



Canadian Nuclear
Safety Commission

Commission canadienne
de sûreté nucléaire

Record of Proceedings, Including Reasons for Decision

In the Matter of

Applicant Ontario Power Generation Inc.

Subject Application to Amend the Darlington Nuclear
Generating Station Power Reactor Operating
Licence to Reflect an Update in Documentation

Hearing
Date September 10, 2010

RECORD OF PROCEEDINGS

Applicant: Ontario Power Generation Inc.

Address/Location: 889 Brock Road, P82-6E2, Pickering, Ontario L1W 3J2

Purpose: Application to Amend the Darlington Nuclear Generating Station Power Reactor Operating Licence to Reflect an Update in Documentation

Application received: January 21, 2010 and May 28, 2010

Date of hearing: September 10, 2010

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

Members present: M. Binder, Chair

Secretary: K. McGee

Recording Secretary: M. Young

Licence: Amended

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Introduction

1. Ontario Power Generation Inc. (OPG) has applied to the Canadian Nuclear Safety Commission¹ (CNSC) for amendments to the Power Reactor Operating Licence (PROL) for its Darlington Nuclear Generating Station located in the Municipality of Clarington, Ontario. The current licence, PROL 13.10/2013, expires on February 28, 2013.
2. OPG requested a licence amendment to include transitional provisions to Canadian Standards Association (CSA) Standard N285.0-08 and Update No. 1² in licence condition 5.1 and Appendix F, and to include Update No. 1 of CSA Standard N290.13-05³ in licence condition 7.1.

Issue

3. In considering the application, the Commission was required to decide, pursuant to subsection 24(4) of the *Nuclear Safety and Control Act*⁴ (NSCA):
 - a) if OPG is qualified to carry on the activity that the amended licences 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 review the application. The Commission, in making its decision, considered information presented for a hearing held on September 10, 2010 in Ottawa, Ontario. During the hearing, the Commission considered written submissions from CNSC staff (CMD 10-H118) and OPG (CMD 10-H118.1).

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 CSA standard N285.0-08 and Update No.1, *General requirements for pressure-retaining systems and components in CANDU nuclear power plants/Material Standards for reactor components for CANDU nuclear power plants*, 2008

³ CSA standard N290.13-05, *Environmental Qualification of Equipment for CANDU Nuclear Power Plants*, 2005

⁴ Statutes of Canada (S.C.) 1997, chapter (c.) 9.

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 OPG 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 Power Reactor Operating Licence PROL 13.10/2013 issued to Ontario Power Generation Inc. for its Darlington Nuclear Generating Station located in the Municipality of Clarington, Ontario. The amended licence, PROL 13.11/2013, remains valid until February 28, 2013.

6. The Commission includes in the licence the conditions as recommended by CNSC staff in CMD 10-H118.

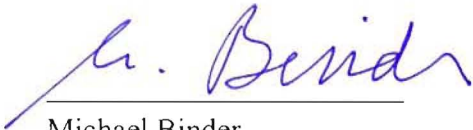
Issues and Commission Findings

Qualifications and Protection Measures

7. OPG requested transitional provisions in which to achieve full compliance with CSA Standard N285.0-08 and Update No.1. CNSC staff stated that they reviewed the request and agreed that the transitional periods are reasonable. These six distinct transitional provisions are outlined in CMD 10-H118 and included in the revised Power Reactor Operating Licence PROL 13.11/2013.
8. OPG also requested that the Commission amend licence condition 7.1 to include Update No. 1 of CSA Standard N290.13-05. CNSC staff stated that they reviewed the request and agreed that the addition of Update No. 1 clarifies a number of clauses in the CSA Standard. CNSC staff noted that OPG will be in compliance with this standard by December 31, 2010.
9. CNSC staff stated that the proposed amendments do not involve the introduction or use of new or unproven technology, will not result in an expansion of the existing facility footprint, and will not negatively affect the function of safety-related systems. CNSC staff recommended that the Commission amend the Darlington NGS PROL.

Application of the *Canadian Environmental Assessment Act*

10. Before making a licensing decision, the Commission must be satisfied that all applicable requirements of the *Canadian Environmental Assessment Act*⁵ (CEAA) have been fulfilled.
11. CNSC staff reported that they 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.
12. The Commission is satisfied that all applicable requirements of the CEAA have been fulfilled.



Michael Binder
President,
Canadian Nuclear Safety Commission

SEP 10 2010

Date

⁵ S.C. 1992, c. 37.