

# NWMO's Dispositioning of the NWMO Advisory Council's 2011 Advice (February, 2012)

Recommendations	Action taken
<b>IMPLEMENTATION OF THE SITE SELECTION PROCESS</b>	
<p><b><i>In March 2011 the Council reviewed the status of APM Site Selection Process:</i></b></p> <ul style="list-style-type: none"> <li>• Council members expressed support for NWMO's approach to siting, and support for the roles for third party reviews and independent experts.</li> <li>• For institutional continuity, Council members recommended that where possible, community delegations involved in Learn More activities should include members who are not elected officials in addition to councilors or Mayors that are participating.</li> <li>• Council requested detailed discussion on feasibility studies for future meetings.</li> </ul>	<ul style="list-style-type: none"> <li>• These provisions for roles of third parties reviews and independent experts are part of the Learn More and Feasibility Study phases now being implemented by NWMO.</li> <li>• NWMO conveys this advice to communities, as they are preparing delegations for Learn More activities, and communities have been engaging community members more broadly.</li> <li>• Feasibility studies were addressed in detail with Council at the May, September and November 2011 meetings. This included discussion with Council on the overall approach and scope of feasibility studies, workplans and phasing of studies, readiness reviews for initiating feasibility studies and reviews of supporting communications.</li> </ul>
<p><b><i>In May 2011, the Council reviewed the status of the APM Site Selection Process and provided the following comments:</i></b></p> <ul style="list-style-type: none"> <li>• Council emphasized the importance of NWMO being clear about the site selection criteria on which decisions will be based.</li> </ul>	<ul style="list-style-type: none"> <li>• Criteria are outlined in the siting documentation published in 2010, which is the basis for all siting work now underway. The criteria and basis for decision-making was further reviewed with communities in 2011, to support their decisions as to whether to continue on into the feasibility study phase.</li> </ul>

Recommendations	Action taken
<ul style="list-style-type: none"> <li>• Council sought confirmation that feasibility studies would also look at the costs of implementing the project in each community, taking into account associated infrastructure costs.</li> <li>• Council members also emphasized that as communities elect to leave the process, or are removed by subsequent screening processes, it is important that NWMO maintain good relations with the communities. Council advised NWMO to work closely with communities to manage exit strategies as they are excluded through subsequent screening processes or elect to cease their involvement.</li> </ul>	<ul style="list-style-type: none"> <li>• Costs and associated infrastructure investments required are included in the feasibility scopes, and outlined in the siting process documentation.</li> <li>• NWMO has undertaken to work closely with communities to manage exit strategies with communities so as to maintain good relations.</li> </ul>
<p><b><i>In September 2011, Council discussed the plans for the Feasibility Studies phase:</i></b></p> <ul style="list-style-type: none"> <li>• Council urged staff to continue to communicate fully the robustness of transportation containers and systems.</li> <li>• Members noted that transportation will not just be a regional issue, but will be an inter-provincial matter and emphasized the importance of NWMO continue to engage broadly to keep provinces and municipal associations informed.</li> <li>• Council members acknowledged the importance of providing communities with clarity on decision-making in assessments and who will make the assessments, particularly where qualitative judgments may be required in assessing strengths of a community or its evolving citizen support for the project.</li> <li>• Council members noted the importance of ensuring communities feel they were treated well by NWMO, through the assessments and also in the exit strategy adopted. Council urged that NWMO seek to understand and meet community expectations as to what a process of respect and integrity would involve, treating communities sensitively as they are screened out through future phases of assessments.</li> </ul>	<ul style="list-style-type: none"> <li>• The robustness of transport containers, systems and regulatory oversight will be communicated as part of NWMO's expanded outreach. New communication materials are under development in this regard. The transportation component of feasibility studies will address this topic.</li> <li>• NWMO will continue to convene with municipal associations individually and through the Municipal Forum. NWMO is working with federal and provincial transportation departments.</li> <li>• NWMO has sought to provide clarity on the decision-making process through its discussions with communities on the siting process generally. NWMO's briefings on feasibility studies, delivered to communities beginning in fall 2011, addresses in detail the range of considerations in assessments.</li> <li>• NWMO is working closely with communities to ensure they are treated well in assessment phases and as communities may exit the process. This will be an important part of the dialogue with communities as plans are collaboratively developed to launch feasibility studies where requested by communities.</li> </ul>

Recommendations	Action taken
<p><b><i>In November 2011, Council members discussed feasibility studies and community-well being:</i></b></p> <ul style="list-style-type: none"> <li>• Council addressed NWMO’s internal capability to manage the large number of communities that had engaged in the site selection process, noting the potential for additional communities to enter the process. Council requested discussion of the duration of the “expressions of interest phase” of the siting process at a future meeting.</li> <li>• In ensuring community well-being, Council members advised that communities should be left better off for having been involved in the process, to recognize their contributions to the project.</li> </ul>	<ul style="list-style-type: none"> <li>• The February 2012 Council agenda will include discussion of the duration of the “expressions of interest phase” of the siting process. Council advice will be sought.</li> <li>• NWMO will seek to ensure communities are left better off for having engaged in the process. Specific approaches to this will be addressed with Council in future as the process evolves.</li> </ul>
<b>BUSINESS PLANNING</b>	
<ul style="list-style-type: none"> <li>• In September 2011, the Advisory Council reviewed the NWMO 2012-2016 Business Plan and sought clarification on a number of areas.</li> </ul>	<ul style="list-style-type: none"> <li>• No action required.</li> </ul>
<b>EVOLVING EXTERNAL LANDSCAPE / COMMUNICATIONS</b>	
<p><b><i>In March 2011, Council members reviewed NWMO’s 2011 Communications Strategy, offering the following advice:</i></b></p> <ul style="list-style-type: none"> <li>• Council members were in general agreement with the directions in the proposed communications plan. Council proposed changes to a number of sections of draft documents, to provide greater clarity on important messaging. Members discussed the importance of clarifying the primary messages around safety. Members emphasized the importance of underscoring safety will be a priority, site selection will be guided by strict safety criteria and that NWMO’s work will focus on ensuring that the APM project can be safely implemented.</li> <li>• Council emphasized the importance of NWMO continuing to report transparently to all as its work proceeds, carrying forward its practices from earlier years.</li> </ul>	<ul style="list-style-type: none"> <li>• In April 2011, Jamie Robinson issued a revised Communications Strategy incorporating the Advisory Council member’s comments.</li> <li>• NWMO continues to provide transparency in its work, reporting out broadly on progress in implementing APM. In addition, the new micro website dedicated to the siting process enables updates to be provided as the siting activities evolve.</li> </ul>

Recommendations	Action taken
<ul style="list-style-type: none"> <li>• Council offered additional suggestions for building awareness of NWMO, including the potential for segments on TVO or other outlets that cover national public interest and public policy issues.</li> </ul>	<ul style="list-style-type: none"> <li>• These suggestions have been taken into account in NWMO's evolving communications plans. Some expanded multi-media outreach has begun and will be expanded upon in 2012.</li> </ul>
<p><b><i>In May 2011:</i></b></p> <ul style="list-style-type: none"> <li>• Council members emphasized the importance of NWMO continually taking stock of the external landscape as it affects the APM program.</li> <li>• Council supported NWMO's proposal to review the lessons learned from the developments in Japan, as part of NWMO's ongoing process.</li> </ul>	<ul style="list-style-type: none"> <li>• NWMO continues to track evolving external developments. Discussion of external conditions is provided as a regular part of each Council meeting, with reports from the management team.</li> <li>• Council will be briefed on the tracking of lessons learned as part of its 2012 meeting agendas.</li> </ul>
<p><b><i>In September 2011:</i></b></p> <ul style="list-style-type: none"> <li>• Council proposed addition of a standing item on its future meeting agendas that would review potential areas of risk associated with APM implementation and priority areas for Council discussion and advice.</li> </ul>	<ul style="list-style-type: none"> <li>• Beginning in November 2011, discussion of potential risks has become a standing item on Council agendas.</li> </ul>
<p><b><i>In November 2011:</i></b></p> <ul style="list-style-type: none"> <li>• Council members proposed that opportunities should be sought to communicate NWMO's innovative approach to public engagement and work with communities. In this regard, members offered a number of suggestions to provide greater profile around NWMO's engagement work.</li> <li>• In reviewing the external landscape, Council emphasized the importance of maintaining government support for the project through engagement of different levels of government, including the federal government and provincial governments of nuclear provinces.</li> <li>• Council requested time on an upcoming meeting agenda to discuss with NWMO the impact of the events at Fukushima on NWMO's work.</li> </ul>	<ul style="list-style-type: none"> <li>• Building on Council's suggestions, staff will bring forward the item for discussion at Council's February 2012 meeting to support next steps.</li> <li>• NWMO's engagement plan includes continued outreach to multiple levels of government, including the establishment of new working relationships across ministries, to work collaboratively on issues of mutual interest related to site selection for APM.</li> <li>• This discussion on the events of Fukushima is proposed for the June 2012 Council meeting agenda.</li> </ul>

Recommendations	Action taken
<b>APM TECHNICAL PROGRAM</b>	
<p><b><i>In March 2011, the Council reviewed NWMO's disposition of the comments from the Independent Technical Review Group (ITRG):</i></b></p> <ul style="list-style-type: none"> <li>• Council members emphasized the close linkages between selection of a site for the APM repository and the specific design features of the repository. Noting that decision-making on engineering design features and materials must take into account the specific geology in which the repository will be situated, the Council emphasized the need for harmonization of workplans for site selection and engineering design work.</li> <li>• In March 2011, Council requested further detailed briefing on cost estimates of the APM program.</li> </ul>	<ul style="list-style-type: none"> <li>• NWMO has established an internal coordinating steering committee that ensures coordination and harmonization of workplans, to optimize decision-making on siting and supporting technical design work.</li> <li>• As part of the May 2011 Council agenda, NWMO provided a presentation on the cost estimates for the APM program.</li> </ul>
<p><b><i>In May:</i></b></p> <ul style="list-style-type: none"> <li>• Council requested further information on the used fuel containers and transfer systems.</li> </ul>	<ul style="list-style-type: none"> <li>• A briefing on this topic was provided as part of the September 2011 Council meeting.</li> </ul>
<b>NIIGANI / ELDERS FORUM</b>	
<p><b><i>In March 2011, upon Council request, NWMO reviewed the proposed plan for reviewing the operations of the Elders Forum to support NWMO's future phases of work:</i></b></p> <ul style="list-style-type: none"> <li>• Council members supported the [Elders Forum] review process. They suggested that as part of this review, it would be important to also review the method and basis by which youth members were appointed to the Forum. A Council member requested that the discussion document for this review should include an introductory section explaining the purpose of the review of the Elders Forum terms of reference at this time to clarify NWMO is ensuring appropriate membership and focus will be provided to support the site selection process now underway.</li> </ul>	<ul style="list-style-type: none"> <li>• Council's suggestions for the discussion document were incorporated as the document was finalized for distribution.</li> <li>• The topic of youth involvement and appointments continued to be discussed at Council meetings through 2011. NWMO will ensure the continued involvement of youth in future phases of work.</li> </ul>

Recommendations	Action taken
<p><b><i>In May 2011, Council were invited to provide advice/input on the re-development of the NWMO Elders' Forum:</i></b></p> <ul style="list-style-type: none"> <li>• Council suggested that it would be helpful for NWMO to look at precedents for structuring similar organizations, and suggested staff compile examples of how other similar groups have been constituted, such as the Aboriginal Healing Foundation;</li> <li>• Council supported the idea of having an independent panel recommend Elders appointments to the Forum;</li> <li>• Council members emphasized importance of a role for youth, with youth provided with a clear voice and responsibilities to ensure full participation;</li> <li>• Council members emphasized: <ul style="list-style-type: none"> <li>• the importance of having women representatives on the Forum, with perhaps even a male and female co-chair;</li> <li>• the Forum may work more effectively with a smaller membership which could meet more frequently, and thereby reduce the need for a working group within the Forum; and</li> <li>• that the structuring of the Forum must consider carefully that Niigani was constituted by ceremony.</li> </ul> </li> </ul> <p>NWMO was encouraged by Council to be clear in describing the decision making around the Elders Forum: that the Elders Forum and other organizations being consulted will provide input to a process, with decision-making on the path forward resting with the NWMO Board.</p>	<ul style="list-style-type: none"> <li>• NWMO researched a range of precedents and made these available to support the Elders Forum discussion of possible models.</li> <li>• The appointment process planned for 2012 provides for independent recommendations from Aboriginal organizations.</li> <li>• NWMO recognizes the importance of youth involvement in its work and deliberations. Accordingly, joint planning for youth participation with the Elders specifically and the NWMO generally will be a high priority.</li> <li>• These recommendations have been taken into account in the development of a terms of reference for the next phase of Elders Forum operations.</li> <li>• NWMO has clarified the next steps and decision-making process in its correspondence with Elders.</li> </ul>

Recommendations	Action taken
<p><i><b>In September 2011, the Council discussed the results of the consultations on the re-structuring on the Elders Forum:</b></i></p> <ul style="list-style-type: none"> <li>• Council supported the way NWMO was approaching the consultations with Aboriginal organizations for advice and guidance.</li> <li>• There was consensus amongst Council members that it was important to give the Elders Forum structure with NWMO's clear expectations, a well-defined Terms of Reference and a clear code of conduct. Council members encouraged NWMO to ensure the scope of changes made (such as a reduction in size) are sufficient and complete as required to allow the forum to move forward effectively.</li> <li>• Council concluded that it was important not to delay or protract the changes.</li> <li>• Council encouraged NWMO to have set timeframes for Elders Forum appointments.</li> <li>• Council supported having some male/female balance.</li> <li>• Council supports retaining "Niigani" as the name for the new forum, as proposed by the Elders Forum members. This will signal that this important group, that evolved through ceremony, will continue. Elders created a legacy in establishing Niigani.</li> <li>• Council feels strongly that the voice of youth must continue, suggesting youth appointments be made independently from the Elders appointments. The importance of continuing to involve youth was emphasized by several members, and that allowing youth to have a forum of their own, linking from time to time with Elders may be a more productive way to ensure they have a voice.</li> <li>• Council members see the Elders Forum restructuring as a priority, and wish to work closely with NWMO. Council proposed a half-day Council meeting for October 2011 that will enable them to work with NWMO staff in preparing the discussion at the November Elders Forum.</li> </ul>	<ul style="list-style-type: none"> <li>• This advice has been taken into account in developing the new terms of reference for the successor to the Elders Forum.</li> <li>• NWMO convened by teleconference with Council as requested in October 2011 to focus on preparations for the November Elders Forum.</li> </ul>

Recommendations	Action taken
<p><b><i>In November 2011, Council discussed the re-structuring of the Elders Forum:</i></b></p> <ul style="list-style-type: none"> <li>• Council members suggested that once the Board reviews and agrees with the approach to the re-structuring, that a full terms of reference and code of conduct be circulated to existing Elders Forum members so that they may view and comment on the final draft. Council identified areas that would need greater clarity in the new terms of reference.</li> <li>• Council members urged that the terms of reference be clear on the intended scope/focus of the advice sought and that the Elders Forum is an advisory body to NWMO.</li> <li>• There was agreement amongst Council members that the priority is to restructure the Elders Forum, while signaling that youth involvement is important and will continue, in a format to be determined. Members suggested more time be provided to consider the specific format for engaging youth. Several members suggested a Youth Forum be set up that operates separately from the broader Elders' Forum. It was acknowledged that youth in the form of helpers may still be needed for Elders Forum members.</li> <li>• Council members passed the following resolution:</li> </ul> <p><b>IT IS HEREBY RESOLVED THAT:</b></p> <p style="padding-left: 40px;">The Advisory Council wishes to advise the Board of its support for management's proposal for restructuring the Elders Forum. For greater certainty that proposal includes taking the draft approved terms of reference out for final review and input during the month of December with individual Elders Forum members and National Aboriginal Organizations.</p>	<ul style="list-style-type: none"> <li>• A proposed terms of reference was sent out in correspondence to Elders Forum members in December 2011.</li> <li>• NWMO has developed a terms of reference which provides a clear scope and objectives for the Elders Forum.</li> <li>• This is the approach adopted by NWMO. The immediate step is to restructure the Elders Forum, while signaling that involvement with youth is important and will be continued, in a format yet to be determined.</li> <li>• The Chairman communicated this Council resolution to the NWMO Board of Directors at its December 2011 meeting.</li> </ul>



Recommendations	Action taken
<b>REVIEW OF ADVISORY COUNCIL MEMBERSHIP</b>	
<p><i>In May 2011, the Council was invited to discuss NWMO's plans for reviewing the Advisory Council membership, as current appointments ended December 31, 2011:</i></p> <ul style="list-style-type: none"> <li>• Council advised that NWMO's work for the next few years would continue to require the breadth of expertise as in past years.</li> <li>• Council members offered suggestions on additional areas of expertise that the NWMO Board may wish to consider as it reviewed membership for the next term. In this context, members noted that a range of social sciences will be important, including ethics and expertise in managing impacts in a community.</li> </ul>	<ul style="list-style-type: none"> <li>• The Board of Directors took into account Council's advice in making appointments for the next term, effective January 2012. This included appointment of a new member with an ethics background, Dr. Wesley Cragg.</li> </ul>
<b>NWMO'S WORK ON THE OPG LOW AND INTERMEDIATE LEVEL WASTE DGR</b>	
<p><i>In March 2011:</i></p> <ul style="list-style-type: none"> <li>• Council members proposed providing ongoing advice in relation to NWMO's work on the OPG DGR as it may affect the APM project.</li> </ul>	<ul style="list-style-type: none"> <li>• Council agendas now include standing updates from NWMO on its work on the OPG DGR, providing opportunity for Council to offer advice on plans and activities that may impact on the APM. Through the year, staff responded to questions and Council requests for information concerning the OPG project.</li> </ul>