



Canadian Nuclear
Safety Commission

Commission canadienne
de sûreté nucléaire

Record of Proceedings, Including Reasons for Decision

In the Matter of

Applicants

Ontario Power Generation, Bruce Power and
New Brunswick Power

Subject

Application to Amend Reporting Requirements
in Power Reactor Operating Licences

Hearing Date

December 22, 2014

RECORD OF PROCEEDINGS

Applicants: Bruce Power, Ontario Power Generation and
Énergie NB Power

Purpose: Applications to amend reporting requirements power
reactor operating licences

Member present: M. Binder, Chair

Bruce Power

Bruce A and B Nuclear Generating Stations:

Address/Location: P.O. Box 1540, B10 – 4th floor W, Tiverton, ON, N0G 2T0

Application received: October 28, 2014

Ontario Power Generation

Darlington Nuclear Generating Station:

Address/Location: P.O. Box 4000, Bowmanville, ON, L1C 3Z8

Application received: October 20, 2014

Pickering Nuclear Generating Station:

Address/Location: 1675 Montgomery Park Road, P.O. Box 160, Pickering, ON, L1V 2R5

Application received: October 15, 2014

Énergie NB Power

Point Lepreau Nuclear Generating Station:

Address/Location: P.O. Box 600, Lepreau, NB, E5J 2S6

Application received: October 24, 2014

Licence: Amended

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1.0 INTRODUCTION

1. Nuclear power plant (NPP) operators, including Ontario Power Generation (OPG) for its NPPs Darlington Nuclear Generating Station (NGS) (Power Reactor Operating Licence PROL 13.00/2015) and Pickering NGS (PROL 48.00/2018), Bruce Power, for its Bruce A NGS (PROL 15.00/2015) and Bruce B NGS (PROL 16.00/2015) and New Brunswick Power for its Point Lepreau NGS (PROL 16.00/2015) (Applicants), have submitted a request to the Canadian Nuclear Safety Commission¹, under subsection 24(2) of the *Nuclear Safety and Control Act*² (NSCA), for amendments to their Power Reactor Operating Licences (PROLs) for the aforementioned facilities. The amendments are requested to reflect the transition from S-99, *Reporting Requirements for Operating Nuclear Power Plants*, which was superseded by REGDOC-3.1.1, *Reporting Requirements for Nuclear Power Plants*.
2. The Applicants requested that the Commission amend the set of PROLs to replace references to S-99 with REGDOC-3.1.1, and include associated changes. To maintain continuity of reporting requirements, CNSC staff recommended, and the Applicants agreed, that the Commission include to the licences a reference to RD-336, *Accounting and Reporting of Nuclear Material*.

Issue

3. In considering the application, the Commission was required to decide, pursuant to subsection 24(4) of the NSCA:
 - a) if the Applicants are qualified to carry on the activity that the amended licence would authorize; and
 - b) if, in carrying on that activity, the Applicants would 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.

Hearing

4. Pursuant to section 22 of the NSCA, the President of the Commission established a Panel of the Commission to review the application. The Commission, in making its decision, considered information presented for a hearing held on December 22, 2014 in Ottawa, Ontario. During the hearing, the Commission considered written submissions from the Applicants (CMD 14-H119.1) and CNSC staff (CMD 14-H119).

¹ 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.

² Statutes of Canada (S.C.) 1997, chapter (c.) 9.

2.0 DECISION

5. Based on its consideration of the matter, as described in more detail in the following sections of this *Record of Proceedings*, the Commission concludes that the Applicants have met the conditions of subsection 24(4) of the NSCA. Therefore,

the Commission, pursuant to section 24 of the *Nuclear Safety and Control Act*, amends the Power Reactor Operating Licences:

PROL 13.00/2015 (Darlington NGS) and PROL 48.00/2018 (Pickering NGS) issued to Ontario Power Generation,
PROL 15.00/2015 (Bruce A NGS) and PROL 16.00/2015 (Bruce B NGS) issued to Bruce Power, and
PROL 17.03/2017 (Point Lepreau NGS) issued to New Brunswick Power.

The amended licences, PROL 13.01/2015 (Darlington NGS), PROL 48.01/2018 (Pickering NGS), PROL 15.01/2015 (Bruce A NGS), PROL 16.01/2015 (Bruce B NGS), and PROL 17.04/2017 (Point Lepreau NGS), are effective on January 1, 2015. The expiry dates of the revised licences remain unchanged.

6. The Commission includes in the licences the conditions as recommended by CNSC staff in CMD 14-H119.

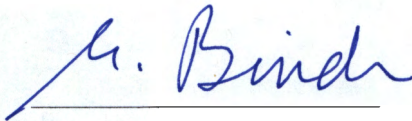
3.0 ISSUES AND COMMISSION FINDINGS

7. CNSC staff informed the Commission that the Applicants have requested administrative licence amendments to modify the requirements for reporting from S-99 to REGDOC-3.1.1, in order to facilitate a smooth transition to reporting under the improved framework. REGDOC-3.1.1, which supersedes S-99, provides a modernized set of reporting requirements for NPPs, including an improved set of safety performance indicators. The included requirements and guidance would enable CNSC staff to effectively oversee NPP operations, while eliminating unnecessary or duplicate reporting.
8. CNSC staff noted that, during the years of application of S-99, reporting requirements have been further clarified in the licence conditions handbooks (LCH). These entries have been kept as placeholders for further refinements and clarifications to be captured in the document that was expected to supersede S-99, and the LCH would be updated accordingly to reflect the updated requirements and guidance. While reviewing the Applicants' requests for amendments, CNSC staff identified an opportunity to further streamline the PROLs. CNSC staff explained that most PROLs contain a condition requiring the licensee to report apparent non-compliances of other applicable laws that pertain to the operation of the NPP. With REGDOC-3.1.1 in place, this requirement is made redundant and therefore, should be removed to further streamline the PROL.

9. The proposed changes include:
- Replacing references to S-99 with references to REGDOC 3.1.1 in all licences
 - Include a reference to RD-336 in all licences
 - Remove the following licence conditions related to reporting requirements that are already covered in REGDOC-3.1.1:
 - (Pickering) *the licensee shall report any apparent non-compliance of applicable law at the federal, provincial or municipal level that pertains to the activities licensed under this licence;*
 - (Darlington) *the licensee shall report any apparent non-compliance of applicable law at the federal, provincial or municipal level that pertains to the activities licensed under this licence to the Commission or a person authorized by the Commission; and*
 - (Point Lepreau) *the licensee shall report any apparent material non-compliance to applicable law at the federal, provincial or municipal level that pertains to the activities licensed under this licence to the Commission or a person authorized by the Commission.*
10. CNSC staff also informed the Commission that S-99 contains a requirement to report certain information on the inventory and transfer of fissionable and fertile substances at the facility. The licensees are required to submit the stipulated information in accordance with the regulatory document AECB -1049/Rev.2, *Reporting Requirements for Fissionable and Fertile Substances*, or the standard which replaces AECB-1049. In June 2010, RD-336, *Accounting and Reporting of Nuclear Material* was published and superseded AECB-1049. Since REGDOC-3.1.1 does not explicitly refer to AECB-1049 or RD-336, in order to maintain continuity of reporting requirements, CNSC staff recommends that the amended PROL conditions on reporting include a reference to RD-336. The Applicants agreed with this modification.
11. After reviewing the Applicants' requests for amendment of their PROLs, CNSC staff supports the requested amendments.
12. Given the administrative nature of the proposed licence amendments, CNSC staff is of the opinion that there are no impacts to the environment.

4.0 CONCLUSION

13. The Commission has considered the information and submissions from the Applicants and CNSC staff and is satisfied that the requested amendments are administrative in nature and will not adversely impact the safety of the operations of the Applicants' NGS. The Commission is also satisfied that aboriginal engagement is not necessary in relation to the proposed amendments.



Michael Binder
President,
Canadian Nuclear Safety Commission

DEC 22 2014

Date