

# Record of Proceedings, Including Reasons for Decision

In the Matter of

Applicant Ontario Power Generation Inc.

Subject Application to Amend the Pickering A Nuclear  
Generating Station Power Reactor Operating  
Licence

Hearing  
Date February 13, 2008

## **RECORD OF PROCEEDINGS**

Applicant: Ontario Power Generation Inc.

Address/Location: 777 Brock Road, P72-1, Pickering, Ontario L1W 4A7

Purpose: Application to Amend Pickering A Nuclear Generating Station  
Power Reactor Operating Licence

Application received: August 5, 2003                      March 15, 2007  
February 22, 2006                      July 6, 2007  
January 12, 2007

Date of hearing: February 13, 2008

Location: Canadian Nuclear Safety Commission (CNSC), 280 Slater St.,  
Ottawa, Ontario

Members present: M. Binder, Chair

Secretary: K. McGee  
Recording Secretary: P. Reinhardt

**Licence:** Amended  
**Date of Release of Decision:** February 25, 2008

## Table of Contents

<b>Introduction</b> .....	1
<b>Decision</b> .....	2
<b>Issues and Commission Findings</b> .....	2
<i>Qualifications and Protection Measures</i> .....	2
<b>Application of the <i>Canadian Environmental Assessment Act</i></b> .....	4
<b>Conclusion</b> .....	4

## **Introduction**

1. Ontario Power Generation Inc. (OPG) has applied to the Canadian Nuclear Safety Commission<sup>1</sup> (Commission) to amend the current Power Reactor Operating Licence (PROL 04.06/2010) for Pickering A Nuclear Generating Station (NGS) located in Pickering, Ontario.
2. OPG is seeking several modifications to these licences to reflect changes and updates to certain referenced documents. In summary, OPG has requested: 1) changes to reference the latest site plan in Appendix A, 2) modifications to Condition 2.2 and 2.2 b), c), c) i-iii and to Appendix B with respect to Supervised Control Panel Operators (SCPO) for Monitoring Reactor Unit Operations, 3) modifications to Conditions 12.1 and 12.3 to reflect that station units 2 and 3 will not be restarted, 4) removal of Condition 12.5 with respect to Site Electrical System constraint and update to the related Operational Policies & Principles (OPs&Ps), and 5) modification to Appendix B to update the Consolidated Nuclear Emergency Plan and the Security Report.
- 3.

## Issues

4. In considering the application, the Commission was required to decide, pursuant to subsection 24(4) of the *Nuclear Safety and Control Act*<sup>2</sup> (NSCA):
  - a) if OPG is qualified to carry on the activities that the amended licences would authorize; and
  - b) if in carrying on these activities, OPG 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

5. The Commission, in making its decision, considered information presented for a hearing held on February 13, 2008 in Ottawa, Ontario. During the hearing, the Commission considered written submissions from CNSC staff (CMD 07-H153 and CMD-H153.A) and OPG (CMD 07-H153.1 and CMD 07-H153.1A).

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<sup>1</sup> 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.

<sup>2</sup> S.C. 1997, c. 9.

## **Decision**

6. Based on its consideration of the matter, the Commission concludes that OPG is qualified to carry on the activities that the amended licences will authorize. The Commission is of the opinion that that OPG, in carrying on these activities, will 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. Therefore,

the Commission, pursuant to section 24 of the *Nuclear Safety and Control Act*, amends PROL 04.06/2010 issued to Ontario Power Generation Inc. for the Pickering A Nuclear Generating Station (NGS) located in Pickering, Ontario. The amended licence, PROL 04.07/2010 remains valid until June 30, 2010.

7. The Commission includes in the licence the conditions as recommended by CNSC staff CMD 07-H153 and CMD-H153.A.

## **Issues and Commission Findings**

8. In making its licensing decision, the Commission considered a number of issues relating to OPG's qualification to carry out the proposed activities and the adequacy of the proposed measures for protecting the environment, the health and safety of persons, national security and international obligations to which Canada has agreed.

### *Qualifications and Protection Measures*

9. CNSC staff noted in its submission that it reviewed OPG's requests and determined that the proposed modifications do not pose any unreasonable risk to the health and safety of persons, protection of the environment, maintenance of national security and measures required to implement international obligations to which Canada has agreed.
10. CNSC staff noted that a modification to Appendix A of Pickering NGS-A PROL to incorporate the latest version of the Building Development Site Plan, NK30-D0A-10200-0001, revised as June 19, 2007, is administrative and poses no unreasonable risk to the health and safety of persons. Therefore, staff recommends that the Commission amends the licence to reflect the update version of the site plan.
11. CNSC staff noted that the request to modify Condition 2.2 and 2.2 b), c), c) i-iii and Appendix B of the current Pickering NGS-A PROL to incorporate standard N-STD-OP-0041, "Use of Supervised Control Panel Operators for Monitoring Reactor Units 2 and 3" poses no unreasonable risk to the health and safety of persons. This change

would allow the use of Supervised Control Panel Operators (SCPO) during the de-fuelling of Units 2 and 3 since OPG has decided not to return these units to service. The use of SCPO during that activity would relieve one Authorized Nuclear Operator (ANO) and allow him or her to support other station work and provide operational assistance in the event of an emergency, thereby enhancing public safety. The Commission has already approved a temporary deviation for an early implementation of standard N-STD-OP-0041 in March 2007. Since OPG is presently de-fuelling and using the procedures and methods approved in the temporary deviation, CNSC staff recommends that the Commission grant approval that PROL be amended to reflect actual mode of operation at this time.

12. CNSC staff noted that the request to modify Condition 12.1 to reflect that units 2 and 3 will not be restarted while Units 1 and 4 are back into service and to delete licence conditions 12.2 and 12.3, not applicable anymore, is administrative in nature and would not change the existing physical work or any of the physical activities at the licensed facility, nor would it change in a substantive way the terms or conditions of the existing licence. OPG also asked to re-number licence conditions 12.4 to 12.6 to reflect the deletion of conditions 12.2 and 12.3. CNSC staff recommends that the Commission amends the licence to reflect the current operating status of all of the Pickering NGS-A Units.
13. CNSC staff noted that the request to remove Condition 12.5, which requires all NGS units to be shutdown if less than two units are capable of supplying the Site Electrical System unless a second unit can be restarted within four days, would improve safety. This condition has been obsolete since 1999 when OPG proposed to run a Standby Generator (SG) and a High Pressure Emergency Coolant Injection Pump (HPECI) in recirculation mode whenever a situation arises and only one generating unit is available. CNSC staff completed the proposal review and allowed the use of the proposed procedures on six occasions. This proposal eliminates the four day delay previously accepted. CNSC staff recommends that the Commission amends the licence to remove condition 12.5.
14. CNSC staff noted that OPG' request to modify Appendix B of the Pickering NGS-A licence to refer to the latest version of the Consolidated Nuclear Emergency Plan (CNEP) Report and to update the Security Report is administrative in nature and would not change the existing physical work or any of the physical activities at the licensed facility, nor would it change in a substantive way the terms or conditions of the existing licence. The latest version of the Consolidated Nuclear Emergency Plan fulfills the requirements detailed in CNSC Regulatory Guide G-225, *Emergency Planning at Class I Facilities and Uranium Mines and Mills*. The updated Security Report includes additional information and fulfills the requirements of Regulatory Guide G-274 *Security Programs for Category I or II Nuclear Material or Certain Nuclear Facilities*. CNSC staff recommends that the Commission amends the licence to refer to the latest version of the Consolidated Nuclear Emergency Plan and to the updated Security Report.

15. Based on CNSC staff's review of OPG's request for the licence modifications listed above, the Commission concludes that the licensee is qualified to carry on the proposed activities.

### **Application of the *Canadian Environmental Assessment Act***

16. Before making a licensing decision, the Commission must be satisfied that all applicable requirements of the *Canadian Environmental Assessment Act*<sup>3</sup> (CEAA) have been fulfilled.
17. CNSC staff reported that it had completed Environmental Assessment (EA) determination. CNSC staff stated that there was no requirement for EA pursuant to subsection 5(1) of the CEAA.
18. The Commission determines that there are no requirements for EA pursuant to subsection 5(1) of the CEAA. The Commission is satisfied that all applicable requirements of the CEAA have been fulfilled.

### **Conclusion**

19. The Commission has considered the information and submissions of CNSC staff and OPG as presented in the material available for reference on the record.
20. The Commission is of the opinion that the applicant meets the requirements of subsection 24(4) of the *Nuclear Safety and Control Act*. That is, the Commission is of the opinion that OPG is qualified to carry on the activity that the amended licences will authorize and that it will 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.
21. The Commission therefore amends, pursuant to section 24 of the *Nuclear Safety and Control Act*, OPG Power Reactor Operating Licence (PROL 04.06/2010) for the Pickering A Nuclear Generating Station (NGS) located in Pickering, Ontario. The amended licence, PROL 04.07/2010 remains valid until June 30, 2010 unless suspended, amended, revoked or replaced.

Michael Binder,  
President  
Canadian Nuclear Safety Commission

Date of Release of Decision: February 25, 2008

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<sup>3</sup> S.C. 1992, c. 37.