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Les enjeux de la filière uranifère au Québec

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Canada's Nuclear Regulator



Licensing Process for New Uranium Mines and Mills in Canada

INFO-0759 Revision 1



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Canadian Nuclear
Safety Commission

Commission canadienne
de sûreté nucléaire

Canada

Licensing Process for New Uranium Mines and Mills in Canada

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Document availability

This document can be viewed on the CNSC Web site at nuclearsafety.gc.ca
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Cover images

From left to right:

- Picture 1: Aerial photo of McArthur River mine in Saskatchewan, photo courtesy of Cameco Inc.
- Picture 2: Underground tunnel at Cigar Lake mine in Saskatchewan, photo courtesy of Cameco Inc.
- Picture 3: Mining photo courtesy of Cameco Inc.
- Picture 4: CNSC photo of employee taking radiation measurement

Purpose of Document

In Canada, developers of new uranium mines and mills must acquire a licence from the Canadian Nuclear Safety Commission (CNSC) before they commence activities to prepare a site and subsequently construct and operate the facility. This document describes the major steps in the process that must be followed to acquire a licence.

The document is aimed at audiences involved directly in uranium mine development or interested in the federal regulatory framework that applies to uranium mining and milling. It provides a high level introduction to the regulatory process. Sources of more detailed and technical information are cited within the document.

Executive Summary

This document is the first revision of INFO-0759, initially published in March 2007. Its contents have been reorganized and new information provided to describe the parallel environmental assessment and licensing process. In addition, information has been added to describe how the Canadian Nuclear Safety Commission (CNSC) will meet its duty to consult Aboriginal groups whose Aboriginal and treaty rights may be affected by the development of a uranium mine or mill¹.

This document provides an overview of the licensing process for new uranium mines and mills in Canada based on the requirements of the *Nuclear Safety and Control Act* (NSCA) and regulations made under the NSCA. Over the lifetime of a uranium mine or mill, the CNSC will issue different licences. An overview of the information required for the different licence applications is included.

In addition, this document provides information about the CNSC and its role in licensing new uranium mines and mills. It describes the regulatory framework and ways in which federal, provincial and territorial regulators work together to harmonize our joint regulatory oversight.

This document describes the following steps of the licensing process:

- pre-application consultation
- initiating the licensing process
- Aboriginal consultation
- environmental assessment
- technical review of the licence application
- public involvement
- Commission Tribunal decision and issuance of the licence

¹ Mine or mill refers to projects that could include a mine only, a mill only or a mine(s) and a mill.

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Licensing Process for New Uranium Mines and Mills in Canada

1. Introduction

The Canadian Nuclear Safety Commission (CNSC) is responsible under the [*Nuclear Safety and Control Act*](#) (NSCA) for regulating the site preparation, construction, operation, decommissioning and abandonment of all nuclear facilities in Canada. Before any person or company can conduct any of these activities, they must acquire a licence from the CNSC which authorizes those activities.

In general, the licensing process for new uranium mines and mills is initiated following the exploration stage to identify a potential ore body, and before the specific physical activities to evaluate the best approaches for the mining, ore processing, and milling for the ore body are carried out.

A potential ore body is considered to be a mineral deposit that can be economically extracted. A significant quantity of information from exploration and assessment of potential mining, ore handling, milling and waste management methods may be required to determine whether the mineral resource can be economically and safely extracted and processed. This assessment could require an understanding of the site geology, ore and waste rock mineralogy, ground water and many other factors. The collection of this information could require extensive surface exploration drilling or test pits and site assessments. These activities are associated with exploration and are under provincial or territorial government jurisdiction and therefore do not involve the CNSC licensing process.

Once exploration activities are concluded and a potential ore body is identified, additional activities may be required to further define the mining, ore handling and milling processes for the economic and safe extraction of the ore body. These activities may involve the development of shafts and declines, test mining and milling activities and the installation and operation of more permanent site infrastructure such as effluent treatment facilities, waste storage facilities and mine shaft headframes. These types of activities are subject to the CNSC licensing process.

This document provides an overview of the current process for licensing new uranium mines and mills in Canada.

2. The Canadian Nuclear Safety Commission

The Parliament of Canada first established legislative control and federal jurisdiction over the development and use of nuclear energy and nuclear substances in 1946 with the introduction of the *Atomic Energy Control Act*. Under the Act, the Atomic Energy Control Board (AECB) was also established.

In May 2000 the *Atomic Energy Control Act* was replaced by the *Nuclear Safety and Control Act* (NSCA). The NSCA contains updated regulatory requirements for the protection of health and safety, security and the environment. Under the new Act, the Canadian Nuclear Safety Commission (CNSC) was established as the successor to the AECB.

The CNSC regulates the use of nuclear energy and materials to protect the health, safety and

- set regulatory policy direction on matters relating to health, safety, security and environmental issues affecting the Canadian nuclear industry
- make and enforce regulations and licence conditions in the areas of health, safety, security and environmental protection related to nuclear energy, and with respect to the implementation of Canada's policies and obligations concerning the non-proliferation of nuclear weapons
- make transparent decisions on the licensing of nuclear-related activities in Canada

CNSC staff reviews applications for licences according to the regulatory requirements of the NSCA, as well as CNSC regulations and regulatory documents. CNSC staff also takes into consideration input from other departments and agencies before making recommendations to the Commission Tribunal. Once a licence is issued, CNSC staff verifies and enforces compliance with the NSCA, regulations, and any licence conditions the Tribunal imposes.

In making a licensing decision, the Commission Tribunal considers the applicant's request, recommendations from CNSC staff, and any written or oral presentations from interveners (including the public and Aboriginal groups) made during public hearings. The [CNSC Rules of Procedure](#) sets out requirements for participation in public hearings held by the Commission Tribunal. Section 7 of this INFO document provides additional information on public participation in the licensing process.

On behalf of the Government of Canada, the CNSC implements the [Safeguards Agreement and Additional Protocol](#) between Canada and the International Atomic Energy Agency (IAEA) for the verification of Canada's commitments concerning the peaceful use of nuclear energy and materials. The CNSC also cooperates with other national governments to ensure compliance with the terms and conditions of Canada's bilateral nuclear cooperation agreements and in advancing multilateral nuclear non-proliferation arrangements.

3. Nuclear Regulatory Framework in Canada

The *Nuclear Safety and Control Act* (NSCA) is the cornerstone of the CNSC's regulatory framework, which consists of licence conditions and regulations developed under sub-sections 24(5) and 44(1) of the NSCA respectively.

The CNSC issues regulatory documents to provide guidance and direction to licence applicants on acceptable ways of complying with regulatory requirements. Regulatory documents form the basis for the assessment of licence applications. All such documents are developed through a

² The CNSC's mandate is set out in section 9 of the *Nuclear Safety and Control Act*.

³ The Canadian Nuclear Safety Commission is referred to as the "CNSC" when referring to the organization and its staff in general, and as the "Commission" when referring to the tribunal component.

transparent consultative process with stakeholders, which include licensees, government, non-governmental organizations and the general public.

The CNSC's regulatory framework draws upon Canadian and international standards and best practices, including the nuclear safety standards of the International Atomic Energy Agency (IAEA). Canada has been an active participant in the development of these IAEA standards as well as the supporting technical documents which provide more specific technical requirements and best practices for the siting, design, construction, operation and decommissioning of uranium mines and mills. This participation is based on Canada's experience as a world leader in mine safety and mining techniques. Therefore, Canadians can be assured that any new uranium mines and mills built in Canada will meet high standards for health, safety, security and environmental protection.

Section 26 of the NSCA prohibits any person from mining or producing a nuclear substance such as uranium, or preparing a site, constructing, operating, decommissioning or abandoning a nuclear facility without a licence granted by the Commission Tribunal. Sub-section 24(4) of the NSCA further states that no licence may be issued unless, in the opinion of the Commission Tribunal, the applicant:

- is qualified to carry on the activity that the licence will authorize the licensee to carry on
- will, in carrying on that activity, make adequate provision for the protection of the environment, the health and safety of persons and the maintenance of national security and measures required to implement international obligations to which Canada has agreed

Licences granted by the Commission Tribunal contain conditions that, by law, the licensee must meet. One condition of the licence requires that activities at the facility be carried out in accordance with information submitted in the licence application.

Applicants must be aware of and comply with other federal, provincial or territorial legislation that may also apply to their project. Other federal legislation that may apply to uranium mines and mills includes but is not limited to:

- *Canadian Environmental Protection Act*
- *Fisheries Act*
- *Species at Risk Act*
- *Migratory Bird Convention Act*
- *Navigable Waters Protection Act*
- *Canada Water Act*
- *Canada Labour Code*
- *Transport of Dangerous Goods Act*

4. Harmonized Regulatory Approach

The CNSC is the main federal point of contact and regulatory body for the regulation of Canadian uranium mines and mills. However, the CNSC works with other federal, provincial or territorial government departments who also have regulatory interest in uranium mines or mills to:

- harmonize where practical
- avoid regulatory delays, confusion, or contradictions

- maximize efficient stakeholder participation without duplication
- avoid unnecessary or inefficient regulatory overlap

The [Major Projects Management Office](#) (MPMO) of Natural Resources Canada (south of the 60th parallel) or the [Northern Project Management Office](#) of the Canadian Northern Economic Development Agency (CanNor) (north of the 60th parallel) coordinates the development and implementation of an integrated federal project management plan for the environmental assessment, licensing and permitting of new major resource projects including uranium mines and mills. For further information, please refer to mpmo-bggp.gc.ca/index-eng.php.

Consultation and engagement with various stakeholders including Aboriginal groups is an ongoing activity throughout the various stages of the licensing process. The CNSC works with other regulators to ensure licensing and environmental assessment decisions consider Aboriginal peoples' potential or established Aboriginal or treaty rights pursuant to section 35 of the *Constitution Act, 1982*.

Formal agreements such as memoranda of understanding may be developed between different government departments to define working relationships.

Another way regulators work together is through joint regulatory groups (JRG). A JRG is made up of federal, provincial and territorial government agencies that have common interests and responsibilities such as protection of the health and safety of workers or protection of the environment. JRGs meet periodically to discuss issues and ways to work together for their resolution.

5. Licensing Process for New Uranium Mines and Mills

5.1 Consultation

Developers of potential uranium mine or mill projects should begin communicating with the CNSC as soon as enough information from exploration activities has been collected to identify that a uranium deposit may be economically extracted (a potential ore body). Early communication can help the applicant develop a good understanding of:

- regulatory requirements for new uranium mines and mills
- stages of development when a CNSC licence will be required
- environmental assessment process
- licensing process
- information that must be included in a licence application

Early communication will enable the CNSC to plan for consultation with various interested parties including Aboriginal groups and for regulatory review. Consultation is initiated early in the project, and continues throughout the project lifecycle.

The federal government has a legal obligation under section 35 of the *Constitution Act, 1982* to consult with Aboriginal people whose Aboriginal and treaty rights may be adversely affected by a licensing decision in relation to a mine or mill project.

Aboriginal peoples are encouraged to bring their concerns before the Commission Tribunal.

Further details on the CNSC's approach to Aboriginal consultation can be found on our Web site in the document titled [Codification of Practice: CNSC Commitment to Aboriginal Consultation](#).

A more detailed description of early engagement with Aboriginal groups can be found in the [Early Aboriginal Engagement: A Guide for Proponents of Major Resource Projects](#) at mpmo-bggp.gc.ca/desc/aboriginal-autochtones-eng.php#intr.

Applicants are strongly encouraged to present their proposed project to communities and Aboriginal groups who may be affected by the project at the earliest possible stages in order to address local interests and concerns. Experience has shown that engagement with potentially affected parties early in the planning and design phases of a proposed project can benefit all concerned — enhancing relationships, building trust, improving the understanding of the proposed project and its objectives, and assisting the proponent to understand the interests and concerns of affected parties.

CNSC regulatory guide [G-217, Licensee Public Information Programs](#) provides general information to applicants and licensees on the regulatory requirements for public information programs. The primary goal is to ensure that the environmental and health and safety issues that may arise as a result of the facility entering a new licensing phase are effectively communicated to the public in a manner that complies with established regulations.

5.2 Initiating the licensing process

The CNSC initiates the licensing process formally once it receives an application. The *CNSC Rules of Procedure* requires that the application be filed with the Commission Tribunal, along with the prescribed fee, as set out in the *Cost Recovery Fees Regulations* (2003). The regulations are available at laws.justice.gc.ca/en.

When applying for a licence, the applicant must provide information specified in the following regulations:

- section 3 of the *General Nuclear Safety and Control Regulations*
- sections 3 to 7 of the *Uranium Mines and Mills Regulations*
- *Radiation Protection Regulations*
- sections 15 to 23 of the *Packaging and Transport of Nuclear Substances Regulations*
- section 3 of the *Nuclear Substances and Radiation Devices Regulations*

The application must also be accompanied by a project description. Guidance on preparing a project description is provided in the MPMO's [Guide to Preparing a Project Description for a Major Resource Project](#). The information provided in the project description is used to initiate the licensing and environmental assessment (EA) processes.

Information provided in the initial application will identify the applicant, describe the project, propose a schedule for completion of the EA and licensing processes, and provide an indication of when all the required information will be submitted.

The applicant may request that the licence application be reviewed at the same time as the environmental impact statement (EIS) (a parallel process) or that the EA process be completed before submitting the completed application (a sequential process). CNSC staff can conduct

technical reviews of information contained in the EIS and the licence application at the same time.

The Commission Tribunal must consider the EA findings and recommendations when making the licensing decision. The licensing decision cannot be made until after the EA decision has been rendered.

For certain projects, EA and licensing information submitted by the proponent⁴ can be considered by public and government agencies through a single process. Any applicable decisions under a joint EA and licensing review could then be made by a single body such as a joint review panel.

5.3 Environmental assessment

An environmental assessment (EA) is a process used to identify potential significant adverse environmental effects of a proposed project. It is also used to determine whether the effects can be mitigated in determining if the project should proceed.

Receipt of a licence application may trigger the CNSC to conduct an EA. Where a determination has been made that an EA is required, the *Canadian Environmental Assessment Act* (CEAA) section 5(1) (d) stipulates that an EA must be carried out to identify whether a project is likely to cause significant adverse environmental effects, taking into account the appropriate mitigation measures. The CNSC may not issue a licence, grant an approval, or take any other action for the purpose of enabling a uranium mine or mill project to be carried out in whole or in part until the EA process is complete and the decision issued.

The same mining and milling proposal may also trigger EAs by other federal, provincial or territorial organizations depending on the proposal and the jurisdiction. The Major Projects Management Office will coordinate federal involvement to allow for a single EA. Where possible, federal and provincial EA requirements will be addressed by a single EA process to provide regulatory efficiency.

In most provinces, the CNSC conducts an EA in accordance with the *Canadian Environmental Assessment Act* (CEAA). However, there may be jurisdictions where the CEAA does not apply. In other jurisdictions, provincial regimes also apply along with specific land claim agreements. Given the potential for overlapping EAs, the CEAA allows the federal Minister of the Environment to enter into agreements with provincial and territorial governments relating to the EA of projects where both governments have a statutory EA requirement. [Existing agreements](#) provide guidelines for the roles and responsibilities of each government in the assessment of such projects (ceaa.gc.ca/013/agreements_e).

There are four different types of federal EA processes: screening; comprehensive study; mediation; and, panel review. A comprehensive study or review panel assessment would likely be conducted for a new mine or mill. A screening EA may be appropriate for a new mine located within an existing licensed site, modifications to existing licensed facilities, and some expansions of current licensed facilities. The EA process required for a project is determined based on the information provided in the project description and submitted with the licence application after applying the [CEAA Act](#) and its related regulations (ceaa-acee.gc.ca)

⁴ Reference to proponent is interchangeable with licence applicant.

EAs that begin as screening or comprehensive study assessments can be referred to a mediator or a panel review by the federal Minister of the Environment following a recommendation from the CNSC if it is determined that:

- the project may cause significant adverse environmental effects, even after taking into account mitigation measures
- it is uncertain whether a project will cause significant environmental effects given the implementation of mitigation measures
- public concerns warrant referral

Because each province, territory and land claim agreement area may be governed by separate EA legislation and other agreements, EA processes will vary. Generic information about the EA process can be found on the CNSC web site at nuclearsafety.gc.ca/eng/ea/about/process.

5.4 Licences and licence applications

The CNSC can issue up to four types of licences in the lifecycle of a uranium mine or mill. They are:

1. a licence to prepare a site and to construct
2. a licence to operate
3. a licence to decommission
4. a licence to abandon

The initial licence application may be much more oriented to site preparation than to subsequent construction work, depending on the applicant's capacity, plans and understanding of the potential ore body. It is therefore essential for the applicant to have discussions with the CNSC staff on the level of information that will be needed in the initial application.

Licences are normally granted for each stage and issued in sequence. However, applications to operate components of the facility, while continuing with the construction of a new uranium mine or mill, can be assessed and approved under one licence based on the scope and proposed activities of the application.

Information that must be contained in an application is identified in the *General Nuclear Safety and Control Regulations* (GNSCR), the *Uranium Mines and Mills Regulations* (UMMR), and other regulations mentioned in section 5.2.

Licence applications may incorporate the information directly or by reference. The proponents will be required to develop policies, systems/programs and procedures to ensure compliance with licensee obligations in order to implement and maintain the undertakings described in the application.

Information provided in the licence application should be thorough and complete for the scope of the proposed activities. This will ensure the assessment of the application by CNSC staff is efficient and that any concerns are identified and addressed in a timely manner. In turn, this will optimize the time CNSC staff needs to prepare recommendations regarding the application for consideration by the Commission Tribunal.

Section 3 of the GNSCR and sections 3 and 4 of the UMMR identify information that must be included at all licensing phases. This includes information on:

- management structure
- training
- radiation protection
- environmental protection
- emergency preparedness and response
- security
- public information

In addition, the UMMR requires that information on decommissioning plans and financial guarantees be taken into account at all stages of licensing. The values of the financial guarantees are updated for each stage of the licensing process.

The licence to prepare site and construct will enable the licensee to site, construct, commission and operate some components of the facility (e.g., a mine water treatment plant). Some commissioning activities may also be allowed in order to demonstrate the facility has been constructed in accordance with the approved design and that the systems, structures and components important to safety are functioning reliably. All relevant commissioning tests must be satisfactorily completed and documented before an operating licence is issued.

Specific information required to obtain a licence to prepare site and construct is listed in section 5 of the *Uranium Mines and Mills Regulations*. Information required in support of the application includes:

- a description of the proposed design for the new uranium mine or mill and its waste management system, taking into consideration physical and environmental characteristics of the site
- environmental baseline data on the site and surrounding area
- for mines, a description of the site geology, ground support structures, and ground water regime (local and regional)
- the anticipated quantities and grade of ore and waste rock that will be removed and their proposed storage and disposal locations
- a description of the proposed mining and milling methods and their associated programs
- results of the process-hazard analysis and the proposed quality assurance program for the design of the mine or mill
- a proposed commissioning plan for the components, systems and equipment to be installed in the mine or mill
- measures to mitigate the effects on the environment and health and safety of persons that may arise from the construction, operation or decommissioning of the facility
- information on the potential releases of nuclear substances and hazardous materials and proposed measures to control them
- a program and schedule for recruiting and training operations and maintenance staff
- a program to inform the public of the effects of the site preparation and construction of the facility on the health and safety of the public and on the environment

The licence to operate will enable the operator to complete final commissioning and to operate the facility including mining or milling the ore. The final commissioning activities will

demonstrate that the facility has been constructed in accordance with the approved design and that the systems, structures and components important to safety are functioning reliably and in accordance with design expectations.

When applying for a licence to operate a new uranium mine or mill, it is the responsibility of the applicant to demonstrate that it has established the safety management systems, plans and programs that are appropriate to ensure safe and secure operation. Specific information required to obtain a licence to operate is listed in section 6 of the *Uranium Mines and Mills Regulations*.

Information required in support of the application includes:

- a description of the structures, systems and equipment at the uranium mine or mill, including their design and operating conditions
- the results of any commissioning work

The application must also include proposed measures, policies, methods and procedures for:

- commissioning systems and equipment
- operating and maintaining the nuclear facility
- handling nuclear substances and hazardous materials
- controlling releases of nuclear substances and hazardous materials into the environment
- waste management systems
- preventing and mitigating the effects on the environment and health and safety resulting from operation and decommissioning of the facility
- ground control measures for mines
- assisting off-site authorities in emergency preparedness activities, including assisting off-site authorities to deal with an accidental off-site release
- nuclear security

In addition to assessing the information included in the application to operate the new uranium mine or mill, the CNSC staff also verifies that any outstanding issues from the site preparation and construction stage have been resolved.

Finally, information in the application must contain a program to inform the public of the effects of the facility's operation on the health and safety of the public and on the environment.

The licence to decommission will enable the licensee to close and decommission the mine or mill. The *Canadian Environmental Assessment Act* (CEAA) requires that an EA be completed before a licence to decommission is issued.

Specific information required to obtain a licence to decommission is found in section 7 of the *Uranium Mines and Mills Regulations*.

Information required in support of the application includes:

- a proposed schedule for the decommissioning work
- land, buildings, structures, components, systems, equipment, nuclear substances and hazardous substances that will be affected by decommissioning
- the quantities or volumes of all other wastes (radioactive and hazardous) expected during the decommissioning activities

- measures, methods and programs for carrying out decommissioning
- description of the planned state of the site upon completion of the decommissioning work
- long-term management of some of the nuclear materials on site (e.g., uranium tailings, special waste rock, residues and sludges, contaminated equipment that cannot be released from the site)
- a program to inform the public of the effects of the decommissioning on their health and safety and on the environment

The licensee's responsibility can be terminated once long-term monitoring has confirmed the successful completion of decommissioning. The Commission can issue a licence to abandon or an exemption from licensing. This will end the licensee's responsibility for the site and can transfer responsibility for regulatory oversight or institutional control from the CNSC to the province or territory, if applicable.

Information required to support the transfer agreement includes:

- results of decommissioning work
- results of environmental monitoring programs
- description of requirement for long-term institutional controls
- a program to inform the public of the effects of the transfer on the health and safety of the public and on the environment

5.5 Technical review of the application

CNSC staff conducts a thorough technical assessment of information submitted by proponents in support of any of its applications. The assessment focuses on determining whether the proposed design and safety analysis, along with other required information, comply with regulatory requirements. This review requires rigorous engineering and scientific analyses, taking into consideration the CNSC's experience and knowledge of best practices in uranium mine and mill design and operation gained from existing facilities in Canada and around the world.

CNSC staff's assessment may be carried out with input from other federal, provincial and territorial government departments and agencies responsible for regulating health and safety, environmental protection, emergency preparedness and the transportation of dangerous goods.

CNSC staff's findings, conclusions and recommendations from these reviews are compiled in a Commission Member Document (CMD) which is submitted to the Commission Tribunal and made available for public review. A draft licence containing proposed licence conditions is included in the CMD.

5.6 Public and Aboriginal involvement in the hearing process

The Commission Tribunal makes decisions on the licensing of major nuclear facilities through a public hearing process. The public hearing gives involved parties, members of the public and Aboriginal peoples an opportunity to be heard before the Tribunal. Commission Tribunal hearings are governed by the CNSC's [*Rules of Procedure*](#). Most decisions involving major nuclear facilities are made through the two-day public hearing process. However, an application for a licence to prepare site and construct may be heard at a one-day public hearing if the attendant environmental assessment process provided additional opportunities for public and Aboriginal group involvement.

During a one-day hearing, all of the evidence from the applicant, CNSC staff and interveners is heard by the Commission Tribunal in a single hearing session. Written submissions from the applicant and CNSC staff must be filed and available to the public at least 60 days prior to the hearing day. This gives potential interveners time to review the proposal and prepare for the hearing. Intervenors must submit their presentations at least 30 days prior to the hearing. Participants may file supplementary information up to seven days prior to the hearing day.

During a public hearing, simultaneous translation in one of Canada's official languages is provided when necessary. Verbatim transcripts are produced and published on CNSC's Web site the week following each hearing day.

5.7 Commission Tribunal decision and issuance of licence

Following a public hearing, the Commission Tribunal deliberates and makes its decision. The Commission's decision and its reasons for the decision are normally published within six weeks of the conclusion of the hearing. This period may be extended to allow time for completion of the EA process and consideration of the EA decision and recommendations.

5.8 Compliance program

Once a licence is issued, CNSC staff carries out activities to verify that the licensee is complying with the NSCA, associated regulations and the licence. If the compliance activities identify a non-compliance or adverse trend, the CNSC can take various enforcement actions ranging from a request for corrective action up to and including recommending criminal prosecution.

6. Timeframe for Licensing New Uranium Mines and Mills in Canada

It is difficult to specify the time required for regulatory review and approval of the operation of a new uranium mine or mill. The licensing process can be divided into the following phases:

- review of the environmental assessment (EA)
- review of the application for a licence to prepare site and construct
- review of the application for a licence to operate

Factors that may influence the duration of the EA process include:

- jurisdiction and type of EA process
- time required by the applicant to produce the environmental impact statement (EIS)

- quality of information provided in EIS
- time required by CNSC staff to complete the technical reviews
- time to provide additional information required by the technical reviews

Factors that affect the duration of the licence to prepare site and construct review process include:

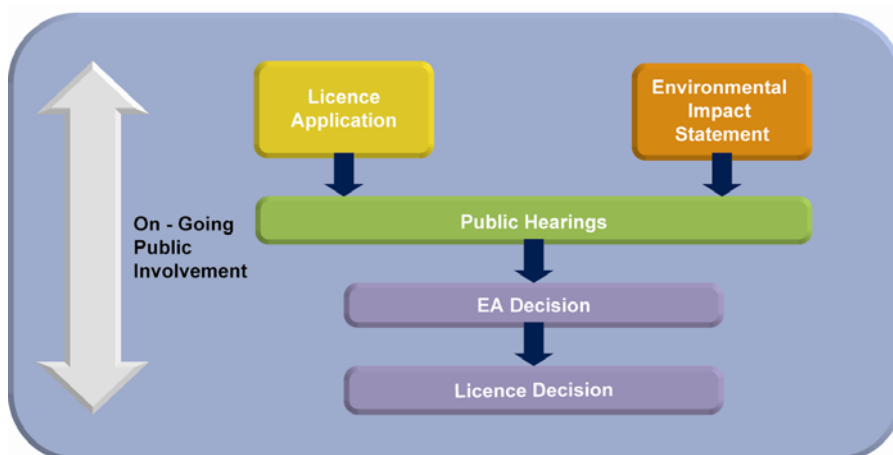
- selection of a parallel EA/licensing process by the applicant as opposed to a sequential process
- time required by the applicant to submit all the required application information
- quality of information provided in the licence application
- time required by CNSC staff to complete the technical reviews

Factors that affect the duration of the licence to operate review process include:

- time required by the proponent to prepare the site, construct and commission the mine or mill
- the quality of information provided in the licence application
- the presentation of complex technical issues
- time required by CNSC staff to complete the technical reviews
- the requirement for an additional EA (a new EA would be required if the requested activities were not included in previous EA)

The Government of Canada is working through the Major Projects Management Office (MPMO) to improve the efficiency of the review of proposals for the operation of new uranium mines and mills. An example of an opportunity for regulatory efficiency is the parallel EA and licensing process as shown in Figure 1. The proponent may choose to submit the licence application at the same time as the EIS is submitted. CNSC staff will conduct the technical review of both documents at the same time. The Commission Tribunal may conduct public hearings on the EA and licensing on the same day. Following the public hearing, the EA process will be completed before a licensing decision made. If the proponent submits comprehensive information in the EIS and the licence application in a timely and coordinated manner, this process could be completed within two years.

Figure 1: Parallel Licensing Process for New Facilities, Site Preparation and Construction Licence ~ 2 years



7. Public and Aboriginal Involvement in the Licensing Process

The CNSC is committed to engaging stakeholders and Aboriginal groups through a variety of appropriate consultation processes, effective information sharing and communications.

As described in section 5.1, the CNSC encourages licence applicants to undertake pre-application communications activities regarding their plans for new uranium mines and mills, such as public consultations. The CNSC has issued a regulatory guide which provides general information to licensees on the regulatory requirements for public information programs. G-217: Licensee Public Information Programs (G-217) is available at the CNSC Web site at nuclearsafety.gc.ca.

The EA process for a new uranium mine or mill provides significant opportunities for public participation. The public and Aboriginal persons can contribute to determining the scope of environmental studies and provide comments and make presentations on the study results. Funding is provided to assist qualified participants in preparing for and participating in the EA process.

The consideration of licence applications for new uranium mines and mills by the Commission follows the public hearing process as set out in the *CNSC Rules of Procedure*. The public and Aboriginal persons may participate in the hearing process as described in section 5.7.