



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 Nuclear Power Reactor
Operating Licence

Hearing Date October 22, 2010

RECORD OF PROCEEDINGS

Applicant: Ontario Power Generation Inc.

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

Purpose: Application to amend the Darlington Nuclear Generating Station
Nuclear Power Reactor Operating Licence

Application received: October 30, 2009 and May 28, 2010

Date of hearing: October 22, 2010

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

Members present: M. Binder, Chair

Secretary: K. McGee
Recording Secretary: S. Gingras

Licence: Amended

Table of Contents

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

Introduction

1. Ontario Power Generation Inc. (OPG) has applied to the Canadian Nuclear Safety Commission¹ (CNSC) for an amendment to the operating licence for its Darlington Nuclear Generating Station (NGS) located in Clarington, Ontario. The current licence, PROL 13.11/2013, expires on February 28, 2013.
2. The requested changes include updates in documentation relating to safety reporting, emergency planning, organizational change control, and amending licence condition 10.2 to reference revised criteria for firearms qualification of the nuclear response force.

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 (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 October 22, 2010 in Ottawa, Ontario. During the hearing, the Commission considered written submissions from CNSC staff (CMD 10-H121) and OPG (CMD 10-H121.1).

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,

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.

the Commission, pursuant to section 24 of the *Nuclear Safety and Control Act*, amends the Nuclear Power Reactor Operating Licence PROL 13.11/2013 issued to Ontario Power Generation Inc. for its Darlington Nuclear Generating Station located in Clarington, Ontario. The amended licence, PROL 13.12/2013, remains valid until February 28, 2013.

6. The Commission includes in the licence the conditions as recommended by CNSC staff in CMD 10-H121.

Issues and Commission Findings

Qualifications and Protection Measures

7. CNSC staff has received a request from OPG to modify Appendix A to reference revision 3 of the “Safety Report: Part 3 – Accident Analysis”. OPG updates the Safety Report every three years as required by clause 6.4.4 of CNSC Regulatory Document S-99, “Reporting Requirements for Operating Nuclear Power Plants”. CNSC staff reported that they reviewed revision 3 of the report and consider the proposed changes acceptable.
8. OPG requested to update to revision 10 the reference to the Consolidated Nuclear Emergency Plan N-PROG-RA-0001 in Appendix B of the Darlington NGS Power Reactor Operating Licence (PROL). The updated version proposes improvements to OPG’s nuclear emergency crisis communications strategy, as well as other administrative changes to the document. CNSC staff considers the proposed changes to be acceptable.
9. OPG requested to update to revision 5 the “Organizational Change Control” document N-PROC-AS-0068 in Appendix B of the Darlington NGS PROL. The proposed changes are administrative in nature and CNSC staff considers them acceptable.
10. OPG requested to amend licence condition 10.2 to reference revised criteria for firearms qualification of the nuclear response force. CNSC staff made modifications to the proposed changes to improve accuracy and clarity, which are detailed in CNSC staff’s CMD. The same amendment is proposed for the Pickering NGS-A and the Pickering NGS-B nuclear facilities.

Application of the *Canadian Environmental Assessment Act*

11. 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.

³ S.C. 1992, c. 37.

12. 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 CEEA.
13. The Commission is satisfied that all applicable requirements of the CEEA have been fulfilled.



Michael Binder
President,
Canadian Nuclear Safety Commission

OCT 22 2010

Date