, as a means of maintaining the institutional memory and documenting the formal record of achievement concerning the NWMO’s engagement.

Going forward, the NWMO will take into account the specific recommendations advanced by the Advisory Council in its final report. In planning for the transition year ahead the NWMO will, in general terms, be seeking to maintain relationships while contributing to the knowledge base of both the NWMO and Aboriginal peoples.

The NWMO set out for discussion some potential areas of activity for the upcoming year, for Council comment, including: the reconvening of an Elders’ Forum; “issues tables” on topics that would inform subsequent implementation; briefings of Aboriginal leaders; and meetings upon requests from communities or organizations.

The NWMO noted work that is underway to translate the executive summary of the Final Study Report into some Aboriginal languages. This work is targeted for completion by year-end and is part of a continuing exploration of culturally-appropriate means of engagement with Aboriginal people.

The Chairman thanked the NWMO for its presentation, and invited Council discussion.

- Council members endorsed the NWMO’s proposal to continue dialogue with Elders and youth in 2006.
- The Council suggested that the NWMO has an opportunity in the transition period to advance its learning on implementation issues through discussion with Aboriginal peoples. Dialogue focused on the identification of generic issues and process considerations that may help to guide the implementation of the management approach ultimately selected by the government.
- As the NWMO explores best practices to inform implementation, Council urged the NWMO to speak with Aboriginal peoples and industry to learn from their experiences with large projects in other sectors. It was suggested that a review of experiences with major pipeline projects or mining may be informative with regard to some key issues to be addressed, such as training and education, collaborative decision-making, and processes for ensuring active local involvement of affected communities of interest.

NWMO thanked the Council for its input, noting that the Council comments would guide the further development of the 2006 workplan.

NWMO staff and management withdrew from the meeting.

ADVISORY COUNCIL – IN CAMERA

9. In Camera Session

The Advisory Council convened a private session without the presence of NWMO.

Termination of Meeting

The Chairman declared the meeting terminated at 3:00 p.m.

Dated the 13^h day of March, 2006
Corporate Secretary