

**MINUTES**  
**FROM THE MEETING**  
**OF THE BOARD OF DIRECTORS OF THE**  
**NUCLEAR WASTE MANAGEMENT ORGANIZATION (NWMO) /**  
**SOCIÉTÉ DE GESTION DES DÉCHETS NUCLÉAIRES (SGDN)**

**convened on April 8<sup>th</sup>, 2004**  
**commencing at 12:30 P.M. EST.**

Present

Ken Nash	Director, Chairman (Acting)
Laurie Comeau	Director
Fred Long	Director, Treasurer
Adèle Malo	Director
René Pageau	Director

and

David Crombie	Advisory Council Chairman
Elizabeth Dow deswell	President
Kathryn Shaver	Corporate Secretary
Michael Ben-Eli (Agenda Item 5)	

Absent:

Richard Dicerni Director, Board Chairman

1. Approval of Agenda

At the request of Mr. Dicerni, Mr. Nash chaired the April 8<sup>th</sup>, 2004 session.

Notice of the meeting having been given to all of the Directors of the Company and a quorum of the members being present, Mr. Nash declared the meeting duly constituted for the transaction of business at 12:30 P.M. EST.

The Directors approved the Agenda for the April 8<sup>th</sup>, 2004 meeting.

2. Minutes of Previous Meetings

The minutes of the meeting of the Board of Directors held on February 26<sup>th</sup>, 2004, a copy having been sent to each member of the Board, were approved as recorded.

3. Business Arising from the Minutes

The President outlined the status of actions arising from the previous Board meeting. Amendments to By-Law No. 1 have been made and approved by Industry Canada, further to the Board's direction. The items of Board interest relating to business risk and the assessment were arranged as part of the April 8<sup>th</sup> agenda.

4. Report from the Advisory Council

The Chairman debriefed the Board of Directors on the Advisory Council's March 23, 2004 meeting. He reported on the President's review of engagement activities, and the Council's interest in discussing the nature and scope of the next phase of engagement at a future meeting. The Chairman noted that the Advisory Council met with some representatives from Nuclear Waste Watch, who provided an excellent presentation of their position statement.

The Advisory Council has set aside June 5<sup>th</sup> for a discussion of their approach and preparations for providing independent comment on the NWMO study and management approaches, consistent with the requirements of the *Nuclear Fuel Waste Act*.

5. Assessment Team Update

The President introduced Mr. Michael Ben-Eli, Team Leader for the NWMO's Assessment Team.

Mr. Ben-Eli provided an overview of the Team's work in progress on the assessment of management approaches. He reported that the Team was at the mid-point of the analysis, and noted the extraordinary contributions being made by the Team members. Different components of the assessment work were profiled, including:

- The scoping of the challenges and unique considerations that shape the context for the analysis, such as the complexity of issues, the unprecedented time dimension and the dread factors associated with nuclear issues.
- The integration of values and social and ethical issues, along with more traditional technical and financial considerations.
- The development of an assessment framework that has its foundation in the ten key questions set out in NWMO's Discussion Document 1. The NWMO wanted to ensure that these questions, which were developed and validated in different rounds of public engagement, would form the basis for the development of detailed criteria for the assessment.
- The adoption of multi-attribute utility analysis as the methodology with which the assessment is being conducted.
- The range of methods under consideration – in addition to the three methods required for study under the legislation, the Team will determine if there are other methods that should be studied further.

Following Mr. Ben-Eli's presentation, the Chairman invited discussion. The Board members had an opportunity to pursue a range of questions, as they sought clarification on the development of the assessment criteria, the application of this methodology in other countries, and how the assessment will take into consideration costs over very long time horizons.

The President outlined the process through which the comments and suggestions emerging from NWMO's public engagement processes were conveyed to the Assessment Team on an ongoing basis, to ensure that the inputs of Canadians would be considered in the assessment. Inputs from NWMO public engagement, including the national dialogues on values and written submissions received over the NWMO website, were taken into account by the Assessment Team.

The President noted that Discussion Document 2, planned for August 2004, would report on the results of the assessment, and highlight the findings and contributions from the public engagement activities in 2004 that were inputs into the assessment process.

The Advisory Council Chairman recommended that the NWMO consider different materials and styles that would be appropriate for a range of audiences. He emphasized the importance of offering different communication models to make the issue accessible to different audiences. Board members concurred that summaries of the assessment will be required. They flagged the need to provide a public discussion document that makes the issues easy to digest and reflect on. At the same time, it was recognized that there is a need for a more detailed report that will document the assessment methodology and process.

The Board members commented that the analysis appeared very sound. Board members thanked Mr. Ben-Eli and his team for their hard work and commitment to the NWMO assessment exercise.

## 6. Engagement

The President updated the Board on the NWMO engagement activities under way, and reviewed the nature of feedback received on Discussion Document 1. Status reports were provided on the following NWMO activities:

### National Citizen Dialogues

- The President noted these dialogues are now complete, and that the analysis of inputs is in progress. Some of the key themes that are emerging were highlighted.
- The President invited comments from Board members who have attended CPRN sessions may wish to share their own observations from the sessions attended.

### Stakeholder Dialogues

- These dialogues were held nationally and regionally, and supported by on-line dialogues, to provide a forum in which those with a record of interest in Canada's approach for long-term management of used nuclear fuel and other representatives of civil society may engage in a discussion and contribute views and opinions on the work and study approach of the NWMO. The dialogues provided an opportunity for NWMO to invite comments on Discussion Document 1, and the key questions proposed by NWMO for the basis of the assessment.

### Consultations with Aboriginal Peoples

- The President provided updates on the NWMO's contact with national aboriginal organizations.

- The NWMO has finalized the details of the collaboration agreement with the Inuit Tapirit Kanatami (ITK), which will include four regional workshops in fiscal year 2004/05, and a final report to the NWMO no later than July 2005, for incorporation into the NWMO's final report.
- The NWMO has had discussions with the Assembly of First Nations, and is hopeful that a letter of agreement will be signed shortly.
- The Congress of Aboriginal Peoples has expressed interest in working on a proposal for submission to the NWMO.
- The NWMO met with the Métis National Council, which is interested in developing a consultation strategy.
- In addition to working with the national aboriginal organizations, the NWMO plans to work in collaboration with certain regional aboriginal organizations that express interest.

#### Reactor Site Community Dialogues

- The President reviewed the NWMO's work with each nuclear reactor site community, and provided a status of discussions with each community.
- The NWMO is inviting each community to identify the outreach model that would work best for their community. The NWMO is targeting to have all engagement processes up and running within the communities by the end of April.

#### Summary of Website Submissions on Discussion Document 1

- The NWMO has received approximately 40 submissions to date through the website, offering a range of perspectives. Some submissions provide views on technical methods for study by the NWMO. Other submissions have focused on comments on NWMO background papers.
- Based on the feedback to date, the NWMO believes that there is concurrence with the ten key questions that it has proposed for the foundation of the assessment.
- Each submission is reviewed and responded to by NWMO.
- Visits to the NWMO website have been growing since the release of Discussion Document 1.

#### Other

- The NWMO tabled a report on its meetings with senior environmental and sustainable development executives to benefit from their experiences in working on projects with significant social and environmental dimensions.
- The President noted that in addition to these formal engagement activities, the NWMO participated in the GLOBE 2004 conference, which provided the opportunity to hold informal meetings with a number of parliamentarians and environment and industry representatives.
  - A next phase of public opinion research is planned to be fielded in early May.

The President noted that the engagement activities following the release of Discussion Document 1 in November 2003 were specifically designed to engage in dialogues around Canadian citizens' values and comments on the questions for the assessment framework. NWMO is now considering the appropriate structure and range of public engagement activities that will be most suited to inviting public comment on Discussion Document 2,

which will present the assessment of management approaches. The NWMO anticipates that a different structure of outreach activities will be required.

The Chairman commented that the NWMO has undertaken an impressive amount of work in the area of public engagement, Board discussion ensued.

Board members inquired about the opportunity for nuclear workers to contribute their comments to the NWMO process. The President outlined discussions to date, and welcomed further interaction with nuclear workers, recognizing the important insights that they can provide. The President invited Board members to suggest some activities that would like NWMO to consider for facilitate outreach to workers.

With respect to nuclear site community engagement, Mr. Pageau suggested that NWMO staff may wish to contact Hydro-Quebec public affairs to review the model chosen for a recent community consultation (\*).

## 7. Business Risk

The Board reviewed areas of business risk for the NWMO. The Chairman noted that the Audit, Finance and Risk Committee continues to review this item on an ongoing basis.

- The Board discussed the format for the framework proposed by staff for providing due diligence tracking of areas of risk and mitigation measures.
- The Board would like these regular updates to highlight areas in which risk is already presenting and is evident to date.
- Board members would like the NWMO to signal areas of change in risk levels over time.
- Where mitigation measures were proposed by staff, Board members supported implementation.
- Noting that mitigation measures had not yet been identified for all areas of externally-driven risk, NWMO was encouraged to consider possible mitigation measures.

Board members concurred that the tracking of business risk was a good control document for management. There was interest in reviewing the chart regularly at the Board level, particularly to track shifts in the more difficult areas of external risks. (\*)

The Audit, Finance and Risk Committee will be reviewing the different areas of business risk at their upcoming meeting.

## 8. Indemnification and Insurance Provisions

The Board was presented with a progress report to the Board on indemnification and insurance provisions.

Further to the request of the Audit, Finance and Risk Committee, NWMO staff have been reviewing indemnification obligations of the NWMO. Staff have been reviewing policies in place in member organizations respect of Directors' and Officers' insurance to determine the necessity of additional insurance coverage.

The Chairman suggested that each Director confirm with his/her member organization the extent to which Directors' insurance provisions are in place. (\*)

He noted that this item will be brought forward for further discussion with the Audit, Finance and Risk Committee.

9. Directors' Consent Forms

The Corporate Secretary tabled Directors' Consent Forms for the Board's consideration and signatures, for completeness in the governance records of the corporation. The forms were signed and returned to the Corporate Secretary.

10. Trade Mark Registration

The NWMO brought forward a proposal to the Board concerning the registration of NWMO's trade-mark, noting that Industry Canada advises that registration of a trade mark is the best way to obtain the exclusive right to use the mark in all of Canada.

**IT IS HEREBY RESOLVED** that:

NWMO register its corporate trademark.  
The Secretary is hereby authorized to proceed with the registration process.

This motion was made, seconded and unanimously passed.

11. Governing Documents

The Corporate Secretary distributed updated Director's Handbooks to the Board members containing the corporation's governing documents.

12. Report from the Audit, Finance and Risk Committee

The Committee Chairman, Mr. Long, shared draft Minutes from the February 26<sup>th</sup> meeting of the Audit, Finance and Risk Committee by way of information update to the Board.

13. Financial Update

The President tabled the financial summary for the first two months of NWMO's 2004 operations, and highlighted areas of variance from original business plan projections.

14. Upcoming Meetings

The Chairman reviewed the dates for the upcoming Board meetings:

Lunch with Assessment Team

Members of the Board and the Advisory Council are invited to meet informally with the Assessment Team over lunch:

April 14, 2004 12:30 PM – 1:30 PM  
49 Jackes Avenue, Toronto

Audit, Finance and Risk Committee

The next Committee meeting has been confirmed for:  
May 3, 2004 12:30 PM – 3:00 PM EST  
49 Jackes Avenue, Toronto or conference call

Board of Directors

The next meeting of the Board has been confirmed for:  
June 4, 2004, 8:30 AM – 12:30 PM EST  
49 Jackes Avenue, Toronto

Members AGM

The Annual General Meeting of Members is scheduled for:  
June 4, 2004, 12:30 PM– 1:30 PM EST  
49 Jackes Avenue, Toronto

15. In Camera Meeting of Directors

The members of the Board of Directors met in camera.

Termination of Board Meeting

There being no other items for discussion, the Directors concluded their session at 4:00 P.M. EST.

Asterisk (\*) denotes action to be taken

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Corporate Secretary  
Dated this 4<sup>th</sup> day of June, 2004