



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 Pickering Nuclear
Generating Station A 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 Pickering Nuclear Generating Station A 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

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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 Pickering Nuclear Generating Station (NGS) A located in Pickering, Ontario. The current licence, PROL 04.00/2013, expires on June 30, 2013.
2. The requested changes include an update in documentation relating to emergency planning and amending the current licence 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,

the Commission, pursuant to section 24 of the *Nuclear Safety and Control Act*, amends the Nuclear Power Reactor Operating Licence PROL 04.00/2013 issued to Ontario Power Generation Inc. for its Pickering Nuclear Generating Station A located in Pickering, Ontario. The amended licence, PROL 04.01/2013, remains valid until June 30, 2013.

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.

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. 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 Darlington and Pickering NGS-B nuclear facilities.
8. OPG also requested to update to revision 10 the reference to the Consolidated Nuclear Emergency Plan N-PROG-RA-0001 in Appendix B of the Pickering NGS A Power Reactor Operating Licence (PROL). However, no amendment to the Pickering NGS-A licence is necessary for this request, now that the proposed update in documentation can be done by the CNSC delegated authority in the since approved Pickering A Licence Condition Handbook.

Application of the *Canadian Environmental Assessment Act*

9. 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.
10. 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.
11. The Commission is satisfied that all applicable requirements of the CEAA have been fulfilled.



Michael Binder
President,
Canadian Nuclear Safety Commission

OCT 22 2010

Date

³ S.C. 1992, c. 37.