

Council of Elders

Record of Discussion #11

APM-REP-00676-0203

July 2015

Kathryn Shaver

Bob Watts

Jessica Perritt

nwmo

NUCLEAR WASTE
MANAGEMENT
ORGANIZATION

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DES DÉCHETS
NUCLÉAIRES

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NWMO

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**Record of Discussion
NWMO Council of Elders
Kingbridge Conference Centre, King City, ON
July 08-09, 2015**

Attendees:

NWMO Council of Elders:

Chair: Donna Augustine

Members: Angus Gardiner, Diane Longboat, Grace Manitouwabi, George Morin, Dorothy Parenteau, Leslie Perley, Joseph Poitras, , Billie Schibler, Roland St.Germain, Billy Two Rivers, Gordon Williams, Shavonne Custer, Peshaanakwut Kinew, Brandon Petehtegoose, Rayanna Seymour, Norman Stagg, Rebekah Wilson

Advisors: Joanne Barnaby, Fred Kelly, Melanie Hadley

NWMO:

Board of Directors: Ron Jamieson

Staff: Ben Belfadhel, Jo-Ann Facella, Chris Hatton, Joe Gaboury, Bob Watts, Derek Wilson, Raymond Hatfield, Joe Heil, Ross Holden, Jake Linklater, Ken Nash, Sara Neuert, Jessica Perritt, Devi Shantilal, Kathryn Shaver, Bob Watts, Derek Wilson

Wednesday July 08, 2015

Opening Ceremony and Welcome Remarks

Elder Fred Kelly opened the Council of Elders Meeting with a ceremony.

Welcome remarks were then provided by Ken Nash followed by Kathryn Shaver and Bob Watts.

Ken Nash acknowledged the traditional territory of the First Nations and Métis community where the meeting was held. He thanked Elder Fred Kelly for the ceremony. He welcomed Elder Dorothy Parenteau from Wabigoon Lake Ojibway Nation (WLON) as a new member of the NWMO Council of Elders. He noted that the community of Ignace is within the traditional territory of (WLON) and that NWMO is looking forward to working with WLON. Ken noted that the NWMO recently appointed two Aboriginal individuals to the NWMO Advisory Council which has led to a total of three Aboriginal persons serving on NWMO's Advisory Council. He recognized Elder Williams and Bob Watts for their efforts associated with the Truth and Reconciliation Report.

Kathryn Shaver acknowledged the traditional territory of the First Nations and Métis community where the meeting was held. She thanked Elder Fred Kelly for the opening ceremony. She welcomed Elder Parenteau. She discussed the success of the NWMO Cultural Awareness Training (CAT) and thanked the Elders Council for sharing their wisdom with NWMO staff. She noted that NWMO had invited guests from communities to the Canadian Nuclear Society (CNS) conference in June in Saint John, NB and that it provided opportunity for joint learning and sharing of ideas.

Elder Augustine welcomed Elder Dorothy Parenteau. It was suggested that a glossary of commonly used acronyms should be prepared for the Council – it would be very useful for new members.

A discussion of the importance of Cultural Awareness Training to be more inclusive of other cultures especially Métis ensued. It was suggested that Elder St. Germain should be invited to future CAT to provide information on Métis culture/history. It was recommended that since every Elder comes from

different cultures – the CAT should be more inclusive of other Elders. Development of a CAT work plan was suggested.

Bob Watts thanked Elder Fred Kelly for the ceremonies and welcomed Elder Dorothy Parenteau. He noted that NWMO plans to include Métis in future NWMO cultural awareness sessions. Bob Watts committed to sharing a summary of the Acknowledgement Program roll-out at the next meeting. He suggested discussing: “How can we work better together with (a) Aboriginal and non-Aboriginal people (b) First Nations and Métis people” at the next meeting to get the COE’s advice.

He acknowledged the work done by the Elders and the Youth and thanked them for sharing their wisdom and knowledge. He proposed that during the next meeting, the Council could perhaps provide advice as to how can Métis and First Nations work together and how to encourage Aboriginal and non-Aboriginal people to work together. He acknowledged Elder Fred Kelly’s role in getting the settlement for Indian residential schools.

Report from Elders

Elder Donna Augustine summarized the discussions from the previous day noting that the talking circle provided everyone with an opportunity to share their thoughts. The Council had discussed various issues including: Aboriginal jurisdiction, the legislative mandate for NWMO and the Council, meeting procedures for the Council of Elders, equal opportunity for the members to participate in NWMO related events and activities as well attendance at community meetings. She further noted that they had discussed the Duty to Consult, and a potential meeting with the regulator. She concluded by suggesting a two-day retreat for the council to have further discussions about: communications protocols, relationship with NWMO, and jurisdiction.

Elder Fred Kelly noted the importance of ensuring that the youth feel included.

A resolution was passed: “All Elders and Youth should have an equal opportunity to attend NWMO events. If an Elder attends an NWMO event, s/he should verbally report back to the Council at the following meeting.” It was suggested that Jessica Perritt will include a spreadsheet listing which NWMO/community events Council of Elders participated in for the next meeting.

It was suggested that a youth co-chair be appointed to assist Elder Augustine.

It was suggested that NWMO provide regular briefings at the Assembly of First Nations’ executive meetings and to the Chiefs of Ontario, as well as to Métis Nation of Ontario and Manitoba Métis Federation in order to create awareness and transparency. It was noted that there was no dialogue with the Métis in Manitoba. Bob Watts expressed a willingness to provide project briefings to the Manitoba Métis Federation similar to briefings provided to Métis in Ontario.

The term “Jurisdiction” was discussed further- it was noted that the transportation of used nuclear fuel could potentially traverse traditional territories of First Nations across Ontario. Ken Nash suggested that transportation could be discussed at a future meeting. Council members identified the need to work collaboratively with Aboriginal peoples and noted that case law was evolving and the political landscape changing. They encouraged NWMO to be proactive. The Council noted that they would like to discuss: 1) Duty to Consult 2) Jurisdiction, and 3) How to align ourselves with the Truth and Reconciliation Commission recommendations.

The Council expressed a desire to establish a meeting communications protocol for their meetings, as well as a protocol for NWMO communications with the Council in general, so that members are kept abreast of project updates and NWMO activities.

The Council members are interested in enhancing their knowledge of the legislative aspects of the Council's involvement with NWMO. They would like to be kept informed of NWMO activities and updates regarding the site selection process.

It was suggested that the Council should meet with the regulator. A Council member asked for clarification about NWMO's role. Ken Nash explained that the waste producers have responsibility for the interim storage and that NWMO does not provide any advice in this matter. They are licensed by the regulator. However, NWMO has a relationship with the energy generators since we are mandated to take care of the long term safe and secure storage of used nuclear fuel.

A Council member asked: "What would NWMO do if the council decide to oppose the burial of the used fuel in Mother Earth?" Ken Nash explained that NWMO is looking for a willing and informed host community and the project will not proceed without partnership with the surrounding Aboriginal and non-Aboriginal communities. He noted that the Council was not expected to promote the APM DGR project. NWMO is seeking the Council's guidance and that regardless of what the Council brings forward, NWMO will be obliged to take it into account as it moves forward.

It was noted that the Council would like to have a joint discussion with the NWMO for the following questions: "How do you see the role of the Council of Elders in terms of providing advice to the NWMO?" and "How do you see your role within the Council of Elders in terms of providing advice to the NWMO?"

The Council of Elders would like to better understand NWMO's mandate as identified in the Nuclear Fuel Waste Act and the justification of the proposed DGR through the lens of safety. It was suggested that the Safety Commissioner from the CNS could potentially be invited to a future Council meeting to discuss this topic.

The Council reiterated the need for ceremonies at uranium sites as previously discussed in former meetings.

Report from the Youth – Youth

The Youth presented their objective - "The objective of the youth component of the NWMO Council of Elders is to:

- Be actively involved in the Council of Elders meetings and opportunities to provide an Indigenous youth perspective to the Adaptive Phased Management Process.
- Participate in events to engage and share our knowledge about the NWMO Council of Elders and the Adaptive Phased Management Process. These events will be chosen collectively between the Council of Elders, the youth and the NWMO.

It was suggested that the Youth prepare a work plan for themselves since they noted they wanted clarity regarding their roles for themselves and to inform others. The Youth are expected to share their decision regarding the co-chair position at the next meeting.

They shared their experiences about the events they had been involved in and then shared a video of their team building activity.

Canadian Engineered Barrier – Chris Hatton

Chris Hatton provided a presentation about the engineered barrier system.

Questions were raised throughout the presentation; Chris Hatton and Ken Nash provided responses:

- What is the difference between used fuel and nuclear waste? Is it hazardous?
- How different is high level waste from used nuclear fuel? Does reprocessing make it more volatile?
- Why NWMO is called NWMO and not Used Nuclear Fuel Management?
- Questions were raised about the time period that used fuel stays radioactive.
- How does NWMO x-ray items that are welded shut?
- Is the entire process automated?
- How much load can the system sustain?
- Why are we building a program- what if there is no one around?

It was noted that if the engineers and scientists indicate what information is required the Council can perform ceremonies to seek answers from the ancestors.

Update in OPG's Low and Intermediate Level Waste DGR – Ken Nash

Ken Nash provided an update of the Environmental Assessment for OPG's Low and Intermediate Level Waste Repository. He noted that the opposition from the United States was regarding the proximity of the proposed facility to the lake.

The Council members asked several questions which were all responded to by Ken Nash:

- What was the EA panel made of?
- Were there any Aboriginal peoples on the panel?
- Will the decommissioned plants be buried in the OPG DGR?
- If something went wrong who would be liable?
- What was the siting process for the OPG DGR?

The Council expressed interest in learning about the different types of nuclear waste, how they are managed and who is responsible for their management. A participant noted that he would like the report sent by Derek Wilson (via Jessica Perritt) explained to them.

Ken explained the nuances of differences between social license and safety. He noted that NWMO is seeking a willing host community and that the project will not move forward without partnership. Whereas, the OPG facility is significantly different. He stated that NWMO will not enter the regulatory process unless it has established partnerships.

Elder Fred Kelly thanked everyone. The meeting was then adjourned for the day.

Thursday July 09, 2015

Opening Ceremony and Welcome Remarks

Elder Rolland St Germain provided a prayer, and Elder Diane Longboat a water invocation, to open the second day of the Council of Elders meeting.

Aboriginal Relations Report

NWMO Aboriginal Relation staff members provided the Council with an overview of their roles and responsibilities. The Council noted that they were glad to learn how everyone works together and the different aspects people are involved with. They encouraged NWMO to continue providing such updates to the Council in the future.

Community Wellbeing (Jo-Ann Facella and Joanne Barnaby)

Jo-Ann and Joanne provided a briefing on the recently-held workshop on Community Wellbeing. The workshop arose out of a sense that the existing model of community wellbeing might not be suitable for application to First Nations and Métis, as well as a sense that an Indigenous concept of community wellbeing could have beneficial applications in a non-Indigenous/municipal setting. Feedback received by Elders included:

- The central role of spirituality and environment is important.
- A generic high-level model that communities can adopt for their own needs is preferable.
- It is important to not just look at socio-economic but other dimensions as well.
- Elders emphasized that the project will bring big changes socioeconomically.

Further Discussion

- An Elder enquired about Council of Elders role in policy-making. Bob responded that NWMO will continue to bring policy to Council of Elders for their input.
- The Council members asked about the Niganni final report – can it be reviewed. Jessica Perritt said that she could distribute.
- Bob Watts noted that NWMO tracks all recommendations and advice from Council of Elders – it may be useful to table it with the Council.
- Elders want to revisit their role within Council of Elders. Bob responded that that would be a good discussion to have. Bob reflected on previous conversations. Council of Elders has/is evolving. Important to ensure that it doesn't look like Council of Elders is an effective advocate, representative, agent of NWMO.
- "What's the balance between becoming involved in the work of NWMO, and not being an agent of NWMO?" Interest expressed in having discussion at next meeting, with staff present.
- Elder Fred Kelly suggested that Métis Elders lead all ceremonies and protocols at next meeting.
- Discussion around the participation of Elders in engagement activities. Bob emphasized transparency so that Elders know what's coming up and who's attended what meeting.
- An Elder acknowledged and thanked the youth for their participation.

Closing Ceremony

Elder Fred Kelly performed the closing ceremony. The meeting was adjourned thereafter.

Date notes taken: July 08-09, 2015

This note was prepared by staff and has not been approved and/or reviewed for accuracy by other meeting participants.