



Canadian Nuclear
Safety Commission

Commission canadienne
de sûreté nucléaire

Record of Proceedings, Including Reasons for Decision

In the Matter of

Applicant

Ontario Power Generation

Subject

Application to Amend the Power Reactor
Operating Licence for the Pickering B Nuclear
Generating Station in Pickering, Ontario

Hearing
Date

July 24, 2009

RECORD OF PROCEEDINGS

Applicant: Ontario Power Generation (OPG)

Address/Location: 700 University Avenue, Toronto, Ontario, M5G 1X6

Purpose: Application to Amend the Power Reactor Operating Licence for the Pickering B Nuclear Generating Station in Pickering, Ontario

Application received: N/A

Date of hearing: July 24, 2009

Location: Canadian Nuclear Safety Commission (CNSC), 280 Slater St., Ottawa, Ontario, K1P 5S9

Members present: M. Binder, Chair

Secretary: K. McGee

Recording Secretary: P. Reinhardt

Licence: Amended

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Introduction

1. Ontario Power Generation (OPG) has applied to the Canadian Nuclear Safety Commission¹ (CNSC) for an amendment to its Power Reactor Operating Licence (PROL) for the Pickering B Nuclear Generating Station (PBNGS) in Pickering, Ontario. The current licence is PROL 08.02/2013.
2. The purpose of this request is to:
 1. replace the 2004 version of the “Pickering Nuclear 5-8 Safety Report- Part 3: Accident Analysis” with the more recent 2008 version;
 2. replace Revision 20 of the document entitled “Building Development Site Plan” with Revision 25;
 3. replace Revision 3 of the document entitled “Organizational Change Control” with Revision 4; and
 4. replace Revision 31 of the document entitled “Pickering NGS-B Operating Policies and Principles” (OP&P) with Revision 32.

These modifications are considered administrative in nature and will not change the existing physical works or the physical activities at the licensed facility.

Issue

3. In considering the application, the Commission was required to decide, pursuant to subsection 24(4) of the *Nuclear Safety and Control Act*²:
 - a) if OPG is qualified to carry on the activity that the amended licence would authorize; and
 - b) if in carrying on that activity, 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

4. Pursuant to section 22 of the NSCA, the President of the Commission established a panel of the Commission to hear this matter.
5. The Commission, in making its decision, considered information presented for a hearing held on July 24, 2009 in Ottawa, Ontario. During the hearing, the Commission considered written submissions from CNSC staff (CMD 08-H148) and OPG (CMD 08-H148.1).

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 S.C. 1997, c. 9.

Decision

6. Based on its consideration of the matter, as described in more detail in the following section of this Record of Proceedings, the Commission concludes that OPG is qualified to carry on the activity that the amended licence will authorize. Therefore,

the Commission, pursuant to section 24 of the *Nuclear Safety and Control Act*, amends OPG's Power Reactor Operating Licence (PROL) for the Pickering B Nuclear Generating Station in Pickering, Ontario. The amended licence, PROL 08.03/2013, remains valid until June 30, 2013.

7. The Commission includes in the licence the modifications as recommended by CNSC staff in CMD 08-H148.

Issues and Commission Findings

8. In making its licensing decision, the Commission considered a number of issues related 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 has reviewed OPG's request to reference the 2008 Revision of the Pickering NGSB Safety Report in Appendix A of the PROL. CNSC staff is satisfied with the 2008 Revision of the Safety Report and recommends referencing it in the PBNGS licence. CNSC staff confirmed that the change requested is administrative in nature and will not change the existing physical works or the physical activities at the licensed facility.
10. CNSC staff reviewed the revised Site Plan Drawing NK30-D0A-10200-0001, Revision 25, March 2009, and confirmed that the changes reflect the current as built conditions on the site. Therefore, CNSC staff recommends that the revised Site Plan be incorporated in PBNGS licence. CNSC staff confirmed that the change requested is administrative in nature and will not change the existing physical works or the physical activities at the licensed facility.
11. CNSC staff reviewed both Revision 3 and Revision 4 of the *Organizational Change Control* document (N-PROC-AS-0068) and agreed that Revision 4 does clarify the requirements and processes to address CNSC notifications and is therefore acceptable. CNSC staff confirmed that the change requested is administrative in nature and will not change the existing physical works or the physical activities at the licensed facility.

12. Finally, CNSC staff reviewed the revised PBNGS Operating Policies and Principles (OP&P), NK30-OPP-03600-R032 and agreed that the new proposed safety limits address adequately the action notice raised after a February 20 to March 31, 2006 CNSC inspection whereby the licensee was asked to “*resolve the difference between the operating documentation to establish a consistent and adequate requirement for low fuel inventory limit at Pickering B*”. CNSC staff found it acceptable to reference the revised OP&P version 32 in Pickering B PROL.
13. CNSC staff concluded that the requested modification will not impact on the protection of the environment, the health and safety of persons and the maintenance of national security.

Application of the *Canadian Environmental Assessment Act*

14. Before making a licensing decision, the Commission must be satisfied that all applicable requirements of the *Canadian Environmental Assessment Act*³ (CEAA) have been fulfilled.
15. The Commission determined that there is no requirement for an Environmental Assessment pursuant to subsection 5(1) of the *Canadian Environmental Assessment Act*³¹ (CEAA). The Commission is satisfied that all applicable requirements of the CEAA have been fulfilled.

Conclusion

16. The Commission has considered the information and submissions of CNSC staff as presented in the material available for reference on the record.
17. 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 licence 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.
18. The Commission therefore amends, pursuant to section 24 of the *Nuclear Safety and Control Act*, amends the current Power Reactor Operating Licence (PROL) issued to OPG for the Pickering B Nuclear Generating Station as stated in paragraph 6 of this Record of Proceedings.

³ S.C. 1992, c. 37.

19. The Commission includes in the licence the recommendations made by CNSC staff in CMD 08-H148.



JUL 24 2009

Michael Binder
President,
Canadian Nuclear Safety Commission

Date