



e-Doc: 7149498

December 5, 2023

Ms. Janna Switzer
Director, HSE Regulatory Compliance
Denison Mines Corp.
jswitzer@denisonmines.com

Subject: Results of the Federal-Indigenous Review Team technical review of the August 18, 2022 responses to Information Requests for the proposed Wheeler River Project

Dear Mrs. Switzer,

On August 18, 2023, Denison Mines Corp. (Denison) submitted responses to Information Requests (IRs) for the Wheeler River Project [1]. On August 30, 2023, CNSC staff found the submission [1] to contain the required information to proceed with the Federal-Indigenous Review Team (FIRT) technical review of the responses to information requests for the proposed Wheeler River Project [2].

Outcome of the EIS Technical Review

The FIRT has completed the technical review of the submission and has found that the information provided does not fully address the regulatory requirements for the environmental assessment (EA). To date, the FIRT technical review of Denison's responses to 238 IRs has resulted in 144 accepted IRs and 18 follow-up IRs triggered by responses to an original IR or supplementary material provided in Denison's submission. Of the 94 IRs that were not accepted, there are cases where the technical approach is accepted and the IRs can be resolved once text for the EIS has been provided and accepted by the FIRT. The updated table is provided in the attached Annex 1 [3].

Additional information in an Advice to Proponent table contains guidance and advice that Denison should take into consideration when responding to IRs and revising the draft EIS. This is included in the attached Annex 2 [4].

Expectations and Next Steps

On December 5th, 2023 or shortly thereafter, CNSC staff will post IR response [3] and Advice to Proponent [4] tables on the Canadian Impact Assessment Registry for the [Wheeler River Project](#) (Reference number: 80178).

CNSC staff expect Denison to submit complete responses to all IRs and advice to proponent comments and re-submit a revised EIS. CNSC staff also request that Denison provide a document revision history

with the revised EIS and concordance table, for reviewers to locate the changes that have been made to revised documents. It is expected that Denison clearly indicate how the revised EIS incorporated changes as a result of responses to the IRs. CNSC staff and members of the FIRT are available and willing to meet with Denison to discuss the path forward and to clarify expectations for the IR responses.

Revisions to Evergreen Documents

CNSC staff are also formally requesting that Denison provide revised versions of the Commitments table and Indigenous Engagement Reports, as part of its revised EIS documentation.

Commitments Table

The Commitments table, or Report, should capture all mitigation measures, follow-up program measures and commitments that have been referenced in the EA documentation in a single location for completeness and traceability. As requested in March 2023 [5], this report should include a listing of all commitments made by Denison based on the documentation submitted to date including:

- the EIS
- correspondence with the public and Indigenous Nations and communities
- responses to IRs
- additional commitments Denison has made in any documentation to members of the public and Indigenous Nations and communities and to whom these commitments apply

These commitments should be triaged based on whether they are within the scope of regulatory requirements or beyond (e.g., good governance, social responsibility), and indicate how each of these commitments will be tracked as part of Denison's programs.

As also mentioned in the March letter [5], it would be helpful if Denison could organize this information in tabular format providing the following information:

- details of the commitment
- the phase(s) of the project where the commitment will be carried out (e.g., all phases)
- where the commitment is referenced (which document, table, etc. and where it can be found)
- how this commitment will be tracked (project EA follow-up program, site-wide programs, etc.)

Indigenous Engagement Report

Similarly, it is expected that as per the requirements of REGDOC 3.2.2 Indigenous Engagement, an updated Indigenous Engagement Report (IER) be submitted to the CNSC as Denison's engagement activities progress. This is considered supplementary information that underpins responses to IRs. Therefore, CNSC staff expect Denison to submit an update on all engagement activities to date as part of Denison's next submission in a revised IER.

Both of these documents are evergreen and should continue to be updated over the remainder of the regulatory review process, as well as if the project is approved, after the public hearings and Commission decisions.

Should you have any questions, please do not hesitate to contact me, directly by phone at 343-540-6213 or by email at Jessica.Way@cnsccsn.gc.ca.

Sincerely,

- Original Signed By -

Jessica Way
Environmental Review Officer
Environmental Review Division

c.c.:

CNSC: N. Kwamena, P. Burton, K. Gorzkowski, W. Yen
Denison: K. Himbeault, C. Inglis-McQuay, R. Nagel

References:

- [1] Letter, J. Switzer (Denison) to J. Way (CNSC), *Wheeler River Project - Submission of Draft Environmental Impact Statement*, August 11, 2023 (e-doc [7110011](#))
- [2] Letter, J. Way (CNSC) to J. Switzer (Denison), *CNSC Conclusions: Outcome of the Wheeler River Conformity Review*, August 30, 2022 (e-doc [6943662](#))
- [3] Annex 1, Federal and Indigenous Review Team, *Wheeler River Project – Information Requests*, November 27, 2023 (e-doc [7117212](#))
- [4] Annex 2, Federal and Indigenous Review Team, *Wheeler River Project – Advice to Proponent*, November 27, 2023 (e-doc [7165554](#))
- [5] Letter, J. Way (CNSC) to J. Switzer (Denison), *CNSC Conclusions: Outcome of the Wheeler River Technical Review*, March 21, 2023 (e-doc [6991467](#))