



Canadian Nuclear  
Safety Commission

Commission canadienne  
de sûreté nucléaire

# Record of Proceedings, Including Reasons for Decision

In the Matter of

Applicant Atomic Energy of Canada Limited

Subject Application to Amend the Whiteshell  
Laboratories (WL) Nuclear Research and Test  
Establishment Decommissioning Licence

Hearing  
Date April 29, 2010

## **RECORD OF PROCEEDINGS**

Applicant: Atomic Energy of Canada Limited

Address/Location: Atomic Energy of Canada Limited, Chalk River Laboratories  
Chalk River, Ontario K0J 1J0

Purpose: Application to Amend the Whiteshell Laboratories (WL)  
Nuclear Research and Test Establishment Decommissioning  
Licence

Application received: February 22, 2010

Date of hearing: April 29, 2010

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

Members present: M. Binder, Chair

Secretary: K. McGee  
Recording Secretary: P. Reinhardt/Sophie Gingras

**Licence: Amended**

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## **Introduction**

1. Atomic Energy of Canada Limited (AECL) has applied to the Canadian Nuclear Safety Commission<sup>1</sup> (CNSC) for an amendment to the Whiteshell Laboratories (WL) Nuclear Research and Test Establishment Decommissioning Licence. WL are located in Northern Manitoba. The current licence, NRTEDL-08.00/2018, expires on December 31, 2018.
2. AECL requested to change the submission dates for the Environmental Assessment Follow-up Report, the Annual Safety Report and the Environmental Monitoring Report. AECL wants to align the submission dates for the reports with the dates proposed for the latest amendment of the Chalk River Laboratories (CRL) Operating Licence, as many of the same AECL personnel are involved in the compilation of the reports associated with both licences.
3. AECL also requested to correct two errors in the appendices of the licence. The first is a revision update to a document in Appendix A. The second is a correction to the status of a building listed in Appendix E.

## Issue

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 AECL is qualified to carry on the activity that the amended licences would authorize; and
  - b) if in carrying on that activity, AECL 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 April 29, 2010 in Ottawa, Ontario. During the hearing, the Commission considered written submissions from CNSC staff (CMD 10-H109) and AECL (CMD 10-H109.1).

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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> Statutes of Canada, S.C. 1997, c. 9.

## Decision

6. 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 AECL has 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 Whiteshell Laboratories (WL) Nuclear Research and Test Establishment Decommissioning Licence, NRTEDL-08.00/2018, issued to Atomic Energy of Canada Limited for the Whiteshell Laboratories located in Northern Manitoba. The amended licence, NRTEDL-08.01/2018, remains valid until December 31, 2018.

7. The Commission includes in the licence the conditions as recommended by CNSC staff in CMD 10-H109.

## Issues and Commission Findings

### *Qualifications and Protection Measures*

8. AECL has requested a licence amendment to change the submission dates in licence conditions 6.5, 9.3 and 9.4 as follows:
- Licence condition 6.5, replace “April 30” to “June 30”;
  - Licence condition 9.3, replace “March 31” to “April 30”; and
  - Licence condition 9.4, replace “April 30” to “June 30”.

These licence conditions relate to the Environmental Assessment Follow-up Report, the Annual Safety Report and the Environmental Monitoring Report. AECL requested the date changes to improve the quality of the reports and for consistency in dates with similar reports on CRL’s environmental protection program. CNSC staff has assessed the change in dates and considers these changes to be administrative in nature.

9. AECL has also requested to replace, in Appendix A, the item 3 “Whiteshell Laboratories Emergency Plan, AECL Document No. RC-2000-060-500, Revision 5, 2002 January” with the most recent document: “Whiteshell Laboratories Emergency Plan WL-508000-PLA-001, Revision 0, 2003 December”. The change reflects the current document used at the facility.
10. Finally, AECL has requested to remove, in Appendix E, the strikethrough applied to “Drill Site Office” and “515”, such that the item is not struck through. AECL stated that the reason behind that change is that strikethrough text denotes buildings that have been decommissioned and removed. As the building is not decommissioned, this

change would reflect the current status of the building at WL.

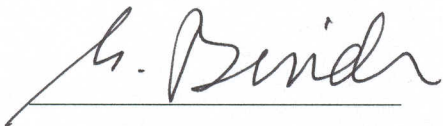
11. CNSC staff reviewed AECL's requests and concluded that it is acceptable to proceed with the requested licensing actions, and therefore, recommended that NRTEDL-08.00/2018 be amended.

#### **Aboriginal Consultation and Accommodation**

12. CNSC staff has determined that the proposed amendments are administrative changes and that these changes will have no impact on the rights or potential rights of Aboriginal groups. Therefore, consultation was not necessary in relation to the proposed amendments.

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

13. 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.
14. CNSC staff reported that it had completed an Environmental Assessment (EA) determination. CNSC staff stated that there was no requirement for an EA pursuant to subsection 5(1) of the CEAA.
15. The Commission is satisfied that all applicable requirements of the CEAA have been fulfilled.



Michael Binder  
President,  
Canadian Nuclear Safety Commission

APR 29 2010

Date

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