

September 05, 2005

Nuclear Waste Management Organization  
49 Jackes Avenue, First Floor  
Toronto, Ontario  
Canada  
M4T 1E2

Attention: Mr Tony Hodge

Dear Mr. Hodge;

Re: Ontario Métis Aboriginal Association

We are now in a position to make what could be considered a final report on our activities to date in Phase 4 of the Nuclear Waste Management Initiative. This report contains a description of activities and processes undertaken to date in a variety of scenarios. Our findings and conclusions will form a separate portion of the report.

### **ACTIVITIES**

This activity involved a board meeting of the Ontario Métis Aboriginal Association in Thunder Bay, Ontario on July 15 & 16, 2005 to review the draft study report “*Choosing a Way Forward.*”

### **Attendees**

In attendance during the tow days were President Michael McGuire and 1<sup>st</sup> Vice President Henry Wetelainen. The 2<sup>nd</sup> Vice President was on a bereavement leave and could not attend however she did receive an update of the deliberations. Also in attendance were Board representatives from the 5 tribal corporations, including:

<b>Zone 1</b>	<b>Leah Gardiner</b>
<b>Zone 1</b>	<b>Karen Wetelainen</b>
<b>Zone 1</b>	<b>Leonard Ledoux</b>
<b>Zone 2</b>	<b>Eugene Lefrancois</b>
<b>Zone 2</b>	<b>Linda McGuire</b>
<b>Zone 2`</b>	<b>Pat McGuire</b>
<b>Zone 3</b>	<b>Dorothy Wynne</b>
<b>Zone 3</b>	<b>Mike Chamandy</b>
<b>Zone 3</b>	<b>Elwood Beauchamp</b>
<b>Zone 4</b>	<b>John Larabie</b>
<b>Zone 4</b>	<b>Gaetan Gauthier</b>
<b>Zone 4</b>	<b>Ulysse Labelle</b>

**Zone 5**                      **Sherry Hamelin**  
**Zone 5**                      **Terry Black**  
**Zone 5**                      **Bill Henderson**

The Recording Secretary for the meeting was R. Jack Falkins and also in attendance from OMAA was Cathy Alisch, Supervisor of OMAA's Healthy Babies Healthy Children program. President Mike McGuire made some opening remarks, smudged the room and the participants and Dorothy Wynne conducted the opening prayer. Due to problems with connecting flights R. Anthony Hodge was not able to join the group until later on Friday evening but he did manage to outline some direction for the following day and provided general comments on the purpose of the meeting.

### **Preparatory Work**

Prior to the actual meeting several actions items were completed. These included the following:

#### ***Dissemination of Background Materials***

Board members had received in previous meetings

- Invitation to Dialogue DVD,
- Asking the Right Questions,
- Understanding the Choices,
- Assessing the Options,
- OMAA'S position paper at the conclusion of Phase 2 of the Nuclear Waste Management Initiative,
- OMAA's Powerpoint presentation, which OMAA had utilized for its Board workshop in April of 2004.
- OMAA's position paper and recommendations prepared at the conclusion of Phase 3 of the Nuclear Waste Management Initiative.

Additionally this meeting included Part 1, Draft Study Report and “ ***Choosing a Way Forward*** “ Draft Study Report. R Anthony Hodge provided the Board a Powerpoint presentation specifically for the Draft Study Report.

#### ***Powerpoint***

The facilitators Frank Palmater and R. Jack Falkins had also prepared a Powerpoint presentation for discussion purposes with the Board on the whole process and specifically on this draft report. A copy of that Powerpoint is annexed to this report.

## *Methodology*

This Board has been integrally involved in the Nuclear Waste discussion from the onset and accordingly is well acquainted with the issues, positions and options so there is not a lot of legwork required to bring them up to speed when the discussion focused on the draft report. It should be noted that not only had most Board members been in attendance at the prior meetings (April 2004 Board Meeting Ottawa and OMAA's Assembly September 2004) most if not all had attended the regional meetings conducted in their areas and provided input and comment during that process.

Frank Palmater was unable to attend the Thunder Bay meeting at the last minute so the facilitation was conducted by R Jack Falkins.

As can be seen from the Powerpoint presentation OMAA's participation was reviewed, which included the following:

- Frank Palmater-Saskatoon Aboriginal Traditional Knowledge Workshop-2003
- Frank Palmater & R. Jack Falkins-Regional Dialogue-North Bay-2004
- Frank Palmater-Ottawa Regional Dialogue 2004
- April 2004 Board Meeting Ottawa
- Community Consultations 2004-2005
  - Woodland Métis News Summer 2004,
  - OMAA's Assembly September 2004,
  - OMAA's Nuclear Waste Management Initiative Website,
  - December 1, 2004-March 29, 2005 meetings with 164 locations across Ontario, 1371+ in attendance and 3 mall locations (Kenora,Pembroke, Midland) and
- R Jack Falkins,Toronto Regional Dialogue 2005

In order to properly put the draft study report into context the presentation reviewed the 808 survey results with focus on the following issues:

- Locations,
- Regional distribution,
- Age groups,
- Ethnicity,
- Knowledge level,
- Respect for aboriginal rights,
- National discussion on use of nuclear power,
- Effective consultations,
- Disposal options,
- International attention options, and
- Mandated options.

### ***Review of “Choosing a Way Forward.”***

In the process of assessing the Draft Study Document it is important to examine the document in light of the Vision, Mission and Values espoused from the inception of the consultative process.

The Nuclear Waste Management Organization declared that the Vision of the initiative was as follows:

“Our vision is the long-term management of Canada’s nuclear waste in a manner that safeguards people and respects the environment, now and in the future.”

The Mission was expressed as follows:

“The purpose of the NWMO is to develop collaboratively with Canadians a management approach for the long term care of Canada’s used nuclear fuel that is socially acceptable, technically sound, environmentally responsible and economically feasible.”

The Values expressed included

- **INTEGRITY**  
We will conduct ourselves with openness, honesty and respect for all persons and organizations with whom we deal.
- **EXCELLENCE**  
We will pursue the best knowledge, understanding and innovative thinking in our analysis, engagement processes and decision-making.
- **ENGAGEMENT**  
We will seek the participation of all communities of interest, and be responsive to a diversity of views and perspectives. We will communicate and consult actively promoting thoughtful reflection and facilitating a constructive dialogue.
- **ACCOUNTABILITY**  
We will be fully responsible for the wise, prudent and efficient management of resources and be accountable for all of our actions.

Against the backdrop of these statements the Board reviewed the Draft Study Report, with the assistance and guidance of R. Anthony Hodge and in light of the observations they made in Phase 1 & 2 of the Initiative have the following statements to make regarding the conclusions of “*Choosing a Way Forward.*”

***Was the Mission Statement Followed?***

One of the first things OMAA wished to examine was whether the NWMO followed its own mission statement. In our earlier community consultations concerns had been expressed that the process was merely window dressing, since many believed that the decision on what option to recommend had already been decided, prior to the launch of the initiative. Accordingly we proceed to measure the Draft study report against the expressed determinants contained within the mission statement. The key phrases inherent in the statement are:

### *Collaboratively*

Pages 29 through 61 of the Draft Study illustrate the process of engagement with the interested constituency. It is important to evaluate how diversified was the approach to interested Canadians (particularly the Aboriginal population) and even more important can we gauge whether or not that information was utilized in the final proposal.

It is clear that a number of approaches were utilized including, inter alia:

- Roundtable on Ethics,
- Scenarios exercise,
- Public information sessions,
- E-dialogues,
- Citizen comment and submission opportunities,
- Nuclear community dialogues,
- Regional and national dialogues,
- Expert workshops,
- National citizen' dialogues on values,
- Expert papers,
- Aboriginal Traditional Knowledge workshops,
- Public Attitude Research,
- Host community's dialogues, and
- Aboriginal Dialogues.

The utilization of the four phases allowed for a continuum of response from interested parties, who had full opportunity to participate sequentially as the initiative progressed. This allowed, in our opinion, a better-informed discussion to take place, as additionally information and community data was added to the mix over the duration of the initiative.

The use of milestone documents, as mentioned above, augmented the discussion in a positive manner as participants could ascertain other participants comments, positions and attitudes and utilize that information in their deliberations. Certainly the Board of Directors of OMAA did so.

While the actual numbers of people reached through this extensive process remain small compared to the total Canadian population, which are effected, it appears that a commendable effort was made to reach a diversity of opinion across the country. While

the quantity may be less than desired, certainly the quality of the responses cannot be faulted.

In our earlier submissions, particularly after phase three we made comment about the effort to engage the population. We stand by those comments that perhaps a better use of funds could have resulted in a greater number of people being exposed to the issue. Even to this day we continue to meet people (mostly non-Aboriginal) who are completely unaware of the initiative or the debate on the issue.

As one participant at one of the dialogues stated, “ Only those interested in the issue will take the time to discuss the problem in advance. Others wait until it becomes a real problem and then bemoan their lack of involvement.”

Certainly from the viewpoint of OMAA we feel that our involvement in the process has been a collaborative process and at no time did we experience any doubt that our views or opinions were not welcomed or were unwanted.

### ***Socially Acceptable***

It is fair to conclude that the approach has been focused throughout on an option that is socially acceptable, not just to the host community, but also to the general population in the area and in the country. We laud the use of such terminology or phraseology in the Draft Study as the following:

- Ensure the safety for people and the environment,
- Ensure implementation in as fair a way as possible,
- Provide for a staged approach which provides for ongoing reviews and adjustments to decisions,
- Provide opportunities for future generations to influence implementation,
- Communicate clearly the decision making process and authorities,
- Ensure the system of governance is trust-worthy, accountable and inclusive, and
- Involve democratic and accountable institutions accessible to citizens.

In fact virtually all of the criteria mentioned on page 60 regarding an appropriate management plan can be considered expressions of a social consciousness that the whole process must be transparent, accountable, reviewable and flexible to accommodate changing information, opinions and circumstances.

The final option suggested certainly would meet the criteria that it be socially acceptable in most, if not all, respects.

### ***Technically Sound***

It is beyond the capacity of most Canadians, including OMAA, to properly evaluate any option as being technically sound, or not. Our involvement with the citizen dialogues illustrate that not even the “experts” agree, since much of what is being discussed is in

the world of theory only, since no problem of such magnitude has been or can be tested adequately.

What does emerge however from the “fourth option” is a plan that takes into account techniques and actions, which we know to be acceptable now, and combine these with a proposal that allows for the input of additional knowledge. When we consider that approximately one half of what we know today was not known ten years ago, and that knowledge seems to be doubling every 18 months, it is reasonable to conclude that significant progress on the issue of nuclear power and nuclear waste disposal will be made within the parameters of Phase 1 (30 years) and may well alleviate any of the concerns presently being expressed about the technical adequacy of the solutions to the issue.

### ***Environmentally Responsible***

Many have raised the concern about the effect of the waste upon the environment. Again there appears no sure response that would quell all the fears, because so much is unknown about the long-term adequacy of containment solutions. The provision of a complete environmental assessment within the parameters of Phase 1 will address many of the short-term concerns and the passage of time and the additional knowledge, which will accrue to mankind may find answers to the other questions.

Aboriginal people have raised the issue of effect upon the environment out of concern for their land and way of life. Since no guarantees can be ever provided any option will of necessity fail to completely address and mitigate those concerns. However the problem is here and it will not go away, so steps must be taken.

The inclusion of the following items in the Fourth Option, confirm the intent of the NWMO to insure environmental safety and viability:

- Continued R & D in repository technology
- Complete Environmental Assessment,
- Demonstration of long-term isolation technology,
- Continued monitoring (Phase 3),
- Retrievability of used fuel,
- Closure and decommission of site left to future generations, and
- Post-closure monitoring.

### ***Economically Feasible***

The analysis contained in Part Three together with the comparison of benefits, risks and costs addresses this item adequately. All options examined are expensive and may almost at first blush seem to be cost prohibitive. The Draft Study however places the costs of each option within the parameters of the objectives stated and also involved a socio-economic analysis of the implications for the different types of economic regions which

might host the site. It will be up to all the partners to undertake the process against the backdrop of fiscal prudence.

### *Were the Expressed Values Adhered To?*

One of the next things OMAA wished to examine was whether the NWMO followed its own Values statement. Again we proceed to measure the Draft study report against the expressed determinants contained within the values statement. The key phrases inherent in that statement are:

#### *Integrity*

While we cannot comment on how other organization or groups were treated we ourselves feel that the NWMO has treated us with openness, honesty and respect for all our staff and board persons and the organization itself. We certainly believe that conduct was across the board with all organizations and persons.

#### *Excellence*

Our observations lead us to the conclusion that in this initiative the NWMO has pursued the best knowledge, understanding and innovative thinking in their analysis, engagement processes and decision-making. In fact our involvement and the manner of our processes confirms some of that innovative thinking and creative use of funds.

#### *Engagement*

Pages 29 through 61 of the Draft Study illustrate the process of engagement with general and specific communities of interest. We repeat the observations made hereinbefore on “collaborativity”.

OMAA feels that the NWMO has sought the participation of all communities of interest, (although many were invited many refused or neglected to participate), and were responsive to a diversity of views and perspectives. Their actions certainly did promote a constructive dialogue with a broad diversity and unique mix of interested citizens.

A prime example could be seen in the citizen dialogues where citizens across a wide spectrum of interest groups, background, occupations, education levels, race, sexes, ages and culture came together to offer opinions, comments and discussion. OMAA was pleased to have been so involved in a number of these meetings.

#### *Accountability*

It is difficult for us to comment with much regarding this aspect although it would appear that there has been a prudent and efficient management of resources, subject to the observations we made in our last report. There is nothing in the final study report that leads us to the conclusion that the NWMO will not be accountable for all of their actions.



### *Aboriginal Engagement*

Some comment should be reserved for the Aboriginal engagement. Certainly there is a lot of discussion about the engagement of the Aboriginal community in the document. It is commendable that our position regarding the use of the word “consultations” has been noted in the report. On a personal note we encountered no difficulty from the NWMO in changing the concept to dialogue from “consultation” and they responded appropriately to our concerns first raised in the North Bay meeting. While proper funding was never provided that would have turned the dialogue into “consultations” extra effort was expended by the NWMO to allow OMAA and its members to more fully participate in the process.

The comments we made in our reports, as did other Aboriginal groups, on keeping the seven-generation principle alive in the thought process and the need to be sensitive to and incorporate traditional ecological knowledge have been mentioned in the report to the credit of the NWMO.

Other issues raised by OMAA have been echoed in the report and they include:

- The examination of the full cycle of nuclear materials from mining to refined product,
- A full dialogue on the use of nuclear fuel as an energy source in this country,
- No importation of nuclear waste from other countries,
- The need for safety and security for the whole eco-system (people, plants, water, land and animals),
- The reduction of the use of energy in general and the use of green energy in specific,
- More research into the international attention options, and
- The need for ongoing dialogue within the aboriginal community to reach even more people.

Also our comments, about the need to have further time to reach as many people as possible, are echoed in the report on page 48. It is to be hoped that the Federal government proceeds with further consultations on the proposed option to further educate the populace and eliminate much of the rhetoric and misinformation that tends to inflame the discussion.

### *Comments on the Suggested Option*

The majority of those surveyed by OMAA favoured continued extended reactor site storage at the current locations. This as the general position adopted by the Board of Directors also. The second most popular option was centralized storage with deep geological burial last.

Many people felt that science needs to be given some time and obviously funding for the express purpose of mitigating the ‘dangerous’ aspects of the problem. Given the

relatively short period of time nuclear energy has been with us it is not surprising that a solution has not been discovered to date.

The strong preference of the constituents who took our survey clearly favouring reactor site extended storage, even with the concerns raised (proximity to Great Lakes, etc.). In discussions with attendees they seem to feel we need to give scientists some time to see if potential solutions can be discovered to eliminate or ameliorate the problem, and this option leaves those doors open for future opportunities and development in that area.

As we observed many people felt that the industry had chosen deep geological burial, probably in the north, and there was really no choice involved, just a public relations exercise. As we observed we had urged those who attended to await the final report before jumping to conclusions.

Frankly the Adaptive Phased Management option seems to have taken into account, either deliberately or inadvertently, these concerns. Given the three phases for development (30 years; 30-60 years; and 60 to several hundred years) much of what OMAA recommended has been incorporated. For example:

1. We observed in our position paper on Phase 2 that as a general rule the populace (both Aboriginal and non-Aboriginal) seems uneducated and unaware of this issue to any substantial degree and there needs to be a greater effort at educating them at all levels to eradicate misconceptions, prejudices and ignorance. The draft study report clearly addresses that issue by calling for continued citizen engagement. This is particularly true of the ongoing desire on the part of the NWMO to engage in a meaningful relationship with Aboriginal groups. They are commended for this response and position.
2. We observed that there seems to be a genuine desire for a national debate on the use of nuclear energy prior to making firm decisions on the issue of nuclear waste management. Concern was expressed that this initiative focuses on the quantum of projected waste, without factoring in the issue of additional plants and increased waste, all of which could conceivably effect the preferred approach, costs, locations, etc. Many people commented that the nuclear plants and facilities themselves seem to have been left out of this initiative and discussion needs to take place regarding their future. All of these observations are contained in the final report, even though they were outside the scope of the mandated initiative.
3. As expressed earlier the majority of our respondents felt that science needs an opportunity to come up with better solutions to the issue. The call for continued R & D in repository technology, as well as comments throughout the study, which have addressed this issue. Also the simple passage of time (60 years before a decision to bury deep or not) will afford ample opportunity for science to address the issue and hopefully provide solutions.

4. We also observed that there appears to be a real feeling of opposition in the North to being the ‘garbage dump’ for the South’s wastes. Many people expressed a philosophy that it was a problem created in the south and the south needs to address the problem within its area and not look to the north as a place for disposal. This kind of public sentiment has been seen in Ontario during the Toronto garbage debate and OMAA believes the NWMO should not underestimate how strong this feeling is. Education on the risks and benefits of the disposal issue may alleviate some of these emotions but much more work needs to be completed to avoid the same kind of reactions we have seen in the past. We recommended that greater efforts need to be expended by the proponents of this initiative in conducting meetings and information in the North. Each region projects different challenges in getting the message out but certainly when the north figures strong in 2 of the 3 suggestions and certainly in the approach favoured most by the scientists we feel that greater effort should be expended in the north.

The proposed solution will afford the proponents the time needed to accomplish these tasks. The draft study is replete with observations on the need to educate the host communities and those effected by the transfer of the material. Phase 1 discusses the need for engagement during the siting process.

5. Additionally we observed that many people felt that the producers of the nuclear waste were not the ‘proper people’ to be doing the study. We heard over and over again the ‘fox guarding the chicken coup’ analogy. Frankly many believe that the final solution will have more to do with the bottom line than other considerations. We have urged many to refrain from a final decision in that regard until they see the final report for government. It would appear that the bottom line was not the major concern since the cheapest route was not adopted in total.
6. We also want to observe that the concerns expressed over safety and security have been adopted into the solution and appear prominently in the report.
7. We were asked to comment on 4 questions:
  - a. Is the recommended approach appropriate for Canada?
  - b. Is it consistent with Traditional Knowledge and Wisdom?
  - c. What are the conditions required to successfully implement the approach? Are there improvements to suggest?
  - d. What specific aboriginal insights and/or concerns should be kept in mind by the NWMO as the implementation proceeds?

(a) Our observations regarding this question are in the affirmative. We feel that mixing the scientific approach (recommendations of deep geological burial) in with the concerns of the general public about the unanswered concerns over environmental issues, works well for Canada. Given the vast stretches of pristine wilderness we should rightly be concerned about the environmental effects of a hasty decision. The phased adaptive

management solution allows for scientific progress, easy retrieval and highlights environmental issues.

(b) The time span involved in the three phases, the ongoing concern with R & D and safety and the emphasis on future generations involvement seems to take the process along a path that Traditional Knowledge would approve. As we observed in earlier reports the emphasis must be on the safety and security of the whole eco-system and the report can be considered in favour of that approach. Continued monitoring both pre and post closure seem to address concerns for future generations safety. Deep burial now with closure in the near future without such safeguards would not have ensured the safety as much.

(c) To answer this question we had made an observation several times that there needs to be much more citizen engagement and continued efforts at educating the populace. The whole process should continue to be transparent and efforts should be made to continue the building of partnerships forged during this initiative. We have recommended increased engagement with the youth of this country. Not enough effort has been made in this regard but considering that the next major decision will come in 30 years the youth of today should be exposed to the issue **now**.

(d) To properly answer this question we feel there needs to be consultation, as opposed to dialogue, with the aboriginal community in accordance with our views on consultation. The addition of an Aboriginal voice on the Board of the NWMO had also been recommended. While the NWMO awaits the decision of the federal government it should continue its engagement with the Aboriginal community. We stand ready to advance proposals on each of these observations.

While more could be said about the draft study overall we feel that the above captures our concerns and views adequately. Once again we thank the NWMO for the opportunity to be involved in this important initiative.

A financial statement will follow. Should you have any questions please do not hesitate to contact Frank Palmater or R. Jack Falkins and those inquiries will be answered.

Yours truly,

Michael McGuire  
President  
Ontario Métis Aboriginal Association