

# Regulatory Working Group Terms of Reference

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## 1. Background

In November 2024, Wabigoon Lake Ojibway Nation and the Township of Ignace agreed to move into the regulatory decision-making phase as potential host communities for a deep geological repository for Canada's used nuclear fuel, or "the Project." Both communities also confirmed that they are willing to proceed into the regulatory phase as host communities.

The Nuclear Waste Management Organization (NWMO) has moved into the regulatory decision-making phase of the Project, including impact assessment and licensing. As part of this effort, and in the context of public engagement, the NWMO will establish Regulatory Working Groups (hereafter referred to as the "Working Groups") composed of local and regional members to provide input and feedback on regulatory studies and processes being led by the NWMO for the Integrated Impact Assessment and Licence Application (an Integrated Submission) and for *Nuclear Waste Fuel Act* reporting. The Working Groups will be managed by the NWMO.

## 2. Purpose

The purpose of the Working Groups is to:

- Provide local and regional input into relevant NWMO-led disciplinary studies and processes.
- Provide advice and feedback on studies' findings based on local knowledge and professional and lived experience.
- Support ongoing mutual learning about the Project's benefits and impacts in the Wabigoon Lake Ojibway Nation and Ignace area and provide input into plans for ongoing monitoring of socio-economic impacts.
- Meet together to discuss selected topics holistically from both a people and environmental perspective.
- Create a safe and supportive space for dialogue and collaboration on studies.
- Be a consistent group of members participating over the course of preparing the Integrated Submission and reporting for the *Nuclear Waste Fuel Act*.

## 3. Scope

The NWMO proposes to establish **two** Working Groups to provide input on the studies and processes. These groups are:

- **Human Environment (People) Working Group:** This group will focus on topics related to various community well-being and safety aspects. Topics may include social, cultural, economic and health and safety.

*Note: Given the breadth and expanse of the topics that may be addressed by the Human Environment Working Group, there is the possibility that separate “extraordinary” engagement activities may be held on areas specific to certain members’ subject-matter expertise e.g., health, economic, socio-cultural issues.*

- **Environment Working Group:** This group will focus on topics related to various environmental aspects, including land, water and air. Topics may include geology, soil, terrestrial wildlife, surface water, groundwater, fish and fish habitats, atmospheric conditions and air quality.

The NWMO’s Integrated Submission process<sup>1</sup> is a multi-year regulatory process that will invite input from community members. As we move from the Planning to the Impact Statement phases, most of the Working Groups’ work will focus on deliverables and processes that are required as part of the Impact Statement. The distinct regulatory milestones within the Impact Statement phase of the Integrated Impact Assessment process where input will be sought from Working Group members are identified below:

- **Baseline: Current conditions/data gathering.** The focus of this milestone will be on how data is collected, key findings and sharing of local knowledge (biophysical and social, cultural, economic and health-related).
- **Impact Statement Methods and Valued Components:** The focus of this milestone is on how the NWMO will complete our assessment and how information will be packaged, including effects assessment, methodologies and the approach to topics (Valued Components) of studies prescribed by the Tailored Impact Statement Guidelines.
- **Alternatives Means:** The focus will be on each component of the Project that will be assessed and presentation of the results of the assessment that will ultimately form the Project site plan.
- **Effects Assessment: The consideration of baseline plus Project.** The focus will be on findings from the implementation of the effects assessment methodology for each topic and discussion on mitigation strategies, as well as proposed management and monitoring.

In addition, Working Groups will focus on input into triennial reporting obligations, as outlined in Section 18(a) of the ***Nuclear Fuel Waste Act***, which requires:

*“a summary of its activities respecting the management of nuclear fuel waste during the last three fiscal years, including an analysis of any significant socio-economic effects of those activities on a community’s way of life or on its social, cultural or economic aspirations.”*

The engagement efforts undertaken with the Working Groups are not to be considered rights-based consultation with Indigenous communities, recognizing that distinct processes are underway with Indigenous communities.

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<sup>1</sup> The regulatory process is referred to as “integrated” given that licensing and other permits and approvals for site preparation that also all need meaningful feedback from engagement occur at the same time as the Impact Assessment process. The initial licence is integrated with the Impact Assessment.

## 4. Membership and Structure

### *Membership selection*

Each of the two Working Groups will consist of a total of up to 25 members and will be composed of invitees and no more than eight to 10 volunteers across the two Working Groups (i.e., applicants to an expression of interest process).

- **Invitees** will be individuals with relevant local or regional expertise and/or place-based knowledge in line with criteria outlined below.
- **Volunteers** will be residential community members with lived experience and community knowledge who are passionate about and able to contribute to studies.

There may be ad hoc attendees who are subject-matter experts and, depending on the topic, they may attend the Working Group meetings as observers or presenters. These individuals will not have the same responsibilities as the Working Group members.

This structure supports both professional knowledge and local lived experience.

### *Eligibility Criteria*

Invitees and volunteers will be assessed and selected against the criteria outlined below, ensuring a balanced mix to support continuity, expertise and community representation.

**Invitees** will be identified and contacted by the NWMO based on the following criteria:

- They are in proximity to the Project.
- They have known historic and current interests that are potentially affected by the Project.
- They have interests in the Project due to their position or role(s) in the community or through an organizational affiliation.
- They have discipline-specific information that is of value to the conduct of studies.
- They represent diverse groups and/or organizations serving diverse groups.

To be eligible for membership in a Working Group, **volunteers** must meet the following criteria:

- They reside in one of the following communities: Wabigoon Lake Ojibway Nation, Ignace, Dryden or one of the unincorporated municipalities or communities in close proximity to the site.
- They have demonstrated commitment and interest in contributing local knowledge based on professional/volunteer affiliations or lived experiences.

Volunteers and invitees will be eligible for membership in one of the two Working Groups; however, there may be instances of justification for participation in both Working Groups. This will support a diverse set of community voices contributing to the Project and crossover between people and environmental topics. Membership is open to representatives from the following communities and types of organizations and sectors, including but not limited to:

- Wabigoon Lake Ojibway Nation
- Township of Ignace<sup>2</sup>
- City of Dryden
- Municipalities and unincorporated municipalities in proximity to the Project site
- Community residents
- Community-based organizations and special interest groups
- Healthcare and social service providers
- Education and training organizations
- Private sector, including small businesses and business associations
- Local government and regional associations
- Kenora District Services Board
- Other groups as identified by GBA Plus requirements<sup>3</sup>
- Environmental services and subject-matter experts

### **Expenses**

All expenses incurred by Working Group members while travelling and participating in NWMO Working Group activities will be covered, as per the NWMO's *Expense Guideline for External Parties*.<sup>4</sup>

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<sup>2</sup> Administrative staff from local government are eligible to serve as Working Group members. Individuals who hold political positions in municipal governments are ineligible. Members of Local Services Boards may serve, as may Regional associations if they are not representing their local government.

<sup>3</sup> Gender-based Analysis Plus (GBA Plus) is an analytical tool used to support the development of responsive and inclusive policies, programs and other initiatives. It is a process for understanding who is impacted by the issue or opportunity being addressed by the initiative; identifying how the initiative could be tailored to meet the diverse needs of the people most impacted; and anticipating and mitigating any barriers to accessing or benefitting from the initiative.

<sup>4</sup> This corporate guideline, among others, will be shared with Working Group members during the initial Working Group meetings.

## 5. Roles and Responsibilities

### ***Working Group Members***

- Members have a seat at the table and are expected to prepare for meetings, review material, provide input and feedback and, when applicable, gather and share perspectives from their communities or organizations.
- Members contribute knowledge, expertise and input on the subject matter, whether academic or based on lived experience.
- Members are asked to conduct themselves in a manner that:
  - Fosters collaborative relationships with others that focus on positivity and productivity.
  - Values respect, collaboration, celebration, support and accountability.
  - Accounts for timely contributions, ensuring that others have the opportunity to contribute.
  - Respects and values the diverse perspectives, experiences and contributions of all participants.
  - Creates a safe and supportive environment for dialogue and input.

### ***Chair***

- Leadership: Provide overall leadership and advice for the Working Group's activities, including collaborating with NWMO staff/consultants on agenda, material preparation and meeting note review.
- Meeting management: Preside over meetings, manage participant input in a timely and judicious manner and ensure discussions lead to a suitable resolution.
- Participation: Facilitate active participation from all members and ensure appropriate time is allocated for each agenda item.
- Conflict management: Manage potential conflict through to resolution in the spirit of a productive and respectful use of participants' time.
- Reporting: Summarize discussions, action items and decisions at meeting close.

### ***Vice-Chair***

- Support: Assist the Chair and often lead parts of meetings as agreed upon by the Chair.
- Meeting assistance: Help establish effective agendas. May be involved in planning and organizing meetings.
- Backup: Serve as the backup leader, ready to step in during the Chair's absence.

### ***NWMO/Consultant***

- Undertake meeting logistics and administration, including preparing and circulating agendas, materials and meeting minutes.
- Meeting presentations will be made by the NWMO and/or their contractors.
- Meet with the Chair/s ahead of meeting on agenda and content.
- Be present/ensure subject-matter experts are to provide technical information, address questions and provide strategic guidance on regulatory requirements and necessary inputs.

- Be responsible for creating and maintaining all records of engagement for use in regulatory submissions.
- Facilitate meetings and ensure smooth operation of the Working Groups.

### **Appointment**

The NWMO will determine a candidate from among the Working Group members to serve as Chair for the inaugural year of the Working Group. Following the first year, the appointment or reappointment of the Chair will be determined by consensus of the Working Group members at the first meeting of each year.

The appointment or reappointment of a Vice-Chair will be determined by consensus of the Working Group members at the first meeting of each year.

## **6. Meetings**

Meetings will take place quarterly at a minimum. The schedule for certain deliverables may require the Working Groups to meet more frequently. Each meeting will be three hours long (a half day) and food will be provided. Meetings will occur at the NWMO Ignace Learn More Centre. A hybrid format will be used to ensure accessibility for both in-person and remote attendees. From time to time, alternative locations in the area will be used as required.

As Working Groups are not decision-making bodies, with their mandate limited to providing input and feedback on NWMO-led studies, quorum is not a factor.

Participants unable to attend a meeting will inform the NWMO in advance.

## **7. Transparency and Sensitivities**

The Working Groups' membership will involve people who have diverse and relevant perspectives, backgrounds and roles.

The Working Groups will strive to promote openness and transparency in their discussions. Meetings will be open to the public who wish to attend as observers. (This opportunity may be virtual.) Key discussion points will be recorded by the NWMO or an external contractor in the meeting minutes.

Members will communicate general meeting discussions with their relevant communities or organizations as needed.

The Working Groups will recognize and respect the NWMO's [Indigenous Knowledge Policy](#) and [Reconciliation Policy](#) to ensure that Indigenous Knowledge in all its forms continues to be valued, respected and included in planning processes and that all Working Group activities are undertaken with Reconciliation in mind.

## **8. Term**

The two Working Groups will begin their work in early 2026. The Working Groups will continue to meet until the end of 2028, the expected date for completing the Integrated Submission process. However, the

NWMO may decide to disband or extend any or all Working Groups prior to this date. For volunteer members, vacated positions will be treated as open seats and may be filled accordingly.

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