

1           **ONE-DAY HEARING**

2           **COGEMA Resources Inc.: Application for revocation**  
3           **of Mining Facility Removal Licence for the**  
4           **Kiggavik-Sissons Project**

5                           THE CHAIRPERSON: We will  
6           therefore proceed with the one-day hearing on the  
7           matter of the matter of COGEMA Resources for the  
8           revocation of its mining facility removal licence  
9           for the Kiggavik-Sissons Project.

10                           This hearing was originally  
11           scheduled for February 28th, 2002. The Commission  
12           announced on February 5th, 2002 a postponement of  
13           this hearing until April 18th.

14                           March 19th was the revised  
15           deadline set for filing by the applicant and by  
16           CNSC staff. The public was invited to participate  
17           either by oral presentation or written submission.

18                           March 19th was also the revised  
19           deadline set for filing by intervenors. April  
20           11th was the deadline for filing of supplementary  
21           information. I note that both the applicant and  
22           the CNSC staff have filed supplementary  
23           information. I understand that COGEMA Resources,  
24           Mr. Pollock, will do the presentation.

25                           These are contained in CMD

1 documents 02-H4.1, 02-H4.1A.

2 Mr. Pollock?

3

4 **02-H4.1/02-H4.1A**

5 **Oral presentation by COGEMA Resources Inc.**

6 MR. POLLOCK: Thank you.

7 Good morning, Madam Chairman and  
8 Members of the Commission.

9 For the transcript record I am  
10 Robert Pollock, Vice-President, Environmental  
11 Health and Safety of COGEMA Resources.

12 Also present today on behalf of  
13 COGEMA resources is Mr. Brian Reilly, now Manager  
14 of Materials at our Saskatoon office, but  
15 previously the project geologist for the  
16 Kiggavik-Sissons Project. He has direct field  
17 experience at this site.

18 We are here in support of our  
19 application to revoke the Uranium Mining Facility  
20 Removal Licence for the Kiggavik-Sissons Project.  
21 This uranium exploration project is located in the  
22 territory of Nunavut, about 80 kilometres to the  
23 west of Baker Lake, as shown in this slide.

24 We have provided a written  
25 submission as CMD 02-H4.1, and our oral

1 presentation today will summarize this submission  
2 and also provide some recent additional  
3 information on a public information meeting which  
4 took place in Baker Lake in March of this year.

5 This slide outlines my  
6 presentation today. Following this introduction,  
7 the project will be briefly described. I will  
8 then provide our perspective on CNSC licensing  
9 requirements at removal sites, followed by some  
10 comments and information on protection of workers  
11 and the environment.

12 I would then like to comment  
13 briefly on the public information meeting at Baker  
14 Lake in March, before concluding the presentation.

15 This uranium exploration project  
16 was started nearly 30 years ago by the previous  
17 operator, Urangesellschaft Canada Ltd., or UGC.  
18 Several orebodies were discovered during the 1970s  
19 and 1980s. The original requirement for a removal  
20 licence was thus triggered when the amount of  
21 uranium contained in the drill cores for a year  
22 exceeded the ten kilogram amount specified in the  
23 Atomic Energy Control Board Uranium and Thorium  
24 Mining Regulations.

25 Some engineering and environmental

1 studies were done by UGC, but these studies did  
2 not lead to a development decision.

3 COGEMA Resources Inc. became the  
4 project operator in 1993, when our parent company  
5 purchased a majority interest in  
6 Urangesellschaft's world-wide uranium interests,  
7 including UGC.

8 The overall reserves for the  
9 project are in the order of 40,000 tones of  
10 uranium which is in the order of 100 million  
11 pounds of  $U_3O_8$  if developed, but at an average  
12 grade of less than .05 per cent.

13 This figure shows the locations of  
14 the ore deposits within the Kiggavik-Sissons  
15 Project. The overall project consists of two  
16 adjacent areas.

17 The Kiggavik Project -- and that  
18 is shown in blue towards the upper part of the  
19 figure -- contains the Kiggavik Deposit,  
20 originally called Lone Gull, and all land  
21 associated with this project is Crown land.

22 The exploration camp and some core  
23 storage and examination facilities are located  
24 here, but all drilling activities were completed  
25 by UGC.

1                   Substantial field work was also  
2                   done by UGC at the second project area, the  
3                   Sissons Project. This began in 1984, and two  
4                   deposits, Andrew Lake and End Grid, were  
5                   discovered. Additional core storage and  
6                   examination facilities, but no camp residential  
7                   facilities, are located at Andrew Lake. The  
8                   Sissons project is generally shown in yellow in  
9                   this overhead and you will see that there are five  
10                  claims areas shown in light green towards the  
11                  left.

12                  Five of the mineral leases,  
13                  including those for the Andrew Lake and End Grid  
14                  deposits are located on what are designated as  
15                  subsurface parcels on Inuit-owned land. So for  
16                  future reference during the discussion, the  
17                  Inuit-owned land are those five parcels that are  
18                  shown in light green towards the left of the  
19                  overall project area.

20                  All of the other land associated  
21                  with the Sissons Project is Crown land.

22                  Further information on  
23                  administration of mineral rights, that is the  
24                  subsurface rights, and access rights, that is the  
25                  surface rights, was provided in our written

1 submission.

2 All mineral rights are currently  
3 administered by Indian and Northern Affairs Canada  
4 on behalf of the federal government either because  
5 they are for Crown land, or are grandfathered by  
6 the land claims agreement for Nunavut.

7 Surface rights are administered by  
8 INAC for Crown land, and by the Kivalliq Inuit  
9 Association, or KIA, for Inuit-owned land.

10 Exploration carried out by COGEMA  
11 Resources between 1993 and 1997 focused on  
12 extending the borehole grids to check that they  
13 went far enough at the Andrew Lake and End Grid  
14 orebodies and checking additional targets at  
15 various areas on the leases.

16 In total 100 boreholes were  
17 drilled but, as shown in our detailed written  
18 submission, 1993 was the last year when ten  
19 kilograms of uranium or more was recovered.

20 A pre-feasibility study performed  
21 in 1997 showed the project is not economic at  
22 current uranium prices. As well, the current  
23 application form for a mineral exploration  
24 agreement on Inuit-owned land contains a statement  
25 that does not allow uranium production.

1                   Given these factors, the  
2                   exploration camp and associated core storage  
3                   facilities were placed in a care and maintenance  
4                   mode at the end of the 1997 field season. We have  
5                   no current plans to resume exploration activities  
6                   at this project.

7                   The AECEB removal licence has no  
8                   expiry date, and has been in a ceased activity,  
9                   that is care and maintenance status, since the end  
10                  of the 1997 field program. This was considered  
11                  preferable to the alternative of terminating this  
12                  licence and then incurring the time and costs  
13                  necessary to start over again, should a licence  
14                  again be required.

15                  The basis for this application to  
16                  now revoke this removal licence is that activities  
17                  currently being carried out on this project and  
18                  for the foreseeable future are surface exploration  
19                  activities which are exempt from the CNSC  
20                  regulatory framework which is now applicable.

21                  Before commenting further on the  
22                  revocation request, I would like to briefly  
23                  describe the sites.

24                  This aerial photo shows the main  
25                  camp at the Kiggavik site. The core shack for

1 core examination and the core storage racks are in  
2 the right centre of the photo. Camp residential  
3 facilities are in the centre and the helicopter  
4 landing pad, electrical generator and fuel storage  
5 area are to the left.

6 In general, the buildings are  
7 wooden frame with plywood sheeting and wooden  
8 walkways to protect the tundra connect them.  
9 There is also a small core storage area at a  
10 former camp location several kilometres from the  
11 main camp.

12 This photo shows drilling at the  
13 Andrew Lake site, about 17 kilometres from the  
14 main camp. Core shack and core storage racks,  
15 enclosed with plywood, are in the background at  
16 the centre of the picture.

17 During the exploration season,  
18 movement of exploration staff and equipment,  
19 including the drill rigs, is done by helicopter to  
20 avoid damage to the tundra.

21 As noted previously, the original  
22 requirement for a removal licence was triggered  
23 many years ago when the amount of uranium  
24 contained in the drill cores for that year  
25 exceeded the ten kilogram amount specified for a



1 removal site in the Atomic Energy Control Board  
2 Uranium and Thorium Mining Regulations.

3 The Kiggavik-Sissons Project has  
4 been in a care and maintenance mode since the 1997  
5 field season and 1993 was the last year that  
6 uranium recovery exceeded this previous trigger.

7 Activities subsequent to 1993 have  
8 either involved widely spaced drilling at various  
9 targets or drilling to confirm that the previous  
10 delineation grids at the known orebodies had been  
11 sufficiently extended.

12 The basis for the application to  
13 revoke this removal licence is that the activities  
14 carried out on this project since 1993, and for  
15 the foreseeable future, are surface exploration  
16 activities which are now exempt from the Uranium  
17 Mines and Mills Regulations, as per subsection  
18 2(2) of these Regulations.

19 The uranium contained in drill  
20 cores is then a naturally occurring nuclear  
21 substance, and such substances are exempt from  
22 CNSC regulations as per Section 10 of the General  
23 Nuclear Safety and Control Regulations, except for  
24 the provisions related to transport and import or  
25 export of nuclear substances.

1                   Protection of worker health and  
2 safety and protection of the environment will  
3 continue to be ensured through other existing  
4 regulatory requirements applicable to uranium  
5 exploration and generally to mineral exploration  
6 in Nunavut. These are unaffected by whether or  
7 not there is a CNSC licence for a removal site.

8                   In our written submission, we have  
9 also made reference to the definitions of  
10 "indicated resource" and "measured resource" put  
11 forward previously by Cameco, since we believe  
12 there should be clarity in defining when the CNSC  
13 licensing requirement is triggered at any uranium  
14 exploration project.

15                   COGEMA Resources is not a publicly  
16 traded company. However, the decision-making  
17 processes used during project development are  
18 similar and we believe that there is merit in  
19 adopting widely used definitions such as these.

20                   We are prepared to participate in  
21 whatever further consultations with CNSC staff may  
22 be required to reach agreement on an appropriate  
23 definition.

24                   THE CHAIRPERSON: Sorry, Mr.  
25 Pollock. Because these next parts are very

1 crucial to the community, I would just like to ask  
2 you speak very, very slowly so that it can be  
3 translated and recorded into Inuktituk so that the  
4 community can hear these parts, please. Thank  
5 you.

6 MR. POLLOCK: Sorry.

7 THE CHAIRPERSON: No, no, just  
8 extra slow, please.

9 MR. POLLOCK: Okay.

10 At Kiggavik-Sissons, exploration  
11 activities will continue to be subject to  
12 regulations implemented either directly by Nunavut  
13 or by INAC on behalf of the federal government.

14 Other requirements specific to  
15 mining activities have been implemented through  
16 the office of the Chief Mine Inspector of the  
17 Northwest Territories.

18 These regulatory requirements plus  
19 continuation of COGEMA Resources programs will  
20 ensure continued protection of workers, members of  
21 the public and the environment.

22 It might be argued that radiation  
23 protection warrants CNSC regulation regardless of  
24 the scope of the uranium exploration activity. In  
25 our presentation to the Commission on February the

1           28th, at the hearing on our application for  
2           revocation of the AEBC removal licence at the Shea  
3           Creek Project, we put forward the view that the  
4           Canadian Guidelines for the Management of  
5           Naturally Occurring Radioactive Materials, often  
6           referred to as NORM, are applicable and provide  
7           equivalent dose limits to those established by  
8           CNSC and invoke similar requirements to ensure  
9           minimal public and worker radiation doses thorough  
10          application of the ALARA principle.

11                           In the interest of avoiding  
12          redundancy, I will not repeat this part of the  
13          previous presentation today, other than to note  
14          that we believe that all of the points previously  
15          made are equally applicable to the  
16          Kiggavik-Sissons Project.

17                           In our detailed written  
18          submission, we described the current situation  
19          with respect to the decommissioning plan and  
20          financial assurance for future decommissioning.  
21          As well, we stated that, although it would not  
22          normally be a requirement of a permit authorizing  
23          exploration work, COGEMA Resources would have no  
24          objections to transferring this particular  
25          financial assurance to another party.

1                   We have noted the specific point  
2                   raised in the written submission from the Kivalliq  
3                   Inuit Association that the letter of credit should  
4                   be transferred to either KIA and INAC jointly, or  
5                   apportioned between them.

6                   To facilitate either of these  
7                   approaches, we have estimated the division of the  
8                   total amount into separate amounts for each of the  
9                   Kiggavik Project and the Sissons Project. We will  
10                  communicate this estimate to both KIA and INAC,  
11                  together with confirmation of our willingness to  
12                  cooperate with both parties towards reaching an  
13                  outcome satisfactory to them.

14                  Annual reports between 1993 and  
15                  1997 were reviewed to confirm that radiation doses  
16                  recorded by workers have been low. Data consisted  
17                  of radon measurements at routinely occupied  
18                  facility and core shacks, and individual gamma  
19                  dosimetry results for each worker for each season.

20                  There is no, or very little,  
21                  difference in radon concentrations between core  
22                  shacks and other camp facilities some distances  
23                  away, with concentrations typically well within  
24                  the normal background range.

25                  With respect to gamma dosimetry,

1 12 of 19 results in 1993 were reported as zero,  
2 meaning that they were below the limit of  
3 detection of 0.2 mSv by the look of the annual  
4 reports. Five results were reported at 0.2 mSv  
5 and two results were higher at 0.3 and 0.4 mSv.

6 All results from 1994 onwards were  
7 below the detection limit. I might add this is  
8 consistent with the observation or the data that  
9 there was very little uranium recovered ever since  
10 1993.

11 With respect to occupational  
12 health and safety, a review of the 1993 to 1997  
13 annual reports shows no serious accidents reported  
14 for CRI exploration staff or the drilling  
15 contractor.

16 In discussion with our Exploration  
17 Department, it is clear that there were some  
18 incidents which probably would have been  
19 satisfactory responded to as first aid incidents  
20 at our Cluff Lake or McClean Lake sites, but which  
21 required evacuation from the Kiggavik camp for  
22 medical attention. The nearest hospital is at  
23 Churchill in northern Manitoba,

24 An example is a drilling  
25 contractor employee with a small piece of foreign

1 material in his eye. Flushing the eye and  
2 follow-up observation by the site nurse would be  
3 the initial and probably satisfactory response at  
4 Cluff Lake or McClean Lake, but this incident  
5 required medical evacuation from the Kiggavik  
6 camp.

7 I believe these types of incidents  
8 were infrequent, but they were not consistently  
9 reported in the past. We now have consistent  
10 reporting of first aid incidents throughout COGEMA  
11 Resources, including contractors, and although it  
12 is not directly relevant to this hearing, I am  
13 very pleased to be able to say that in March there  
14 were no first aid injuries throughout the entire  
15 COGEMA Resources organization which is a notable  
16 achievement.

17 Inspection, as required by the  
18 AECEB licence, have been carried out on behalf of  
19 COGEMA Resources by a local company from Baker  
20 Lake, and my apologies. This oral text has the  
21 word "in 1997". It should read "since 1997". The  
22 previous written submission was correct.

23 We have initiated planning for a  
24 more extensive inspection by CRI staff this coming  
25 summer to assess site conditions and plan further

1 actions.

2 On March the 4th, I participated  
3 on behalf of COGEMA Resources at a public  
4 information meeting in Baker Lake. We appreciated  
5 this opportunity, organized by the Kivalliq Inuit  
6 Association, to provide information directly to  
7 community residents on the status of this project  
8 and on future plans, including the inspection plan  
9 for this summer to the extent that these can be  
10 forecast.

11 We also appreciated that the  
12 Kivalliq Inuit Association was able to arrange for  
13 us to have our presentation overheads translated,  
14 and provided translation services at the meeting  
15 where I did speak more slowly without having to be  
16 reminded by the Chair. Thank you.

17 I will shortly be summarizing  
18 today's presentation and the next slide I will use  
19 is the same one I used to summarize my  
20 presentation in Baker Lake.

21 The meeting also provided an  
22 opportunity to listen to the comments and concerns  
23 of local residents. I believe it is fair to say  
24 that these were primarily focused on the possible  
25 future development of the project.



1                   I believe that COGEMA Resources  
2 understands the importance of protection of the  
3 environment and that our projects at Cluff Lake  
4 and McClean Lake not only demonstrate that we  
5 understand the importance, but also that we  
6 deliver on it.

7                   Having said this, the eloquence of  
8 local residents of Baker Lake in speaking of the  
9 importance of the soil, the water and the animals  
10 was most impressive.

11                  One of the points I noted at the  
12 meeting was that we cannot today forecast when, if  
13 ever, that all the requirements might be achieved  
14 for this project to proceed.

15                  Clearly, if this project is ever  
16 to move ahead, one of the advance activities which  
17 will be important is to arrange for local  
18 residents to visit our operating sites so that  
19 they can form future opinions based on direct --  
20 --- Technical difficulties

21                  THE CHAIRPERSON: We will take a  
22 ten-minute break to resolve our technical matters.

23 --- Upon recessing at 11:40 a.m.

24 --- Upon resuming at 1:15 p.m.

25                  THE CHAIRPERSON: Ladies and

1 gentlemen. We have clearly had some technical  
2 problems this morning and so we are going to be  
3 resuming in a fashion which is not in line with  
4 our normal procedures.

5 So I ask for your forbearance as  
6 we go through that, and I apologize on behalf of  
7 the Commission for those areas that aren't being  
8 well handled this afternoon in line with our usual  
9 quality.

10 This is a resumption of the COGEMA  
11 Resources Inc. application for replication of the  
12 Mining Facility Removal Licence for the  
13 Kiggavik-Sissons Project and this has been  
14 outlined in CMDs 02-H4.1 and 02-H4.1A.

15 I would ask Mr. Pollock to resume  
16 his submission to the Commission, please.

17 --- Pause

18 MR. POLLOCK: I will start a  
19 sentence or two back from where I had been before  
20 I noticed that I was talking only to myself which  
21 my wife would say is quite normal.

22 One of the points I noted at the  
23 meeting was that we cannot today forecast when, if  
24 ever, that all the requirements might be achieved  
25 for this project to proceed.

1                   Clearly, if this project is ever  
2                   to move ahead, one of the advance activities which  
3                   will be important is to arrange for local  
4                   residents to visit our operating sites so that  
5                   they can form future opinions based on direct  
6                   observations and from discussions with those who  
7                   work at and/or living near our current operations.

8                   Such visits have previously taken  
9                   place to a limited extent, and I believe have been  
10                  found to be an effective means of communication.

11                  This slide represents the summary  
12                  of my presentation in Baker Lake, and is also  
13                  appropriate today.

14                  The key points are:

15                  No exploration is currently being  
16                  done and none is currently being planned in  
17                  Kiggavik-Sissons;

18                  The site will be maintained in a  
19                  care and maintenance mode;

20                  A CNSC licence is not required for  
21                  this activity;

22                  There are no current plans for  
23                  further development;

24                  Environmental assessment and  
25                  licensing, including CNSC requirements, will be

1           necessary if and when further development of this  
2           project to an operating site occurs. Clearly, an  
3           extensive public consultation program would be a  
4           key advance activity to any future toward movement  
5           of this project.

6                           COGEMA Resources thus requests the  
7           revocation of Removal Licence AEBC-MFRL-167-3.6  
8           which has no expiry date, because the activities  
9           at the Kiggavik-Sissons Project do not require a  
10          licence under the Canadian Nuclear Safety Act or  
11          its regulations.

12                           Protection of worker health and  
13          safety, and protection of members of the public  
14          and of the environment will be ensured through  
15          other existing regulatory requirements applicable  
16          to uranium expiration of this project and  
17          generally to mineral exploration in Nunavut.

18                           The programs implemented by COGEMA  
19          Resources have been, and will continue to be,  
20          effective in achieving these outcomes.

21                           Thank you, and I will be happy to  
22          respond to questions either now or later, as the  
23          Commission desires.

24                           THE CHAIRPERSON: Thank you,  
25          Mr. Pollock.

1                   With the permission of the  
2                   Commission Members, I will now move to the  
3                   presentation by the Commission staff before  
4                   opening the floor for questions.

5                   Mrs. Maloney?

6

7                   **02-H4/02-H4.A**

8                   **Oral presentation by CNSC staff**

9                   MS MALONEY: Good afternoon, Madam  
10                  President, Members of the Commission.

11                  I'm Cait Maloney, Director General  
12                  of the Directorate of Nuclear Cycle and Facilities  
13                  Regulation. With me is Rick McCabe, the Director  
14                  of Uranium Mines and Land Evaluation Division.

15                  Mr. McCabe will make a brief  
16                  presentation on the highlights of CMDs 02-H4 and  
17                  H-4.A, then we and other CNSC staff are ready to  
18                  answer any questions you have in this matter.

19                  MR. McCABE: Thank you.

20                  For the record, my name is Rick  
21                  McCabe.

22                  Madam Chair, Members of the  
23                  Commission. COGEMA Resources Inc. has applied to  
24                  the Canadian Nuclear Safety Commission to have the  
25                  Kiggavik-Sissons Mining Facility Removal Licence

1           revoked because a licence under the Nuclear Safety  
2           Control Act is not required for surface mineral  
3           exploration activities currently being carried on  
4           at this project.

5                           As an exploration project  
6           progresses, confidence is gained in the  
7           reliability of the resources description  
8           interpreted from the information gathered.  
9           Eventually the exploration company will have  
10          enough information to enable them to evaluate  
11          possible mining scenarios. This activity,  
12          evaluation, will trigger the requirement for a  
13          CNSC licence.

14                           The Uranium Mines and Mills  
15          Regulations do not define when exploration ends  
16          and evaluation begins. CNSC staff is currently  
17          developing a regulatory document to provide  
18          guidance to companies in determining when their  
19          activities move from exploration to evaluation of  
20          a potential orebody.

21                           A CNSC site mine preparation  
22          licence will be required once enough information  
23          has been collected to support mine planning and  
24          evaluation of the economic viability of the  
25          deposit.

1                   A CNSC licence is required for any  
2                   underground activities because underground  
3                   development is only carried out to evaluate a  
4                   potential orebody. However, our discussion for  
5                   this licensing action only relates to surface  
6                   activities.

7                   Kiggavik-Sissons Project was  
8                   licensed under the Atomic Energy Control Act and  
9                   Uranium and Thorium Mining Regulations.  
10                  Explorations activities were exempt from the  
11                  provisions of the Uranium and Thorium Mining  
12                  Regulations. However, a licence was required to  
13                  remove more than ten kilograms of uranium in a  
14                  calendar year.

15                  The ten-kilogram provision was in  
16                  conflict with the exemption of exploration  
17                  activities because this limit can be easily  
18                  exceeded during exploration. The Atomic Energy  
19                  Control Board implemented the more restrictive  
20                  provision and required a licence for the project.

21                  The Nuclear Safety and Control Act  
22                  and regulations made under the Act replace the  
23                  Atomic Energy Control Act and Uranium and Thorium  
24                  Mining Regulations and the ten-kilogram conflict  
25                  was removed.

1                   The ten-kilogram requirement has  
2                   been removed from the legislation because of its  
3                   conflict with the intent to exclude exploration.

4                   Uranium recovered during  
5                   exploration is a naturally occurring nuclear  
6                   substance, according to the definition in the  
7                   General Nuclear Safety and Control Regulations.

8                   This provision exempts naturally  
9                   occurring nuclear substances, other than those  
10                  that are or have been associated with  
11                  development, production or use of nuclear energy  
12                  from the provisions of the Nuclear Safety Control  
13                  Act and Regulations.

14                  Therefore, uranium recovered  
15                  during exploration is exempt because it is not,  
16                  nor has it been associated with the development,  
17                  production or use of nuclear energy.

18                  CNSC staff is satisfied that the  
19                  activities that have been undertaken at the  
20                  Kiggavik-Sissons Project to date are now clearly  
21                  associated with surface exploration.

22                  According to the regulations, and  
23                  under the CNSC, these activities are not within  
24                  the CNSC's mandate. However, they are regulated  
25                  by the federal and territorial agencies.



1                   Indian and Northern Affairs  
2           Canada, the Kivalliq Inuit Association and the  
3           Government of Nunavut regulate land use through  
4           instruments which may contain conditions for  
5           exploration activities, site access, work camps,  
6           land clearing, drilling, and reclamation of  
7           disturbed sites.

8                   In addition, the Chief Inspector  
9           of Mines of the Workers' Compensation Board of the  
10          Northwest Territories has responsibility for  
11          occupational health and safety, including  
12          radiation protection, at the Kiggavik-Sissons  
13          Project.

14                   All parties have access to the  
15          Canadian guidelines for management of naturally  
16          occurring radioactive materials to support them in  
17          their radiation protection activities.

18                   The basic principle of these  
19          guidelines is that the same protection should be  
20          applied to workers or the public exposed to  
21          radiation from activities involving naturally  
22          occurring radioactive materials as is applied to  
23          workers or the public exposed to radiation from  
24          CNSC-regulated activities.

25                   The public has expressed concerns

1           that if the CNSC licence is revoked COGEMA  
2           Resources Inc. could either abandon the  
3           exploration camps or attempt to mine the deposits  
4           without being regulated by the CNSC.

5                         Because of these concerns, CNSC  
6           staff has consulted with the Kivalliq Inuit  
7           Association, the Nunavut Impact Review Board, the  
8           Lands Administration Department of Indian and  
9           Northern Affairs Canada, the Workers' Compensation  
10          Board of the Northwest Territories, and the  
11          community of Baker Lake.

12                        We have identified the agencies  
13          responsible for regulating exploration projects in  
14          Nunavut and explained when CNSC licensing would  
15          begin.

16                        CNSC staff are willing to  
17          accompany representatives of the KIA and other  
18          regulatory agencies on an inspection to examine  
19          the status of the Kiggavik-Sissons project and to  
20          demonstrate how radiation risks at exploration  
21          projects could be managed.

22                        CNSC staff have invited members of  
23          the Kivalliq Inuit Association to attend the CNSC  
24          radiation instrumentation course in September of  
25          2002.

1                   If the licence is revoked, COGEMA  
2                   will not be required to keep a financial guarantee  
3                   to fund decommissioning of the Kiggavik-Sissons  
4                   project. Other regulatory agencies with  
5                   responsibilities for the Kiggavik-Sissons project  
6                   may require the financial guarantee.

7                   CNSC staff recommends that the  
8                   Commission accept CNSC staff's assessment that  
9                   pursuant to the Nuclear Safety and Control Act and  
10                  the regulations made under the Act, a licence is  
11                  not required for the Kiggavik-Sissons Project;  
12                  accept CNSC's staff determination that the  
13                  proposal does not require an environmental  
14                  assessment under the Canadian Environmental  
15                  Assessment Act; and revoke Mining Facility Removal  
16                  Licence AECB-MFRL-157-3.6.

17                  This concludes my presentation.

18                  Thank you.

19                  THE CHAIRPERSON: Does this  
20                  conclude the presentation of the Commission staff?

21                  MS MALONEY: Yes.

22                  THE CHAIRPERSON: We will open the  
23                  floor for questions from the Commission Members to  
24                  either the applicant or the Commission staff at  
25                  this time.

1                   MEMBER GRAHAM: My first  
2 question -- can everyone hear me all right?

3                   My first question, I guess, would  
4 be to COGEMA. In most areas or most  
5 jurisdiction -- and I am not sure about the  
6 Northwest Territories or the new territories --  
7 when you stake your claims or stake claims then  
8 you have to work them so much a year to maintain  
9 them.

10                  The areas that you have now shown  
11 on your map this morning that were your areas on  
12 Crown land or on Inuit territory, do those claims  
13 have to be worked every year so that COGEMA still  
14 has an interest in them or not?

15                  MR. POLLOCK: The general answer  
16 is that all of the claims are currently in good  
17 standing.

18                  We are in the process of doing  
19 some rationalization in the sense that there are  
20 some that when the existing claim would come to an  
21 end that we won't have a further interest in that  
22 particular piece of land. So over the next year,  
23 year and a half, we are going to do some  
24 rationalization.

25                  I will ask Mr. Reilly to speak

1 more specifically to the question you asked.

2 MR. REILLY: I'm Brian Reilly from  
3 COGEMA.

4 You are absolutely right. If my  
5 memory serves me correct, we have a ten-year  
6 period in which to keep claims in good standing  
7 each year and at that point, at the end of ten  
8 years, you make a decision whether you drop the  
9 claim, or have it surveyed and then it becomes a  
10 mining lease which is a different category.

11 MEMBER GRAHAM: My question then  
12 is: The areas where you have -- and I think you  
13 showed two overviews of camp sites. One was an  
14 isolated camp site where a helicopter was sitting.  
15 You showed that this morning where the core  
16 storage facility and so on. The other was the  
17 main site with core storage and bunkhouses and so  
18 on.

19 Will you be maintaining those and  
20 do you maintain those under existing mining  
21 leases, or do you have to work the claim every  
22 year to be able to maintain those?

23 MR. REILLY: Those are indeed  
24 mining leases. It's some of the peripheral  
25 packages, if you will, that are claims.

1                   MEMBER GRAHAM: So my question  
2           then is: On the claims themselves, are there any  
3           exposure of contaminated material or are all of  
4           those claims that have been worked on all the  
5           drill holes, have they all been grouted and capped  
6           and everything else? Is there any clean up that  
7           has to be done on any of the claims that you might  
8           be letting go?

9                   MR. POLLOCK: That's one of the  
10          reasons why we want to go up this summer, to look  
11          at the areas where drilling has been done in the  
12          orebodies on the more peripheral ones.

13                   Unfortunately, we have not been  
14          successful in finding any significant amounts of  
15          uranium in the boreholes put down other than the  
16          three that were shown in the overhead.

17                   So I think our cumulative  
18          expenditures are such that we are in good standing  
19          for all those and until the end, and then we are  
20          going to do some rationalization over the next  
21          year, year and a half to drop some where we have  
22          not found anything to date, and we are not  
23          interested in looking any more on those pieces of  
24          land.

25                   MEMBER GRAHAM: My question then

1 to CNSC staff would be: Are we, or are you,  
2 satisfied that any claims -- that once they drop  
3 those claims, that all the clean up has been done  
4 to meet all the regulations under the CNSC Act?

5 MR. McCABE: Rick McCabe.

6 We haven't done an inspection at  
7 the Kiggavik-Sissons since '95. We did two  
8 intensive inspections in '93 and '95 after the  
9 activities were done. Also that inspection was  
10 positive. We haven't been to that site since that  
11 period of time.

12 The drill cuttings, as I know,  
13 were put back down the holes and cleaned up to  
14 that site. Our inspector did not find anything  
15 that was contentious to us at that time. So based  
16 upon that caveat, yes we are satisfied.

17 We would like to be part of, as we  
18 indicated, that final review to see what the site  
19 looks like just so, since that's such a long  
20 period of time, that we could assure ourselves and  
21 use it as an opportunity for training also.

22 MEMBER GRAHAM: My only other  
23 question then, Madam Chair, is: In one of the  
24 overviews of one of the slides, COGEMA, you  
25 indicated that I think the -- I wrote it down

1 here -- orebody of 40,000 tonnes with the  
2 equivalent of 100 million pounds of  $U_3O_8$  at .05 per  
3 cent and it's not feasible at today's price.

4 At what type of price would it  
5 have to be before that facility would then  
6 become -- you would be back applying for a mining  
7 licence?

8 MR. POLLOCK: That's a good  
9 question. I'm not going to be the person that  
10 makes that decision. It would significantly  
11 higher than today's price. One has to weigh off  
12 the risk and potential benefit from the project  
13 versus what would be required to launch it. If I  
14 had to pick a number, I would say perhaps in the  
15 order of double. That's a pretty speculative  
16 number.

17 What I can also say is that our  
18 long-term planning goes out ten years and it's not  
19 currently part of our long-term plan. So --

20 MEMBER GRAHAM: You have enough  
21 reserves in other areas of higher quality.

22 MR. POLLOCK: We are fortunate in  
23 having some substantial holdings in the Athabasca  
24 Basin, either directly or where we are the  
25 significant minority partner at Cameco Mines at



1           McArthur River and Cigar Lake, to name two.

2                           MEMBER GRAHAM: Thank you.

3                           THE CHAIRPERSON: Dr. Giroux?

4                           MEMBER GIROUX: I would start with

5 a question to --

6 --- Pause

7                           MEMBER GIROUX: Is that correct

8 now?

9                           A first question to COGEMA. I  
10 would just like to have confirmation of your last  
11 slide that no exploration is --

12 --- Technical difficulties

13                           MEMBER GIROUX: Is this better  
14 now? Can you hear me all right? Okay.

15                           You state clearly that you are not  
16 planning any work at the site, no exploration of  
17 the site. Yet on page 6 of your presentation you  
18 have a sentence that says that:

19                           "The basis for the  
20 application... is that the  
21 activities carried out on  
22 this project since 1993, and  
23 for the foreseeable future,  
24 are surface exploration  
25 activities...".

1                   Are these in contradiction, or  
2                   could you explain if they are not?

3                   MR. POLLOCK: I think it was in  
4                   the context that the type of activities that we  
5                   have carried out over the past few years have been  
6                   of two types. One have been there is a number of  
7                   targets that are identified essentially by  
8                   geophysical types of survey techniques that are  
9                   targets within the lease area where we have gone  
10                  out to check out those targets. We have not been  
11                  successful at any of the ones we have checked out  
12                  of that nature. However, there are other targets  
13                  that are out there.

14                 That would be, I presume, one  
15                 activity we would want to proceed with at some  
16                 point in the future if there was ever any  
17                 likelihood of this project going ahead. The other  
18                 type of activity has basically been to ensure that  
19                 there weren't any anomalies beyond where the  
20                 existing deposits are thought to be located or  
21                 that, in other words, we have gone far enough away  
22                 to confirm that there is nothing, there is not a  
23                 continuation of a pod that goes beyond where it  
24                 was previously thought to go. Again, we have not  
25                 had much success in finding anything further.

1                   So that's the type of activity we  
2                   have done. It would appear to be the type of  
3                   activity that we would do in future if we were to  
4                   come back. At the moment, the points I made in  
5                   Baker Lake were twofold. One, this project is a  
6                   long piece away from being economic, and as I  
7                   indicated in a previous answer to a question, we  
8                   have substantial interests in the Athabasca Basin  
9                   that are much more attractive.

10                   In fact, our exploration dollars  
11                   right now are significantly focused on looking if  
12                   we can find some additional small orebodies on the  
13                   properties we have in the Athabasca where there is  
14                   existing infrastructure and facilities so that you  
15                   don't need such a big deposit to perhaps be  
16                   economic.

17                   As well there is the question of  
18                   policy. I think one would want to see that there  
19                   was some reasonable likelihood of favourable  
20                   consideration of a project at the community level,  
21                   at the regional level, at the government level  
22                   before you sink more money into it.

23                   So there is simply no immediate,  
24                   nothing that I'm aware of on the horizon that  
25                   would change the view that we would simply sit

1           there in care and maintenance for quite a long  
2           time.

3                         MEMBER GIROUX:   But you would not  
4           be doing any drilling within the foreseeable  
5           future.

6                         MR. POLLOCK:   Not at this time,  
7           no.

8                         MEMBER GIROUX:   That's what you  
9           are saying here.

10                        MR. POLLOCK:   Not anything which  
11           is in the current plans.

12                        MEMBER GIROUX:   Okay, thank you.

13                        The other point is I want to also  
14           clarify something.  You said on page 11 of your  
15           brief, that you have hired a local contractor to  
16           do inspections for you.  Could you tell me about  
17           the competency of the people you found and what  
18           sort of mandate do they have?

19                        MR. POLLOCK:   It's a local  
20           outfitting company in Baker Lake and we hired them  
21           to go out twice a year.  That's the requirement in  
22           our licence to replace the inspections.  They are  
23           basically looking at the physical condition of the  
24           camp.  They do not do surveys for radiation or  
25           that type of thing.  That's why we are planning to

1 go up this summer, COGEMA Resources staff, and  
2 carry out a fairly comprehensive assessment of the  
3 condition of the buildings.

4 We have to come to a decision: Do  
5 we maintain care and maintenance? Do we partially  
6 decommission? Do we perhaps look at something  
7 fairly ambitious? To do that we have to go up and  
8 assess it ourselves. So that's our plan for this  
9 summer.

10 I believe that the company that we  
11 hired to do that is quite competent to do what we  
12 asked them to do which is go assess the physical  
13 condition of the camp.

14 MEMBER GIROUX: This is not highly  
15 technical.

16 MR. POLLOCK: No.

17 MEMBER GIROUX: Very good. I  
18 think that answers my question. As long as I have  
19 the mic, may I ask another question?

20 The next one is a question to  
21 staff. On page 5 of your presentation, you state  
22 that -- I'm interpreting, but that's my question:  
23 Whatever COGEMA does in the foreseeable future  
24 cannot come under the definition of evaluation,  
25 and you are confident because you will be working

1 with stakeholders on the definition of the  
2 distinction between exploration and evaluation.

3 But you are confident that  
4 whatever they are doing now, or are planning in  
5 the foreseeable future, cannot come under  
6 evaluation even though the definition is not  
7 completely spelled out yet.

8 MR. McCABE: Yes. As I indicated  
9 at the last hearing in February, we are working on  
10 a document to help companies and others to  
11 understand when that period of evaluation starts.  
12 But there is no activity, as has been indicated  
13 here today, going on on that site, and even if  
14 there was some diamond drilling that would still  
15 clearly fall within the exploration activity.

16 So we are committed to having the  
17 document on the evaluation completed by the fall  
18 of this year. It's well into its preparation.  
19 That gives us some time to consult with others,  
20 including some of the intervenors here today.  
21 Then we would put that forth. I think there would  
22 be a clearer understanding of when that period is.

23 This is a long, long way from what  
24 I would consider evaluation without having the  
25 benefit of the final guidance.

1                   MEMBER GIROUX: Thank you.

2                   My next question again to staff, I  
3 think, about decommissioning. COGEMA presently  
4 has a licence issued by the AECB for whatever  
5 exploration they have been doing. Did that  
6 licence carry an obligation to decommission the  
7 site and, if so, what happens to that obligation  
8 if we revoke the licence?

9                   MR. McCABE: To the best of my  
10 knowledge there are no decommissioning  
11 requirements in there. There is the financial  
12 assurance and there is the concept of the  
13 preliminary decommissioning plan for the facility  
14 and a cost estimate based on that.

15                   That is the only requirement is  
16 for us to hold that guarantee if they were to  
17 leave. So I don't believe -- and I would have to  
18 check the detail of the licence to make sure, but  
19 I don't believe there is any specific requirement  
20 for them to decommission.

21                   MEMBER GIROUX: But there would be  
22 an expectation since there is a financial  
23 guarantee in place.

24                   MR. McCABE: Yes. There would  
25 have been an expectation for us to decommission or

1           some regulatory body to decommission that facility  
2           were they not able to.

3                               However, from my understanding,  
4           there are regulatory agencies, Indian and Northern  
5           Affairs and others in the Territories that would  
6           have requirements for that. So if left, the  
7           licence would -- since we don't have the mandate,  
8           then the provisions of the licence, I guess, no  
9           longer apply.

10                              MEMBER GIROUX: I think I would  
11           like to be assured that as we revoke the licence  
12           we are not removing some obligation about  
13           decommissioning that might drop somewhere.

14                              Can you give me full assurance of  
15           that?

16                              MR. McCABE: I appreciate your  
17           concern. We have spent a significant amount of  
18           time trying to interact with the other agencies in  
19           the north, in the Northwest Territories, in  
20           Nunavut, and in discussions with everyone and  
21           explaining the current situation, there was no  
22           agencies that expressed any concern about the fact  
23           that there would be a camp left there. They have  
24           asked for some assistance perhaps in some training  
25           areas and that, but no concerns about the



1 conditions of that facility.

2 Those are consistent with other  
3 exploration camps and exploration activities that  
4 take place within their territories.

5 MEMBER GIROUX: Pursuing on that,  
6 and to pick up on something that Mr. Graham  
7 raised, are the drill holes routed and capped at  
8 the present time?

9 MR. McCABE: For me to  
10 categorically say yes, that was the intention,  
11 that was the provision in there. Yes, I know that  
12 in the latter years, '93-'95 during our inspection  
13 periods, as I indicated, that cuttings were placed  
14 back down the drill holes, and those kinds of  
15 things, and the holes were to be capped. For a  
16 categorical, I would say, yes, that was the  
17 practice in the latter years.

18 MEMBER GIROUX: Maybe COGEMA  
19 knows.

20 MR. POLLOCK: Two points. One in  
21 the conceptual decommissioning plan there is  
22 allowance to check that there are no pipes  
23 sticking up from boreholes and to make sure that  
24 they have been satisfactorily cut below the ground  
25 surface, and then the other point is the region of

1       permafrost so that holes basically freeze whether  
2       one grouts them or not, that they freeze back  
3       solid because of the permafrost. So it's perhaps  
4       not the same issue that it is at some other  
5       locations in terms of use of a grout.

6                       With respect to the  
7       decommissioning insurance, we have, as indicated  
8       in my presentation, we have indicated that we  
9       would not wish to see it set as a general  
10      precedent for any and all exploration projects,  
11      but given the history of this particular project,  
12      we are prepared to transfer that over to some  
13      other party, either a federal department, or a  
14      Nunavut representative.

15                      I had an assessment done if it  
16      were to be split to reflect the different  
17      jurisdiction, what would be the split of the  
18      number. I had hoped to having had that  
19      communicated to the other parties by the time I  
20      was sitting here today. I haven't got it done  
21      yet, but it's very near the top of my to do list  
22      to transmit that information and put in writing  
23      our offer in this particular case to transfer that  
24      assurance to other parties.

25                      MEMBER GIROUX: Thank you.

1 THE CHAIRPERSON: Dr. Barnes?

2 MEMBER BARNES: Thank you. My  
3 questions are much the same, but I would like to  
4 ask three specific ones.

5 In terms of the long-term  
6 integrity and security of the buildings, the  
7 coreshack, and so on, can you give us any  
8 assurance that amongst that core there are not any  
9 enriched samples that would contain uranium ore,  
10 that if picked up by passers-by, as it were, could  
11 cause threat to individuals?

12 MR. POLLOCK: This is not an  
13 orebody that has the types of high grades, for  
14 example, that are found in various orebodies in  
15 the Athabasca Basin. The average is just under  
16 half a per cent.

17 In the annual reports there was a  
18 list of how many kilograms of uranium came out of  
19 each borehole, and even in those that were down  
20 into the orebodies, the numbers were remarkably  
21 similar from one core to the next. It was  
22 probably not more than a factor of two, at the  
23 very outside three, between the average and the  
24 lowest one and the average and the highest one.

25 These are from the cores that we

1 have done. These were our annual reports since  
2 1993. There is nothing I saw there that suggested  
3 there was any type of high-grade --

4 MEMBER BARNES: So it is very  
5 dispersed mineralization.

6 MR. POLLOCK: Yes, the part of it  
7 there. One of the reasons we are going up this  
8 year is to look at the physical integrity.  
9 Clearly, we are not too interested in putting a  
10 major refurbishment type of investment into  
11 buildings. If we are reaching the point of time  
12 when action needs to be taken, then we will have  
13 to decide either we are going to remove that  
14 particular building or refurbish.

15 My inclination would be to think  
16 we will start to look at winding down as opposed  
17 to putting more money in.

18 MEMBER BARNES: The second  
19 question was to members who have come a long way  
20 from Inuit communities or representatives. Is  
21 this a place that could or would be visited from  
22 time to time by members of the Inuit communities  
23 on hunting trips?

24 MR. MANZO: Madam Chairman, my  
25 name is Louis Manzo. I am the Land Mining Officer

1 of Inuit owned lands in which the map you see  
2 there is our land and under the legislation of the  
3 federal government our law was transferred to  
4 Inuit to manage them.

5 One of the reasons this agreement  
6 was done is to accomplish all the enjoyment of the  
7 land as best as possible in management and be  
8 self-sufficient in the future. As you can see, it  
9 is two different. in this case it is  
10 grandfathered.

11 For your particular question, yes,  
12 it has been used for the Inuit for all the time  
13 they have been there. That is why the agreement  
14 was settled two years ago, because they used the  
15 land. They didn't own the land for years and  
16 years, and they used the land and they continued  
17 using it. Then it was reflected in the Land  
18 Claims Agreement.

19 I think that would be the place to  
20 start when we as Inuit organizations and the  
21 federal government get together and realize that  
22 that claim agreement has a say in any decision we  
23 make for economic development or any type of  
24 resources as has been found, which in the time of  
25 the negotiation of the agreement wasn't presented

1 properly through the negotiation. It was not  
2 technical to a point to specifics.

3 Inuit have been using the land for  
4 years and years and we traversed the land in  
5 hunting and trapping all over Nunavut. Under the  
6 Land Claims Agreement there is a provision in  
7 there that says the Inuit has the right to hunt  
8 and trap across Nunavut and have access at any  
9 time, with any type of transportation, as a matter  
10 of -- that includes the right of use of the land.

11 That is all I can say.

12 MEMBER BARNES: Thank you.

13 I have another question, if I may,  
14 to staff. I would like to come back to the points  
15 that Dr. Giroux was making about the financial  
16 guarantee.

17 What is the purpose of that  
18 financial guarantee?

19 MS MALONEY: The purpose of the  
20 financial guarantee, as with the other financial  
21 guarantees, would be if the company that is  
22 licensed is not able to fulfil its  
23 responsibilities, the financial guarantee is  
24 realized. There is then cash available for  
25 decommissioning.

1                   The financial guarantee is based  
2                   on a preliminary decommissioning plan. So there  
3                   is not a detailed commitment at that time. As the  
4                   company gets nearer the time when it wants to  
5                   decommission, it is required to let us know what  
6                   it is doing, and we get a more detailed plan and  
7                   hold them to that.

8                   MEMBER BARNES: In this sort of  
9                   situation, what would be involved in that  
10                  preliminary plan? What would you see as being the  
11                  activities of so-called preliminary  
12                  decommissioning?

13                  MS MALONEY: I will ask Mr. McCabe  
14                  to give details on that.

15                  MR. McCABE: Thank you. The  
16                  decommissioning of that facility would most likely  
17                  involve the removal of the buildings, clean-up of  
18                  the core, and ensuring a survey of the area to  
19                  ensure that the background gamma radiation would  
20                  be within acceptable levels, and things of that  
21                  nature.

22                  MEMBER BARNES: Could you explain  
23                  how on earth you could do that for \$155,000, or  
24                  anywhere near that?

25                  MR. McCABE: By removal of the

1 buildings and that kind of work done in the  
2 winter; just knock them down. There is minor  
3 structure, and transport that back out of there,  
4 that type of thing, and a survey of the area.

5 MEMBER BARNES: Was that ever  
6 costed?

7 MR. McCABE: Yes, it was.

8 MEMBER BARNES: I come back to the  
9 real concern. If COGEMA has been licensed to do a  
10 certain activity, and as part of that licence you  
11 understood that there is a potential cost for  
12 decommissioning value as such, we are today being  
13 asked to revoke a licence which would in a sense  
14 negate them from that obligation, as far as this  
15 Commission is concerned. They as a company have  
16 indicated they would be willing to pass that on to  
17 another agency, but as of today we have no  
18 guarantee that any other agency is going to pick  
19 that obligation up, nor would necessarily have the  
20 expertise in order to be involved in this process.

21 Is that right?

22 MR. McCABE: There certainly has  
23 been a request and discussions with the other  
24 agencies for some assistance from the CNSC in  
25 understanding the radiological aspects and



1 training in that area. We have committed to  
2 Indian and Northern Affairs and to others to take  
3 part and help them train and understand those  
4 aspects.

5 The feeling with regard to this,  
6 as we put this application forth, is that if we  
7 didn't have the mandate there, others would pick  
8 this up. It seems as if they will be able to.

9 Agencies have instruments that  
10 they can use to demand these financial assurances  
11 if they need them and want them, the other  
12 regulatory agencies.

13 MEMBER BARNES: But they may not,  
14 which means there is a potential for leaving what  
15 I will call a debt or an obligation to the Inuit  
16 and to the North and this particular company, if  
17 other agencies choose not to accept that  
18 responsibility.

19 You are asking us essentially to  
20 revoke something without having either -- asking  
21 us to not revoke it until you have made those  
22 arrangements; in other words, through other  
23 federal departments or the Inuit government  
24 clearly being willing to pick up the obligation.

25 Is that true?

1 MS MALONEY: It certainly could be  
2 interpreted that way. However, I think it is  
3 important to point out that with the changes to  
4 our régime two years ago, we actually don't have  
5 the basis for licensing this facility. That is  
6 the dilemma we are in at this stage.

7 MEMBER BARNES: On page 14 of your  
8 slides, it says:

9 "If the licence is revoked,  
10 COGEMA will not be required  
11 to keep a financial guarantee  
12 to fund decommissioning of  
13 (this project). Other  
14 regulatory agencies with  
15 responsibilities for (this  
16 project) may require  
17 financial guarantees."

18 MS MALONEY: That is a correct  
19 reflection of the situation.

20 MEMBER BARNES: It seems to me  
21 that you are willing to unhook this company from  
22 this licence without making sure that some other  
23 agency maintains that financial assurance or  
24 receives that financial assurance.

25 MS MALONEY: I would say we have

1           been working with other agencies to encourage them  
2           to take up their responsibilities, and we will  
3           continue to do that.

4                   MEMBER BARNES:   Why wouldn't it be  
5           a condition of the timing of this revocation that  
6           we not do that until such time as those agreements  
7           have been put in place?

8                   MS MALONEY:   That, of course, is  
9           within the Commission's right to make that so.

10                  MEMBER BARNES:   But staff wouldn't  
11          choose to recommend that to us?

12                  MS MALONEY:   We did not make that  
13          recommendation, but we certainly would entertain  
14          that as a reasonable way to go.

15                  MEMBER BARNES:   Thank you.

16                  THE CHAIRPERSON:   My question  
17          continues along Dr. Barnes' line.

18                  I understand that there is a staff  
19          member from DIAND here.  Would this have been the  
20          staff member with whom you worked on this  
21          discussion of financial guarantees?

22                  MR. McCABE:   My discussions were  
23          held with Mr. Karl McLean, who was up in Nunavut,  
24          not directly with Mr. Fish.  I requested someone  
25          from Indian and Northern Development to come to

1 the hearing, and Mr. Fish had been selected as the  
2 individual to do that.

3 I have had some conversations with  
4 him but not in the total manner I did with the  
5 Manager of the Lands up in Nunavut.

6 THE CHAIRPERSON: My second  
7 question is both to CNSC staff and also to the  
8 applicant.

9 My understanding is that you have  
10 not been on these properties. You were in Baker  
11 Lake for this consultation process, but you have  
12 not been on the site since 1995. Is that correct?

13 MR. McCABE: That is correct, yes.

14 THE CHAIRPERSON: What is your  
15 plan? Do I understand correctly that you have a  
16 plan to go there to see the sites?

17 MR. McCABE: We had offered to be  
18 part of an inspection, to use it as an opportunity  
19 for training the other inspectors in the areas  
20 with regard to radiation protection and  
21 monitoring, if that was deemed necessary by them,  
22 if we were requested by them to do that.

23 We would be willing to partake in  
24 an inspection.

25 THE CHAIRPERSON: When would that

1 be?

2 MR. McCABE: That inspection was  
3 to be, I believe, in August. It was to be  
4 co-ordinated by COGEMA.

5 THE CHAIRPERSON: COGEMA?

6 MR. POLLOCK: A couple of points  
7 on the question you have just raised.

8 We have asked our exploration  
9 logistics person to look at organizing this visit  
10 and inspection in the first part of August. I  
11 have instructed him at this point in time to  
12 assume that we will have as many as six additional  
13 regulatory people from various jurisdictions  
14 present.

15 Also high on my "to do" list is to  
16 get out a letter to generally apprise the various  
17 potentially interested agencies of the logistical  
18 support we are prepared to provide for this,  
19 essentially to provide logistical support from  
20 Baker Lake and to provide camp facilities during  
21 the time that people are there.

22 THE CHAIRPERSON: Is it your  
23 opinion that the timing is appropriate to do this  
24 after the request for the revocation of licence?

25 I guess this is a question also to

1 staff.

2 I would question whether you  
3 looked at having this inspection, since it has  
4 been such a long period of time, before this  
5 application was heard by the Commission today.

6 MR. POLLOCK: The timing is very  
7 substantially tied to the weather conditions.  
8 Mr. Reilly could elaborate, but I believe that the  
9 reason I didn't see any record of any significant  
10 exploration before the end of June is that it is  
11 almost the end of June before the snow is gone and  
12 it is sufficiently dry to begin. By about the  
13 third week in August one can anticipate snow  
14 starting to reappear. So there is quite a narrow  
15 window.

16 We are pretty much driven by the  
17 time window that is available, and also by the  
18 availability of equipment.

19 I am trying to think how to choose  
20 my words here so as to phrase this carefully.  
21 From our company's point of view, we have nothing  
22 to gain by not continuing to look after this site  
23 and do whatever is required. We have very major  
24 investments in this country and plans to be here  
25 for the long term.

1                   In any way revoking on some type  
2 of obligation, either legal or implied, moral or  
3 ethical, is simply in our view not a course of  
4 action that we would wish to pursue.

5                   We believe that other agencies  
6 will be -- there are terms on the land use permits  
7 about clean-up of waste and other conditions  
8 having to do with land use. From our perspective,  
9 we want to make sure that we meet the requirements  
10 of any and all agencies.

11                   I recognize your point, that you  
12 are potentially giving up the legal obligation, or  
13 having a legal obligation placed on us. We don't  
14 perceive that as being a high risk.

15                   I can say, as I was listening to  
16 this conversation, that I had already thought that  
17 I probably would not get around to asking to have  
18 our letter of credit with the CNSC revoked. It is  
19 an irrevocable letter of credit. Until we take  
20 action to have it cancelled, it stays out there.  
21 It is not tied to the licence. This is a letter  
22 of credit that our company has purchased and  
23 provided.

24                   I probably won't get around to  
25 asking for it to be cancelled until such time as

1 we have concluded discussions with the other  
2 parties.

3 I recognize that is not a legal  
4 obligation.

5 THE CHAIRPERSON: We may come back  
6 to this line of questioning after we hear from the  
7 intervenors.

8 We would like to now move to  
9 interventions.

10 I would like to remind intervenors  
11 that we have scheduled ten minutes for each of  
12 your interventions, and I would like your  
13 assistance to stick to that schedule.

14

15 **02-H4.2**

16 **Oral presentation by Peter Williamson**

17 THE CHAIRPERSON: We would like to  
18 begin with the oral presentation by Mr. Peter  
19 Williamson. It is outlined in CMD document  
20 02-H4.2.

21 Mr. Williamson, thank you very  
22 much for taking the time to appear before the  
23 Commission. Please proceed.

24 MR. WILLIAMSON: My name is Peter  
25 Williamson. I am originally from Rankin Inlet in



1 the Kivalliq Region. I have been living in Ottawa  
2 for the last nine years.

3 When I was a resident of Rankin  
4 Inlet, back in the 1980s I was involved in a  
5 campaign, a regional campaign, against uranium  
6 mining. There was very large support for this  
7 campaign against uranium mining. There was a lot  
8 of concern expressed by the people in Baker Lake  
9 and in Rankin Inlet and in the other communities.

10 It would be very safe to say that  
11 there was a lot of concern about uranium mining in  
12 the region and that these concerns are legitimate  
13 and are real, and they continue today.

14 When this notification regarding  
15 these hearings was sent out approximately two  
16 months or so ago, I had the opportunity to make a  
17 submission to the Commission. Certain events have  
18 taken place since then. As an individual  
19 concerned with this and not as an organization,  
20 not as a government, my own time to address these  
21 new events -- I haven't had sufficient time to do  
22 that, but I would still like to address what has  
23 occurred over the last month or so in my oral  
24 submission today.

25 What has occurred over the last

1 month or so is also consistent with the concerns  
2 that I expressed in my submission a couple of  
3 months ago. I think it demonstrates that the  
4 concerns that I expressed in my submission are  
5 really true and do reflect the concerns of people  
6 who are in the region by the fact that there have  
7 been public meetings in Baker Lake and meetings  
8 with Inuit organizations in the region regarding  
9 the issue that the Commission is dealing with  
10 today.

11 Over 30 years, as the company  
12 indicated, there has been extensive concern in the  
13 region and activities in the region. The concerns  
14 still haven't been fully addressed. As a result,  
15 there is still controversy. There are still  
16 concerns being raised without the concerns being  
17 resolved.

18 I think that is reflective of the  
19 questions that some of the Commissioners raised in  
20 terms of jurisdiction of different governments and  
21 obligations of agencies, including this agency,  
22 obligations of the federal government, the  
23 territorial government and the Inuit  
24 organizations.

25 Back in the 1980s there was

1       widespread opposition to uranium mining in the  
2       region. The regional Inuit organizations were  
3       involved in that campaign and so was the  
4       territorial government, the Government of the  
5       Northwest Territories. This was before the  
6       establishment of Nunavut and before the signing of  
7       the land claim.

8                   This opposition was based on the  
9       concerns of the people in the communities and the  
10      region. The opposition was reflective of the  
11      concerns expressed. Since that time, since the  
12      1980s and in the 1990s a lot has happened, but  
13      concerns are still there and they are still real.

14                   I think it can be said that in a  
15      significant way the people of Baker Lake have had  
16      a lot of influence regarding the negotiation of  
17      the Nunavut Land Claim and the establishment of  
18      the Nunavut government. History bears this out,  
19      and the courts bear it out too.

20                   We can't forget this. We can't  
21      forget that the people of Baker Lake and the  
22      people in the region were very influential in the  
23      negotiation and signing of the land claim and the  
24      establishment of the Nunavut government.

25                   Since then the Nunavut Land Claim

1 has been signed, and Inuit organizations are in  
2 place that have responsibilities and obligations  
3 for land resource management.

4 The negotiation of the land claim  
5 was to protect the hunting and fishing rights and  
6 way of life of the people, of the Inuit people.  
7 Resource development is important, as well. It is  
8 something that Inuit want because there are scarce  
9 jobs and there are not a lot of economic  
10 opportunities. There is not a lot of  
11 infrastructure, as well.

12 So resource development is very  
13 important to the Inuit. However, it needs to be  
14 consistent with the values and the objectives of  
15 the Inuit. The Inuit organizations have  
16 obligations to ensure that resource management,  
17 resource development, is consistent with the  
18 objectives of the land claim as well.

19 The role of the Inuit government  
20 is also very important. Prior to the  
21 establishment of Nunavut, as I mentioned, the  
22 Government of the Northwest Territories was very  
23 vocal about their opposition to uranium mining  
24 near Baker Lake. There needs to be sufficient  
25 time from the signing of the land claim and from

1 the establishment of Nunavut. There needs to be  
2 sufficient time for the Inuit organizations and  
3 the Nunavut government to build up the capacity to  
4 deal with these kinds of demands.

5 The obligations of the Kivalliq  
6 Inuit Association are very significant. They make  
7 decisions regarding resource development on  
8 Inuit-owned lands in the Keewatin Region, the  
9 Kivalliq Region. As an organization, these  
10 obligations are real. It could be said that it is  
11 de facto jurisdictional authority that they have,  
12 de facto regulatory authority, even though they  
13 are not a government, even though they are not an  
14 agency. They still have obligations and exercise  
15 authority over these lands like a government and  
16 like a regulatory agency such as this Commission.

17 They don't have the  
18 infrastructure. They don't have the capacity to  
19 deal with these demands, and that is something  
20 that they really need.

21 It is the same with the Nunavut  
22 government. As is pointed out in the staff's  
23 report, the Government of the Northwest  
24 Territories is involved in this project through  
25 the Chief Mining Inspector of the NWT. It can be

1       said, as well, that the Nunavut government does  
2       not have the capacity to deal with the demands of  
3       companies, including this company.

4               As I mentioned, Inuit are in  
5       favour of resource development, but we need to be  
6       very careful about uranium mining. As one of the  
7       Commissioners asked, what happens if the grade of  
8       uranium that is left around the site -- what would  
9       happen if somebody picked it up. But it goes  
10      beyond that. The animals that we hunt would go to  
11      that site. They have migratory routes. That is  
12      the way of life of the Inuit, through hunting and  
13      fishing and trapping and gathering. Inuit have  
14      lived that way for thousands of years. Uranium  
15      mining will have a negative impact on that.

16             So it is very different from other  
17      resource development. This is why there has been  
18      such strong opposition to uranium mining in the  
19      region.

20             I am just about finished. I have  
21      about one more minute left, I think.

22             I will finish by saying that the  
23      obligations of the Commission, as have been asked  
24      by some of the Commissioners here, are real.  
25      Until such a time that with these new Inuit

1 organizations, with this new territorial  
2 government, with a new regulatory framework, with  
3 new jurisdictions, they are still in the early  
4 stages of development. Things are still being  
5 worked out.

6                   Until all the different  
7 governments and Inuit organizations and agencies  
8 are able to determine what each of their own roles  
9 and responsibilities should be, and obligations,  
10 and how they will work together, and how they will  
11 ensure that all of the obligations that they have  
12 and are contained in the land claims agreement,  
13 that together they will be able to deal with the  
14 concerns of the people in the communities and in  
15 the region, until all of the different parties are  
16 confident that they will be able to address all of  
17 the concerns of the people in the communities  
18 together, until such a time, I think the  
19 Commission should not revoke this licence until  
20 everybody knows what they are doing.

21                   Thank you.

22                   THE CHAIRPERSON: Thank you very  
23 much.

24                   The floor is now open to questions  
25 for Mr. Williamson from the Commission Members.

1 Dr. Giroux.

2 MEMBER GIROUX: The question I  
3 have is that what you have told us is very  
4 informative in terms of the general background of  
5 your position, but I was thinking that the points  
6 you raised might be applied to any sort of mining.  
7 It doesn't seem focused on uranium mining  
8 specifically, which is more our specific mandate.

9 Is there anything specific about  
10 uranium mining that you object to?

11 MR. WILLIAMSON: I would like to  
12 answer that in two different parts.

13 First of all, as I mentioned in  
14 terms of uranium mining, it will have consequences  
15 on the land and on the animals for hundreds of  
16 years. It will have a negative impact on the  
17 animals. That is the food source of the Inuit and  
18 the way of life, and living off the land. That is  
19 a real concern.

20 The second part of the answer is  
21 that I don't think it is possible for the  
22 governments and the Inuit organizations and the  
23 regulatory agencies to deal with this uranium  
24 mining question in a comprehensive way until they  
25 are all able to sort out what each of their own



1 roles and responsibilities are and to make sure  
2 that nothing falls through the cracks.

3 At this time, I don't think  
4 anybody can say that that can be accomplished.

5 MEMBER GIROUX: Do you have any  
6 feeling for how long that might take? It sounds  
7 like years, but I would like to hear your comment.

8 MR. WILLIAMSON: I would say that  
9 it could be a few years. I would say that the  
10 sooner that the governments and the Inuit  
11 organizations and the agencies start working  
12 together, the sooner it will be sorted out.

13 THE CHAIRPERSON: Mr. Graham.

14 MEMBER GRAHAM: I have a question  
15 following just that line of questioning.

16 The operation up in the  
17 Territories has been carried out over a period of,  
18 I don't know, the last 20 years or whatever it is,  
19 in history. I guess this would be to staff,  
20 perhaps Dr. Thompson, but is there any evidence  
21 that there has been any contamination or any  
22 affect to wildlife in the area? Has there been  
23 any testing or anything with regard to wildlife  
24 and their methods of grazing or whether it is fowl  
25 or fish or mammals?

1 DR. THOMPSON: Good afternoon.

2 For the record my name is Patsy Thompson.

3 There have been studies done on  
4 the caribou herds in the North. There have been  
5 measurements of radionuclides in tissues that are  
6 consumed by people living in that area.

7 Essentially the results show that  
8 the contamination is from natural occurring  
9 radionuclides, because the caribou consume lichens  
10 which will accumulate polonium and other  
11 radionuclides. There is no indication that there  
12 are variations in radionuclide contamination in  
13 areas that are associated with uranium mining.

14 So the conclusions are that the  
15 levels of radiation in caribou are really from  
16 naturally occurring sources, essentially radon gas  
17 and minerals from the earth that are available to  
18 lichens.

19 MEMBER GRAHAM: One other  
20 question, and that would be: That is done on  
21 caribou. Has there been anything done on any  
22 other species, any other food sources that the  
23 Inuit people would be using?

24 DR. THOMPSON: To my knowledge,  
25 there have been no other studies.

1 MEMBER GRAHAM: Thank you.

2 THE CHAIRPERSON: Thank you very  
3 much, Mr. Williamson.

4

5 **02-H4.4**

6 **Oral presentation by Kivalliq Inuit Association**

7 THE CHAIRPERSON: We will now move  
8 along to the next intervenor, which is the  
9 Kivalliq Inuit Association. I understand that  
10 Mrs. Gilson will make the next oral presentation.  
11 It is noted in CMD document 02-H4.4.

12 Mrs. Gilson, you have the floor.

13 MS. GILSON: Good afternoon, Madam  
14 Chairman, Commission Members.

15 Kimberley Gilson, Legal Counsel  
16 for the Kivalliq Inuit Association, referred to as  
17 KIA. Mr. Louis Manzo, the Chief Land  
18 Administrator had introduced himself to the  
19 Commission earlier. He has accompanied me this  
20 afternoon.

21 It is unfortunate that the KIA  
22 President, Mr. Tunngala Sandy(ph) was unable to  
23 join us today. I bring his regrets. He was voted  
24 into office earlier this week, just a couple of  
25 days ago, and due to other commitments was unable

1 to appear himself in front of the Commission  
2 today.

3 We have put into our submission  
4 some comments about the Nunavut Land Claims  
5 Agreement and, of course, you have heard some  
6 additional comments from Mr. Williamson about the  
7 importance of the Nunavut Land Claims Agreement to  
8 the Inuit people, and within the context of that  
9 document the importance of the lands and the  
10 resources, the importance of those items to the  
11 Inuit people.

12 The primary purpose of the  
13 Inuit-owned lands within the Nunavut Territory is  
14 to provide Inuit with rights in the land that  
15 promote economic self-sufficiency of Inuit through  
16 time, in a manner consistent with Inuit social and  
17 cultural needs and aspirations.

18 Within the Kivalliq region, the  
19 KIA is the designated Inuit association with  
20 responsibility for the surface management of all  
21 of the Inuit-owned lands. Use of those lands is  
22 also governed by various other agencies such as  
23 the Nunavut Planning Commission, the Nunavut Water  
24 Board, the Nunavut Impact Review Board, the  
25 Federal Department of Indian and Northern Affairs

1           and others.

2                               For the purposes of our  
3           presentation today, KIA is not making a submission  
4           that is either pro-mining or anti-mining. In our  
5           discussions in the North over the last number of  
6           months there has been a lot of concern, as was  
7           expressed, about uranium mining in the North, but  
8           we want to emphasize to this Commission that we  
9           are not taking a position on that issue given  
10          COGEMA's representation to us that they are not in  
11          fact entering into any uranium mining at this  
12          point in time.

13                              Before issuing a land use permit  
14          or licence, KIA must make a determination as to  
15          whether a proposed use is acceptable. In making  
16          the decision they have to balance the desire of  
17          the Inuit people to achieve that economic  
18          self-sufficiency that is necessary against the  
19          desire to protect their lands and their resources  
20          and their traditions.

21                              COGEMA, we believe now, is aware  
22          that the community of Baker Lake in particular,  
23          since the beginning of the Kiggavik-Sissons  
24          project, has expressed deep concerns about the  
25          project and its potential effects on the people,

1 on the lands, and on the resources. We have heard  
2 comments again this afternoon that support that  
3 view from the people.

4 Only part of the COGEMA project is  
5 on Inuit-owned lands. KIA has issued five mining  
6 leases to COGEMA for the Sissons project located  
7 approximately 80 kilometres west of Baker Lake in  
8 the Kivalliq region. The subsurface rights to  
9 those lands are administered by the Department of  
10 Indian and Northern Affairs.

11 The COGEMA operations on the  
12 Inuit-owned lands at this point in time we are  
13 told is limited to the storage in core shacks.  
14 Under the current COGEMA land use permit -- that  
15 is the permit that is issued by KIA -- no  
16 activities other than care and maintenance are  
17 authorized, with the exception of certain  
18 decommissioning activities. So COGEMA is limited  
19 in what it can do on the Inuit-owned lands by  
20 virtue of the conditions under which it is issued  
21 a land use permit by KIA.

22 KIA is making its submission this  
23 afternoon in reliance on the representations made  
24 by COGEMA that the project is in a care and  
25 maintenance mode with no anticipated activity on

1 the land, other than perhaps some decommissioning  
2 activity. Should that activity level increase,  
3 then we would expect that the appropriate level of  
4 regulatory intervention be applied.

5 Notwithstanding the fact that KIA  
6 is not opposing the application, in light of the  
7 concerns expressed by people in the North, and in  
8 particular in Baker Lake, we have some concerns  
9 about the removal of the safety net which we  
10 believe the Commission has offered and provided  
11 with respect to this project in the past.

12 For that reason, we have asked  
13 this Commission to consider a number of conditions  
14 that would be attached to the approval, if the  
15 Commission does decide to give its approval,  
16 conditions that would be attached to that approval  
17 for the revocation of the COGEMA licence.

18 The first such condition is that  
19 of an inspection before the licence is revoked.  
20 KIA asks that there be a full inspection of the  
21 project to be undertaken by the CNSC. The KIA  
22 wishes to have the certainty that the project has  
23 not created a risk to the health of the people, of  
24 the land, of the water, of the wildlife. An  
25 inspection will not only provide confidence to the

1 people of Baker Lake, it will also serve to  
2 identify if there are any existing problems and it  
3 will create a baseline for any future assessments.

4 If any effects from the project  
5 are identified, then a plan can be developed and  
6 implemented to remedy the effects, and the  
7 revocation of the licence may be deferred pending  
8 completion of such work.

9 Now, we have heard and seen from  
10 the CNSC staff and the COGEMA presentation that  
11 there is some general acceptance that a further  
12 inspection could and will in fact be done. The  
13 point that I would like to emphasize is that our  
14 position is that the inspection should be  
15 completed not with the CNSC staff accompanying or  
16 participating, but that it is something that the  
17 CNSC should be taking responsibility for.

18 If I understand the Staff  
19 presentation correctly, the last inspection I  
20 believe was 1995 and we believe that it would be  
21 appropriate for the CNSC to take the lead role,  
22 given their expertise and given the fact that this  
23 licence has been in effect for a number of years.  
24 And we appreciate, as I say, the offer that they  
25 would participate, but we were looking for



1 something a little stronger, that they would take  
2 the lead role, particularly, as I say, in  
3 identifying whether or not there are any effects  
4 that need to be addressed and that the revocation  
5 of the licence would come only when and if such an  
6 inspection were to be conducted and to have shown  
7 that there is in fact no residual effect that  
8 arises from the activities that they have  
9 undertaken to date.

10 We have asked that there be some  
11 local participation in that inspection. One of  
12 the things that you will know if you have been in  
13 the North at all is that the technical knowledge  
14 and expertise is certainly respected, but the  
15 knowledge and expertise of the local people is  
16 also very important. It is extremely sensitive in  
17 that the people who are living in the area do have  
18 knowledge of the conditions, particularly of the  
19 land, the water, the animals, and that they  
20 participate fully in such an inspection.

21 I believe that will also add  
22 something to the confidence level of the results,  
23 if the people know that their input has resulted  
24 in the final decision being made, that they know  
25 that they have participated in the inspection and

1           have been aware of how it has been conducted.

2                                 We have also made a submission  
3           with respect to the financial assurance. I  
4           believe that COGEMA has indicated acceptance of  
5           that submission so I won't go into it in much  
6           detail, other than to say that we had put forward  
7           the suggestion that the financial assurance should  
8           be retained and we look forward to working with  
9           COGEMA and with the Department of Indian and  
10          Northern Affairs to ensure that that financial  
11          protection does remain in place.

12                                KIA has received assurances from  
13          both COGEMA and the Commission that there have not  
14          been any negative effects in the North, but we  
15          have asked that there be ongoing monitoring of the  
16          site. A couple of questions posed this afternoon  
17          indicate a question as to whether or not there is  
18          competency and we have asked that we ensure that  
19          there is competency in people in the North to  
20          conduct such inspections themselves.

21                                KIA asks that the Commission  
22          provide training in conducting an inspection to at  
23          least one representative of Baker Lake. This  
24          individual would then be in a position to inspect  
25          and to report back to the people in future years.

1           The combination of a scientific assessment and  
2           local knowledge will assist in maintaining the  
3           community's confidence level that there are no  
4           effects arising from the project which were  
5           undetected or which arose after the final  
6           inspection.

7                                 With respect to the involvement of  
8           other government agencies, we have been told that  
9           there are other agencies, such as perhaps the  
10          Government of Nunavut and DIAND. We have only  
11          recently, as recently as yesterday, been contacted  
12          in the North by the Department of Indian and  
13          Northern Affairs.

14                                We can't expect the CNSC to be the  
15          watchdog for other federal agencies, but we do ask  
16          that the Commission satisfy itself that those  
17          other agencies, to the extent that you can satisfy  
18          yourselves, that they are aware of this project,  
19          that they are aware that the CNSC will no longer  
20          be involved in the project, so that we don't face  
21          a situation where it just disappears from the map,  
22          from the view of any regulatory body.

23                                With respect to the CNSC policy  
24          development, we do understand that a licence is  
25          not going to be required because of the fact that

1           it is not needed now under the new law for surface  
2           exploration activities and that the licence will  
3           only come into effect when we move into  
4           evaluation.

5                           KIA has asked for the opportunity  
6           to participate in those discussions and we have  
7           had some assurance that that will take place now  
8           and we are thankful for that. We encourage the  
9           staff to proceed with that in a timely way, again  
10          so that we can ensure that there is as little gap  
11          as possible and that there is some confidence that  
12          what COGEMA is doing when they say it is not  
13          caught by the Act, that we know for certainty that  
14          it is not caught by the Act, that this delineation  
15          between exploration and evaluation is clarified so  
16          that their activities clearly fall one side or the  
17          other of that line.

18                          We have heard assurance from  
19          COGEMA that they now appreciate the importance of  
20          communication and consultation with the people in  
21          the North, the people who are going to be affected  
22          by the operations that they conduct there. We  
23          thank them for working with us and we thank the  
24          Commission Staff for having sent a person to  
25          assist us in the Baker Lake consultations. We

1 trust that future activities in the North will  
2 meet with similar types of participation, and  
3 hopefully far enough in advance of hearings and  
4 decision-making processes that the people can be  
5 truly informed and participate.

6 There were a number of  
7 presentations which were delivered -- I appreciate  
8 that the Commission itself has no control over  
9 that, but delivered almost at the last minute,  
10 which makes it almost impossible to communicate to  
11 the people in the North, and definitely not  
12 possible to translate and to have true  
13 consultation. So we did find that there was a gap  
14 due the last minute kind of presentations and  
15 preparations.

16 In summary, then, the Nunavut Land  
17 Claims Agreement acknowledges and protects the  
18 rights and interests of the Inuit to their lands  
19 and their resources. The task of the Kivalliq  
20 Inuit Association is to ensure that these  
21 protections are maintained and respected.

22 The Kivalliq Inuit Association has  
23 appeared today to emphasize the importance of the  
24 uranium mine issue to the people of the North. We  
25 wish to ensure that the Commission is fully aware

1 of and appreciates the special nature of the Inuit  
2 interests in their lands and in their resources  
3 and that this relationship is considered in your  
4 decision-making processes.

5 On behalf of the KIA, I will thank  
6 the Commission, the Staff and COGEMA, for their  
7 assistance and for hearing us this afternoon.

8 Thank you.

9 THE CHAIRPERSON: Thank you very  
10 much.

11 The floor is now open for  
12 questions from Commission Members for the KIA  
13 presentation.

14 MEMBER GIROUX: Thank you. I  
15 would like to hear, how are members of the  
16 Association selected? Is there an election among  
17 the population? KIA that's an association.

18 MS GILSON: Yes. The Kivalliq  
19 Inuit Association represents seven communities  
20 within the Kivalliq Region, and they do that by  
21 having elections in each of those communities. So  
22 each community is able to vote a member to the  
23 Board of Directors of the Kivalliq Inuit  
24 Association. When the Association meets together  
25 its Board of Directors they meet then as

1           representatives of the various communities, the  
2           seven communities.

3                           MEMBER GIROUX:   And they are  
4           elected for a fixed term?

5                           MS GILSON:   Yes, they are.  They  
6           operate as a corporation and they run for a fixed  
7           term.  They also have the participation of other  
8           individuals who are able to participate as board  
9           members at the Annual General Meeting and, of  
10          course, we have Annual Generation Meetings with  
11          the community and the Board of Directors rotates  
12          its meetings within the communities as best they  
13          can in the Kivalliq Region so that there is  
14          opportunity for local people to participate in  
15          board meetings and to hear how the Inuit  
16          Association is conducting itself.

17                          MEMBER GIROUX:   Thank you.

18                          A question to staff.  I would like  
19          to explore the feasibility of the recommendations  
20          we have heard from KIA for the Commission to train  
21          one person from Baker Lake that might do the  
22          inspections.  Have you looked at that, and  
23          assuming somebody has some technical training, how  
24          much additional training would be required, and  
25          would one person be sufficient?

1 MS MALONEY: Cait Maloney here.  
2 We have already made an offer to  
3 KIA that we would have somebody participate in our  
4 radiation instrumentation course that we will be  
5 offering again in September. It's actually a  
6 staff course.

7 We could also train somebody,  
8 again depending on their level of technical  
9 background, offer them environmental inspection  
10 training. We have done this already for the  
11 Hatchet Lake community. I believe one person  
12 certainly could be appropriate, it could be done  
13 fairly quickly to get baseline inspection  
14 capability. The company already made allusion to  
15 the type of work that could be done.

16 So I think it's perfectly feasible  
17 that that could be done without a major  
18 investment.

19 MEMBER GIROUX: And within a few  
20 weeks, if I understand. You are talking about  
21 September, for instance.

22 MS MALONEY: Well, within a few  
23 weeks --

24 MEMBER GIROUX: It might take a  
25 few weeks.



1 MS MALONEY: Certainly the  
2 duration of the training could be, yes, several  
3 weeks.

4 THE CHAIRPERSON: Thank you very  
5 much.

6

7 **02-H4.3/02-H4.3A/02-H4.3B**

8 **Written submissions from Heather R. Tickie**

9 THE CHAIRPERSON: We will now move  
10 to the written submissions that we have received  
11 with regards to this application.

12 We are going to begin with the  
13 written submission received from Mrs. Heather  
14 Tickie as outlined in CMD documents 02-H4.3, 4.3A  
15 and 4.3B.

16 Are there any questions from  
17 Commission Member with regards to these  
18 submissions from Mrs. Tickie?

19 Thank you.

20

21 **02-H4.5**

22 **Written submission from Darcy Bean**

23 THE CHAIRPERSON: We will move  
24 then to the next written submission which is  
25 CMD document 02-H4.5. This is a written

1 submission by Darcy Bean.

2 Are there any questions or  
3 comments with regards to the submission by  
4 Mr. Bean?

5

6 **02-H4.6**

7 **Written submission from Phillip Penna**

8 THE CHAIRPERSON: I will now then  
9 move to CMD 02-H4.6 which is a written submission  
10 from Mr. Phillip Penna.

11 Do Commission Members have any  
12 comments or questions with regards to this  
13 submission?

14 This completes then the record for  
15 the public hearing in the matter of the  
16 application by COGEMA Resources Inc. for the  
17 revocation of Mining Facility Removal Licence for  
18 the Kiggavik-Sissons Project.

19 The Commission will deliberate and  
20 will publish its decision in due course. It will  
21 be posted on the CNSC website as well as  
22 distributed to participants.

23 We will take a ten-minute break  
24 until our next hearing will start which is Rio  
25 Algom. It is now 14:43. We will take a

1           ten-minute break until 14:53.

2                           Thank you very much.