



October 11, 2024

Ms. Janna Switzer  
Vice President, Environment Sustainability & Regulatory  
Denison Mines Corp.  
[jswitzer@denisonmines.com](mailto:jswitzer@denisonmines.com)

**Subject: Results of the Federal-Indigenous Review Team technical review of the February 10, 2024 responses to Information Requests for the proposed Wheeler River Project**

Dear Mrs. Switzer,

On February 10, 2024, Denison Mines Corp. (Denison) submitted responses to Information Requests (IRs) for the Wheeler River Project [1]. On February 20, 2024, CNSC staff found the submission to contain the required information to proceed with the Federal-Indigenous Review Team (FIRT) technical review of the responses to IRs [2].

**Extended Review Period**

The FIRT's initial review of Denison's responses to IRs was intended to conclude by May 20, 2024. When the review initially started, Denison requested the opportunity to discuss the outcome of the review process, to discuss the paths to resolution with relevant FIRT members, where elements of IRs remained unresolved.

On May 24 and May 31, 2024, CNSC staff shared draft reviews of responses to IRs [3-4], enclosed here as Annexes 1 and 2. On June 28, 2024, CNSC staff shared a draft of the Advice to Proponent table [5], enclosed as Annex 3. This review concluded that of the 256 IRs (238 original and 18 follow-up IRs), 24 IRs remained not accepted. Between June 5 and June 14, 2024 CNSC and Denison held 5 hybrid and 3 virtual meetings to discuss the IRs with unresolved elements [6].

Following these meetings, between June 27 and July 8, 2024 Denison provided informal supplementary responses to outstanding IRs, for further review by relevant FIRT subject matter experts (SMEs) [7]. For transparency purposes, these submissions will be posted to the [Canadian Impact Assessment Registry](#) (the Registry) in one combined package, along with the meeting minutes from these meetings, enclosed as Annexes 4 and 5.

On July 17<sup>th</sup>, Denison also provided an updated version of the Commitments Table, Indigenous Engagement Report and responses to comments from the Public and Indigenous comment period [8]. The documents from this supplemental submission are also being posted to the Registry.

Although this review has resulted in a significantly extended review period, the CNSC entered into these discussions in good faith, with the intention of demonstrating a commitment to finding a path to resolution on IRs and progressing the process.

### **Outcome of the EIS Technical Review**

Following further discussions between Denison, CNSC and the FIRT, CNSC staff have concluded that the information provided in the February 10<sup>th</sup> submission, and additional supplemental information provided to date does not fully address the regulatory requirements for the environmental assessment (EA). Currently, 6 IRs remain not accepted, for which further information is required, and 5 IRs remain under review by CNSC staff, for which conclusions are forthcoming. Of the 5 that remain under review, 3 IRs are anticipated to result in proposed EA conditions that must be met in order for Denison to proceed with the proposed project, should a positive EA decision be rendered.

This review has also concluded that of the original 256 IRs, 20 IRs contain elements that will be further assessed as part of the licensing technical review of the licence application [9], and 10 IRs contain elements that will be resolved for the purposes of the EA process, through commitments. The updated table of IRs is provided in the enclosed Annex 6 [10].

Additional information is provided in an Advice to Proponent table, which contains guidance and advice that Denison should take into consideration when responding to IRs and revising the draft EIS. This is included in the enclosed Annex 7 [11].

### **Expectations and Next Steps**

On October 15, 2024 or shortly thereafter, CNSC staff will post the aforementioned documents to the Registry for the [Wheeler River Project \(Reference number: 80178\)](#).

CNSC staff expect Denison to submit complete responses to all outstanding IRs and advice to proponent comments. It is expected that along with each response, Denison clearly indicate what changes will be made to the EIS and supporting documents, to be validated upon a future submission of a Final EIS.

Denison's engagement on this project has been ongoing and it is expected that the Indigenous Engagement Report (IER) reflects this progress, within two months of a submission date. However, recognizing that the IER was last submitted in July 2024 [7], whether a revised IER is required with the next submission will depend on the timing of the submission. This is something to be discussed with CNSC staff once Denison has determined when they plan to next submit.

Following a submission that meets all outstanding regulatory requirements for the EA, CNSC staff will signal that a Final EIS can be submitted. CNSC staff expect that supplementary documentation that has been revised over the course of recent months will accompany the Final EIS package, including a revised Commitment Register and IER.

It is important to note, a number of IRs accepted during this stage of review contain assurances that certain information will be contained in the Final EIS, thus acceptance is conditional and will be validated by the FIRT once all IRs have been resolved and the Final EIS provided. A failure to include the assured information may result in the rejection of the Final EIS and a revised Final EIS will be required.

CNSC staff are available and willing to meet with Denison to discuss the path forward and to clarify expectations for the IR responses.

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](mailto:Jessica.Way@cnsccsn.gc.ca).

Sincerely,

- Original Signed By -

Jessica Way  
Environmental Review Specialist  
Environmental Review Division

c.c.:

CNSC: N. Kwamena, P. Burton, K. Gorzkowski, R. Noakes

Denison: K. Himbeault, B. England, C. Inglis-McQuay, R. Nagel

#### References:

- [1] Letter, J. Switzer (Denison) to J. Way (CNSC), *Wheeler River Project - Submission of Draft Environmental Impact Statement*, February 10, 2024 (e-doc [7222575](#))
- [2] Letter, J. Way (CNSC) to J. Switzer (Denison), *Outcome of CNSC Staff Completeness Check of the February 10, 2024 Responses to Federal-Indigenous Review Team Information Requests for the Wheeler River Project*, February 21, 2024 (e-doc [7222570](#))
- [3] Email, J. Way (CNSC) to J. Switzer (Denison), Annex 1, *Wheeler River Draft Review of Responses to IRs - Draft Table*, May 24, 2024 (e-doc [7360930](#))
- [4] Email, J. Way (CNSC) to J. Switzer (Denison), Annex 2, RE:[\*\*]*Wheeler River Draft Review of Responses to IRs - Draft Table*, May 31, 2024 (e-doc [7360931](#))
- [5] Email, J. Way (CNSC) to B. England (Denison), Annex 3, RE: *Summary Conclusions*, June 28, 2024 (e-doc [7379620](#))
- [6] Meeting Minutes, Annex 4, *Joint FIRT-Denison IR Technical Meetings for Wheeler River*, June 2024 (e-doc [7305870](#))
- [7] Annex 5, *Combined Supplementary Submissions from Denison*, June-July 2024 (e-doc [7379990](#))
- [8] Letter, J. Switzer (Denison) to J. Way (CNSC), *Denison's Completion of Responses to the Consolidated Comments from Indigenous Nations and Communities and the Public Comments*, July 17, 2024 (e-doc [7325554](#))
- [9] Letter, R. Nagel to D. Saumure, *Denison Mines Corp. Application for the Wheeler River Operation*, July 4, 2023 (e-doc [7079884](#))
- [10] Annex 6, Federal and Indigenous Review Team, *Wheeler River Project – Information Requests – Submission #4*, October 11, 2024 (e-doc [7253536](#))
- [11] Annex 7, Federal and Indigenous Review Team, *Wheeler River Project – Advice to Proponent – Submission #4*, October 11, 2024 (e-doc [7253543](#))