



VIA EMAIL:  
CEAA.EARReview-ExamenEE.ACEE@ceaa-acee.gc.ca

July 20, 2016

Review of Environmental Assessment Processes  
Canadian Environmental Assessment Agency  
160 Elgin Street, 22nd Floor  
Ottawa ON K1A 0H3

Dear Sir/Madam:

**Re: Government of Canada's Review of the Environmental and Regulatory Processes:  
Expert Panel Draft Terms of Reference**

AREVA Resources Canada Inc. ("AREVA") has been actively exploring for and mining uranium in Canada for over 50 years. AREVA firmly centers our strategy and our operations on the principle of sustainable development, and is committed to protecting the environment and building relationships with its stakeholders, including indigenous groups that have interest in our operations. As such, AREVA fully supports the legislative values imposed on projects by the regulatory processes in Canada.

AREVA has extensive experience with the environmental assessment process. Since the initial Joint Federal and Provincial Panel approved AREVA's McClean Lake Uranium Mine and Mill environmental assessment in 1993, the operation has undergone multiple environmental assessments that were triggered by the interpretation of the *Canadian Environmental Assessment Act, 2002* ("CEAA, 2002") and the *Nuclear Safety and Control Act* ("NSCA") often for projects having no environmental effects or which improved the facility's environmental performance. The lengthy environmental assessment process that was triggered under the CEAA, 2002 resulted in delayed or cancelled projects, and utilized significant internal and governmental resources. This included AREVA's Midwest uranium mine project in Saskatchewan, a proposed open-pit uranium mine utilizing the existing McClean Lake mill, in which the environmental assessment process took seven years to complete.

As a result of our experience with the environmental approval process, including approvals required under the NSCA, the *Fisheries Act* and the *Navigable Waters Protection Act*, AREVA was actively involved in the national discussion on **Responsible Resource Development** that was conducted by the previous federal Government. At the conclusion of the multi-year review AREVA, along with many other resource developers and industry associations, were supportive of many of the changes that

were implemented, including the *Canadian Environmental Assessment Act, 2012* (“CEAA, 2012”). The review process should not impede on improvements to the current process and not bring issues of CEAA, 2002 which saw jurisdictional duplication, lengthy timelines, project cancellations or delays with no real benefit to the environment or to Canadians

It is in this context that AREVA provides the following comments to the proposed Review of Environmental Assessment Processes: Expert Panel Draft Terms of Reference released on June 20, 2016.

- In general, we feel that the five questions in the scope of the Panel as written are biased and we recommend that they be rephrased to provide a more neutral mandate to the Review. For example, Question 1 currently directs the Panel to consider “How to restore robust oversight and thorough environmental assessments of areas under federal jurisdiction...”. As written it appears that it is already concluded that there is no longer robust oversight or thorough environmental assessments performed under federal jurisdiction.
- We believe that the Panel should be well informed of the issues that existed prior to the implementation of the CEAA, 2012, to ensure that experience with the previous environmental approval processes are not overlooked.
- While we support protection of the environment, the scope of the discussion related to best technologies available should be broaden to include in the discussions economic viability and reasonableness.
- AREVA strongly supports engaging indigenous groups in mining operation as is evidenced by its historical involvement of indigenous groups in its operation. However, the Panel review should not be a forum for public discussion on the legal issues related to the Duty to Consult or the United Nations Declaration on the Rights of Indigenous People.
- We appreciate that the process recognizes the unique nature of companies, such as AREVA, who are regulated by the NSCA and its supporting regulations and agrees with ensuring that those environmental approval processes are addressed separately by the Panel.
- Lastly, we agree with the inclusion of other major environmental approvals related to a project such as the *Navigable Waters Protection Act* and the *Fisheries Act*; we would ask that the scope be broadened to include the *Species At Risk Act*, and the implication of and timelines associated with this regulation.

AREVA appreciates the transparent and multi-stakeholder consultation approach the government is taking with this review and requests that the mining industry be broadly and actively engaged. We specifically request that strong representation of the province of Saskatchewan and the mining industry be present on the multi-interest advisory committee.

Regards,

A handwritten signature in blue ink that reads 'Lambalgen' in a cursive script.

Tammy Van Lambalgen  
Vice President, Corporate Affairs & General Counsel