

Minutes of the Canadian Nuclear Safety Commission (CNSC) Meeting held Thursday, September 15, 2011 beginning at 9:08 am at the Public Hearing Room, 14th floor, 280 Slater Street, Ottawa, Ontario.

Present:

M. Binder, President
R.J. Barriault
M. J. McDill

M. Leblanc, Secretary
J. Lavoie, Senior General Counsel
M. Young, Recording Secretary

CNSC staff advisors were: G. Rzentkowski, P. Webster, F. Rinfret, P. Elder, R. Jammal, M. Santini, H. Overton, L. Sigouin, F. Stewart, M. Rinker, F. Ashley, J. LeClair, S. Akhter, P. Thompson and B. Torrie

Other contributors were:

- Ontario Power Generation: R. MacEacheron, I. Ciuciura and L. Swami,
- Bruce Power: F. Saunders
- McMaster University: C. Heysel and D. Tucker,
- Emergency Management Ontario: M. Morton
- Environment Canada: J. Moreno-Colacci and N. Ali
- Fisheries and Oceans: T. Hoggarth
- Cameco Corporation: L. Mooney, S. Lowen, S. Bishop and J. Alonso
- Ministry of Labour: K. Arnott

Constitution

1. With the notice of meeting, CMD 11-M65, having been properly given and a quorum of Commission Members being present, the meeting was declared to be properly constituted.
2. Since the meeting of the Commission held August 10 and 11, 2011, Commission Member Documents CMD 11-M55 to CMD 11-M64 were distributed to the Commission Members. These documents are further detailed in Annex A of these minutes.

Adoption of the Agenda

3. The revised agenda, CMD 11-M56. A, was adopted as presented.

Chair and Secretary

4. The President chaired the meeting of the Commission, assisted by M. Leblanc, Secretary and M. Young, Recording Secretary.

Minutes of the CNSC Meeting Held August 10 and 11, 2011

5. The Commission Members approved the minutes of the August 10 and 11, 2011 Commission Meeting as presented in CMD 11-M57.

STATUS REPORTSStatus Report on Power Reactors

6. With reference to CMD 11-M58, which includes the Status Report on Power Reactors, CNSC staff presented updates on the following:
 - Bruce A, Unit 1 is in a refurbishment outage with planned re-fuelling expected in Fall 2011;
 - Bruce A, Unit 2 is in Over Poisoned Guaranteed Shutdown State with the releasing of reactor shutdown guarantee scheduled for October 2011;
 - Bruce A, Unit 4 is derated because of governor valve oscillations;
 - Gentilly-2 is in a guaranteed shutdown state for a planned outage with restart expected in fall 2011;
 - Pickering B, Units 5 and 7 are derated due to fuelling machine unavailability;
 - Pickering B, Unit 6 is in a planned maintenance outage; and
 - Point Lepreau refurbishment work is continuing, with the calandria tube installation complete and the fuel channel assembly installation in progress.
7. CNSC staff provided further details regarding Pickering B, Unit 5, which was derated to 72 percent of full power due to fuelling machine unavailability. CNSC staff noted that it is expected to be restarted by September 17, 2011.
8. The Commission asked for more information regarding the reliability of the fuelling machines. CNSC staff responded that the reliability is not declining and that OPG is focussing on preventative maintenance. CNSC staff noted that the problem is not a safety issue. OPG concurred with CNSC staff and noted that preventive maintenance is important to ensure that the machines will perform well.

9. The Commission asked whether the outage work on Gentilly-2 was continuing on schedule. CNSC staff responded that the work is currently five or six days behind schedule and that the outage is expected to be 75 days. CNSC staff noted that the outage started earlier than planned because a valve required maintenance.
10. The Commission sought further information regarding the refurbishment work at Point Lepreau. CNSC staff responded that the work is progressing well and ahead of schedule.
11. The Commission asked for more information regarding the governor valve oscillations at Bruce A, Unit 4. CNSC staff explained that the governor valve is the main valve in directing the steam to the turbine and that oscillation would lead to instability of the heat transport system. Bruce Power stated that it is not a safety issue but a reduction in power is required for a short period of time while the valve is restored.

Early Notification Reports (ENR)

12. With reference to CMD 11-M63, CNSC staff presented information regarding Bruce A Unit 3 Forced Outage. CNSC staff explained that Bruce A, Unit 3 shut down on August 18, 2011 due to a shutdown system one trip as a result of reduced flow in the heat transport system. CNSC staff stated that the events started when a flow control valve in the feed and bleed system failed to close. CNSC staff noted that all systems operated appropriately and there were no adverse effects as a result of the event. CNSC staff stated that, in accordance with CNSC Regulatory Document S-99, "Reporting Requirements for Operating Nuclear Power Plants," a preliminary report was issued and Bruce Power adequately responded to the event. Bruce Power also provided information regarding the event. Bruce Power stated that the issue was not with the valve but with the control circuit and that the repair was simple. Bruce Power noted that the unit returned to service two days later.
13. The Commission asked whether this type of failure was a common occurrence. A Bruce Power representative responded that although it is not common, it does happen from time to time. The Bruce Power representative noted that they do maintenance to ensure that the issue does not regularly occur.
14. The Commission enquired about monitoring the valves. A Bruce Power representative responded that there are thousands of valves in a nuclear generating station and stated that the valves maintenance program is the largest program in the station. CNSC staff noted that the focus of maintenance is on the safety-related valves.

15. The Commission asked whether Bruce Power shares the operating experience from these types of events with other CANDU operators. A representative from Bruce Power responded that they include them in the operating experience reports Bruce Power shares with other operators. CNSC staff noted that as part of their follow-up, they verify that the information has been shared to prevent the event from recurring elsewhere. CNSC staff stated that they are satisfied that no follow-up to this event is required.
16. With reference to CMD 11-M64, representatives from McMaster University (McMaster) and CNSC staff presented information regarding a nuclear reactor worker exposure to Iodine 125 (I-125) at the McMaster research reactor facility. A McMaster representative stated that the incident occurred on August 9, 2011, during a change of equipment used in the production of the I-125 isotope. The McMaster representative explained that while working in an interchange box, a box that provides ventilation and confinement for the process and isolates the process from the worker, a worker wearing protective gloves had his finger pricked by a wire attached to a contaminated ventilation hose.
17. The McMaster representative stated that following the incident, proper safety procedures were followed and remedial measures were administered, including cleaning the injured finger, the removal of skin surface contamination and the use of potassium iodide pills as a thyroid blocker. The McMaster representative stated that although the worker received a dose that was greater than the action levels for the facility, the regulatory limits were not exceeded. The worker was removed from radiological work while the event was investigated. The representative from McMaster also stated that actions were taken to prevent the occurrence of a similar incident, including removing the defective equipment and replacing it with one with protective wrapping, and sharing operating experience with other research reactor facilities.
18. CNSC staff reported that following its review of information provided by McMaster regarding the event, the employee was authorized to return to work on August 26, 2011.
19. The Commission enquired about similar I-125 isotope production facilities and whether this type of event could occur elsewhere. A McMaster representative responded that they shared operating experience with Atomic Energy of Canada Limited, which also produces I-125 using a different process.
20. The Commission questioned the use of the wire and ventilation hose at the facility and asked whether McMaster would be re-evaluating the facility and process for I-125 production to make improvements. A McMaster representative responded that the wire

- allows the ventilation hose to be placed in the most effective position. The McMaster representative noted that the equipment had been modified and that a cover has been epoxied over the end of the hose so that the wire can no longer be exposed. The McMaster representative stated that McMaster would re-evaluate the suitability of the equipment for long-time use. CNSC staff noted that they would review the maintenance of the equipment as part of the follow-up for the event. CNSC staff further stated that they would require that McMaster evaluate whether there are any other potential hazards in the process or facility that could be eliminated.
21. The Commission asked for more information regarding the injury to the worker. A McMaster representative responded that there was no physical injury to the worker and noted that although work duties were modified, it was not a lost-time injury. The representative for McMaster further noted that the dose to the worker was below regulatory limits and that follow-up with the employee had been carried out with facility personnel, health physics personnel and the facility management. The McMaster representative added that the only remaining follow-up is to monitor the employee's dose to determine the exact dose to the worker's and finger.
 22. The Commission enquired about the decontamination of the I-125 on the worker's finger. A McMaster representative responded that the facility guidelines for skin contamination were followed, including the use of soap and water, alcohol pads and sodium thiosulfate solution. The McMaster representative noted that additional skin abrasion with an emery cloth was required to remove iodine bound to the surface of the skin.
 23. The Commission sought further information regarding the worker's dose measurements. A McMaster representative responded that the initial thyroid measurement obtained during the response to the incident exceeded the action level and was higher than the measurements the following day. The McMaster representative suggested that this higher measurement was probably due to background activity on the worker's hand while taking the measurement. The McMaster representative provided additional information regarding the characteristics of I-125 and how it affects the thyroid.
 24. The Commission, noting that McMaster used additional measures beyond those in its decontamination guidelines, asked if McMaster would be amending its procedures. A McMaster representative responded that they would address whether to amend the procedures in the follow-up investigation. The McMaster representative noted that there are no Workplace Hazardous

- Materials Information System (WHMIS) material safety data sheets for radioactive compounds. CNSC staff commented that the CNSC is currently working with Health Canada to ensure that employers have information on radioactive compounds similar to that found on material safety data sheets.
25. The Commission asked for more information regarding the production of I-125 at the facility. A McMaster representative responded that the production of I-125 is a commercial operation, which is part of the research reactor facility for the university. The McMaster representative noted that McMaster stresses the importance of safety and keeping doses to workers as low as reasonably achievable (ALARA). The Commission expressed that it expects any necessary improvements to be implemented.

Updates on items from previous Commission proceedings

Ontario Power Generation Inc. (OPG): OPG Update on the Public Alerting System for Pickering City and the Durham Region

26. With reference to CMD 11-M59 regarding the updates to items from previous Commission proceedings, CNSC staff presented information regarding an update on the public alerting system for Pickering City and the Durham Region. CNSC staff discussed the federal and provincial regulatory requirements for off-site emergency planning in Ontario and described the current status of the public alerting system in the City of Pickering. CNSC staff noted that nine sirens are currently installed for the three-kilometre zone around the Pickering nuclear generating station and that arrangements are pending to meet the 2009 requirements for the remainder of the ten-kilometre zone (primary zone). CNSC staff stated that OPG is meeting its obligations under the provincial nuclear emergency response plan. A representative from OPG concurred with what was presented by CNSC staff.
27. The Commission sought the view of the Durham Region Emergency Management Office (DEMO). A representative from DEMO responded that the requirements are to have outdoor and indoor alerting; the outdoor alerting method is through the use of sirens and the indoor method uses a telephone system. The DEMO representative stated that the Darlington area has been tested and meets requirements for both outdoor and indoor alerting. The DEMO representative further stated that the Pickering area sirens were tested but the results were not yet available. The DEMO representative noted that the Pickering phone system did not meet requirements of reaching 5,000 numbers in 15 minutes as it took 30 minutes. The DEMO representative stated that DEMO plans to address this issue.

28. The Commission also sought the view of Emergency Management Ontario (EMO). A representative from EMO concurred with the comments by the representative from DEMO and noted that challenges remain for the indoor alerting system for Pickering.
29. The Commission sought clarification between the requirements for the three-kilometre zone and the ten-kilometre zone. CNSC staff responded that a general system must be in place for the ten-kilometre zone but it is not required to be 100 percent effective; that is, it is not presumed that 100 percent of the population would be reached. A representative from EMO stated that the requirement for the three-kilometre zone is that the public alerting system must provide warning to practically 100 percent of the population in that zone. However, the coverage for the remainder of the ten-kilometre zone is less stringent.
30. The Commission expressed that the alerting systems be compliant as soon as possible and asked what work needs to be done to reach this goal. An OPG representative responded that OPG provides financial support to the Province of Ontario and to the Region of Durham to implement the appropriate system, and that it is currently working with EMO and DEMO to determine these requirements. An EMO representative responded that the Government of Ontario has updated the Provincial Nuclear Emergency Response Plan to enhance the response within the primary zone. The EMO representative noted that the three-kilometre zone is the priority and that EMO is currently investigating additional means to improve the alerting, such as tone alert radio, smart phones and SMS (short message service) messaging. The EMO representative further stated that EMO has hosted coordination with partners to develop the strategy for the primary zone. The EMO representative noted that the Provincial Nuclear Emergency Response Plan does not carry legislative or regulatory force in terms of municipal compliance, but there is a strong effort under way from all parties to meet the requirements.
31. The Commission asked whether the implementation of the provincial emergency response plan should be a licensing requirement for power reactor operators. CNSC staff responded that they would look at this for the next licence renewal application for the Pickering nuclear generating station. An OPG representative stated that OPG meets the current requirement to provide funding for the implementation of the plan, but the Region of Durham and EMO are responsible for the execution and development of the off-site response.

32. The Commission asked if there was a specific date when the plan would be fully compliant. A DEMO representative responded that there is no specific date for compliance. The DEMO representative explained that site-specific plans were developed following the revision of the Provincial Emergency Response Plan in 2009. The DEMO representative further stated that the Durham Region plan was issued in 2010 and the local plans would be finished this year. The DEMO representative stressed that there is an emergency response plan in place and it is the enhancements that have not yet been fully implemented. The Commission expressed concerns that all emergency response requirements had not yet been met.
33. A representative from EMO stated that progress has been made and noted that they would provide an update to the Commission at another Commission proceeding on October 4, 2011. The EMO representative offered to provide an update on the status of each applicable nuclear facility and the emergency response in the three and ten-kilometre zones at a future Commission meeting. The EMO representative noted that the steering committee for the implementation of the plan expects to develop a strategy for the ten-kilometre zone by the end of 2011. The Commission agreed and requested that EMO, DEMO and OPG return in March 2012 for an update on this matter.
34. The Commission asked whether the emergency response zones would be revised following international best practice and the lessons learned from the Fukushima Daiichi nuclear accident. CNSC staff responded that the CNSC would be publishing a report on this matter in October 2011 and suggested that they could include this as part of its future briefing to the Commission on the follow-up to the Fukushima recommendation and implementation plan. CNSC staff further responded that the ten-kilometre range is reasonable for the primary zone.
35. The Commission asked about the public reaction to the siren tests. A DEMO representative responded that the only complaints from the public were from people who could not hear the sirens. The DEMO representative noted that there is cooperation from all sides, including the public, to move forward with the implementation of the plan.

ACTION
by
March 2012

OPG: OPG Update on fish impingement And thermal plume impact at the Pickering Nuclear Power Plant

36. With reference to CMD 11-M62, OPG and CNSC staff presented information regarding an update on fish impingement and thermal plume impact at the Pickering nuclear power plant. Regarding impingement and entrainment, a representative from OPG stated that OPG has met CNSC expectations to reduce impingement by 80 percent, and noted that OPG has initiated habitat restoration for coastal wetlands. Regarding the thermal plume, the OPG representative stated that there is a minor adverse effect on fish from the thermal plume but it is not a significant effect. The OPG representative noted that OPG would submit a report on mitigation feasibility options to CNSC staff by November 1, 2011 and that OPG would continue to work with Fisheries and Oceans Canada (DFO), Environment Canada (EC) and CNSC staff on these issues. CNSC staff concurred that OPG has made significant reductions in impingement mortality and noted OPG's program to offset entrainment mortality with improved habitat. CNSC staff noted that there is an adverse impact due to the thermal plume.
37. The Commission asked for comments from EC and DFO. A representative from EC indicated that EC had no further comments to what was presented. A DFO representative stated that OPG has made improvements in lowering impingement results and noted that DFO is working with CNSC staff in providing advice on the creation of habitat to offset fish mortality from entrainment.
38. The Commission enquired about the performance of the barrier net used to prevent impingement. An OPG representative responded that there were instances when the net was not properly held in place but new design improvements implemented in 2011, including skirts and floats to ensure that the net covers the entire water column, have resulted in improved performance. The OPG representative noted that the recent performance of the net has been near-zero impingement. CNSC staff concurred that the design improvements would be an acceptable solution provided that the net is successfully maintained and kept in place. The OPG representative noted that OPG would monitor the performance and report the results annually for the remaining life of the Pickering nuclear generating station.
39. The Commission asked for more information regarding the mitigation of the thermal plume from the facility. The OPG representative responded that OPG is working with the CNSC, EC and DFO to develop a habitat creation program to mitigate the effects. The OPG representative noted that OPG is also working on a round whitefish action plan for the Darlington nuclear site. CNSC

- staff stated that they have requested that OPG provide a report on the feasibility of options to mitigate the effects and that its preference would be for OPG to reduce the effect through design modification, if possible. CNSC staff noted that if it is not possible to mitigate the effect through design, then offsets such as habitat creation would be considered.
40. The Commission asked if cooling towers would be recommended to mitigate these effects at the Pickering nuclear site. CNSC staff responded that they would not be and suggested that other methods could be used, such as planning outages during times when the thermal plume would have the largest effect.
41. The Commission enquired as to when CNSC staff would make its next presentation to the Commission on this matter. CNSC staff responded that they would report on this matter in August 2012, during the Commission's consideration of the CNSC's annual report on the safety performance of Canadian nuclear power plants. CNSC staff noted that this report would include an evaluation of monitoring results up to April 2012, as well as EC, DFO and CNSC's assessment of OPG's mitigation feasibility options.

ACTION
by
August 2012

Mid-Term Status Reports

42. With reference to CMD 11-M61, Cameco Corporation (Cameco) and CNSC staff presented a mid-term report on the Progress of Remediation Activities and Safety Performance of the Cigar Lake Project. Cameco provided information regarding the Cigar Lake Project and discussed its five-phase remediation plan to recover the underground mine and Shaft No.2, and to re-establish supporting infrastructure underground and on surface following the mine flooding events in 2006 and 2008. Cameco also discussed its performance in several safety and control areas, including safety culture, radiation protection, environmental protection, management systems, and emergency and fire protection.
43. CNSC staff presented its assessment of Cameco's performance in safety and control areas. CNSC staff reported that Cameco's performance was satisfactory in all areas. CNSC staff also discussed relevant lessons learned from the Fukushima Daiichi nuclear accident.
44. The Commission asked about the effluent releases from the project site to the environment. CNSC staff responded that the releases to the receiving environment are well below the licence release limits and that this would continue to be monitored. CNSC staff noted that the current discharge from the project site is through the Aline Creek system but, in the future, the discharge will be through a pipeline directly into Seru Bay. The Commission stressed the importance of protecting the lake from contamination.

45. The Commission sought further information regarding the process that Cameco is using to freeze the ore body in the mine. A Cameco representative responded that the bulk freezing process to stabilize the area against potential water inflows is part of the strategy to safely mine the ore body. The Cameco representative explained that the ore body is frozen through a freeze system and holes are drilled into the ore body through which a chilled brine is circulated to bring the ore body and surrounding rock mass down to a temperature in the range of -10 to -20 degrees Celsius (°C) or colder. The representative from Cameco noted that the freezing is a 'hybrid' freezing method, delivered both from underground and from the surface. The Cameco representative explained that this process increases the stability of the rock mass and helps control the water and radon gas in the mine.
46. The Commission asked about the safety of the freezing system. A Cameco representative responded that Cameco has temperature probes to monitor the system and that once the ore body is frozen there are redundancies in place to last for months. The Cameco representative noted that Cameco has begun the freezing process well in advance of the time when it would be accessing the ore, which would likely be in 2013.
47. The Commission enquired about Cameco's management of work-related injuries. A Cameco representative responded that Cameco has a full nursing staff on site to treat injuries and, in the event that a worker is injured, the worker is placed on restricted work on site to ensure that he can complete his full work period, if possible. The Cameco representative noted that if an emergency requires more serious attention, workers would be flown out from the site.
48. The Commission asked about Cameco's annual contractors' safety summit. A Cameco representative responded that it is a one-day session with senior contractor management personnel and senior Cigar Lake personnel. The representative explained that it is part of Cameco's strategy for interacting with contractors to reinforce safety values and assurance of success.
49. The Commission noted the mine flooding events in 2006 and 2008 and sought assurance that Cameco's understanding of the geology and hydrogeology of the site is comprehensive. CNSC staff responded that they have reviewed and commented on extensive geo-scientific studies from Cameco. CNSC staff stated that the geology is well-understood and that the freezing mining method reduces potential uncertainties with regards to the local geology and hydrogeology. A representative from Cameco responded that Cameco is continually refining its modelling of the mine and any areas of uncertainty are being addressed well ahead of time through additional geotechnical drilling or other studies.

50. The Commission enquired about the seismic stability of the mine. A Cameco representative responded that Cameco has equipment to measure seismic activity and ensure that the modelling of the site is correct. The Cameco representative noted that the site is in a stable geological area and a third-party evaluation of the site found no major flaws. CNSC staff concurred and noted that for mines the primary concern related to earthquakes is that a dam and above-ground tailings facility failure could cause a release into the environment. CNSC staff noted that Cameco has a robust design and adequate pumping capacity to manage the worst-case flooding scenario for the mine.
51. The Commission asked for more information regarding risk management and emergency response at the mine. A Cameco representative stated that as a basis of its management system, Cameco's corporate risk standard evaluates risks and how to mitigate the risk before undertaking any particular work. The Cameco representative further stated that Cameco has an emergency response procedure that outlines the response to different events. CNSC staff concurred that Cameco has a satisfactory emergency response program in place. CNSC staff noted that Cameco has a new water management strategy in place with pumping, storage and treatment capacity.
52. The Commission enquired about Cameco's issues related to the maintenance of a large gear used at the mine. A Cameco representative responded that the gear had a maintenance issue that resulted in more wear than was anticipated. Cameco's representative noted that this issue was resolved, that the gear had been repaired and that it is now operating at full capacity. The Cameco representative further noted that the maintenance on hoisting systems is controlled by regulation¹.
53. The Commission asked about a lost-time injury that had recently occurred. A Cameco representative responded that a worker was struck by a falling metal bolt. The Cameco representative noted that the site's mine rescue personnel removed the worker from the mine and flew him to a hospital. The Cameco representative further noted that the worker was recovering and was expected to return to work. CNSC staff stated that they had received the initial incident report from Cameco and noted that Cameco has taken appropriate measures to ensure that such an event would not happen again.

¹ Following the meeting, the Commission Secretariat confirmed with CNSC staff that the applicable regulations are *The Mines Regulations, 2003* (Chapter O-1.1 Reg 2), Sections 117 and 147, enforced by the Saskatchewan Ministry of Labour Relations and Workplace Safety.

54. The Commission asked Saskatchewan Labour to comment on Cameco's safety performance. A representative from Saskatchewan Labour stated that Saskatchewan Labour is satisfied with Cameco's approach to conventional health and safety and has no issues with Cameco's performance in this regard.
55. The Commission sought clarification regarding mine effluent limits. CNSC staff responded that the effluent limits in the licence are either federal or provincial standards and they are based on concentrations as opposed to total volume. A representative from Cameco stated that Cameco produces monthly and annual reports of its releases and distributes them to the CNSC, EC and the Saskatchewan Ministry of Environment.
56. The Commission noted that Cameco has had several reportable spills over the licence period. The Commission asked if Cameco had determined the root causes for these events and incorporated any lessons learned. A representative from Cameco responded that in each case, the spill was cleaned up quickly and corrective actions were put in place. CNSC staff noted that the spills were minor and that they verify that corrective actions and follow-up measures are taken.
57. The Commission asked about the current status of fire protection at the site. A Cameco representative responded that the fire protection program is in compliance and has been accepted by CNSC. CNSC staff stated that its fire protection specialists have been investigating the fire protection programs at all of the mines and mills. CNSC staff noted that the specialists reviewed the program at Cigar Lake and they're satisfied with the improvements that have been made.
58. The Commission asked whether Cameco expects to complete the remediation work within the current construction licence period, which ends on December 31, 2013. A representative from Cameco responded that the current construction licence period would cover the remaining work for the five phases of remediation activities and that Cameco anticipates completing this work within the licence period.

DECISION ITEMS

Update on Process Improvements For Environmental Assessment Screenings at the CNSC

59. With reference to CMD 11-M60, CNSC staff presented an update on the process improvements adopted by the Commission in August 2008² regarding environmental assessment (EA) screenings at the CNSC. CNSC staff provided information regarding the EA screenings that had taken place since the implementation of the new process in January 2009. CNSC staff reported that the new process has been well-received and the integrated EA and licensing process and new Commission decision making process have resulted in a more efficient regulatory regime. However, CNSC staff also proposed several changes regarding the process, including a revised approach to public participation and revised EA timelines. CNSC staff stated that the recommended changes would result in increased predictability and transparency of EA timelines, as well as a more effective approach to determine the need for and level of public participation. CNSC staff explained the next steps for the process should the Commission accept the proposed changes, and noted that the implementation of the changes would occur in early 2012.
60. The Commission sought clarification regarding CNSC staff's proposal to no longer differentiate EA screenings as 'simple' or 'complex.' CNSC staff responded that 'simple' and 'complex' had been used to differentiate if there should be a public or abridged hearing of the Commission for the Commission's consideration of the EA screening report. CNSC staff noted that this use of the terms 'simple' and 'complex' could be confusing as the public may perceive it to be indicative of technical complexity and the amount of rigor and scrutiny applied by the CNSC. CNSC staff proposed a new criteria-based approach to determine the need for and level of public participation in EA screenings, and the type of hearing for the Commission's consideration of the EA screening report. CNSC staff noted that the level of enhanced public participation would be determined at the beginning of each EA.
61. The Commission asked for more information regarding the EA process, including what would cause an EA to be referred to a review panel. CNSC staff responded that the *Canadian Environmental Assessment Act*³ (CEAA) offers the possibility for a project that is initiated as a screening to be referred to a review panel under some circumstances. CNSC staff noted that public

² Refer to the Minutes of the Canadian Nuclear Safety Commission (CNSC) Meeting held Thursday, August 21, 2008.

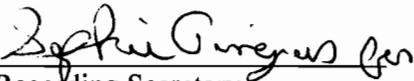
³ S.C. 1992, c. 37

- concerns and the potential for significant adverse environmental effects are the factors for the responsible authority to consider before making a referral to a review panel. CNSC staff stated that its new EA screening public participation criteria would provide more information to inform the Commission's decision on whether a referral to a review panel is warranted.
62. The Commission asked CNSC staff to clarify the difference between a comprehensive study and an EA screening. CNSC staff responded that the key difference is that under an EA screening, the Commission would make the EA decision, whereas with a comprehensive study, the decision is made by the federal Minister of the Environment. CNSC staff added that a comprehensive study also has a legislated requirement for public review in the EA. CNSC staff noted that the level of scientific rigour in conducting the EA would be the same in either case. CNSC staff further stated that, under the CEAA, participant funding is only available for comprehensive studies; however, the CNSC recently received legislative authority to establish a participant funding program that can apply to any type of EA.
63. The Commission inquired about stakeholder response to the CNSC's current EA screening process. CNSC staff responded that while they have not formally consulted stakeholders, there has been a level of satisfaction with the process improvements implemented in January 2009. CNSC staff noted that under the integrated process, the timelines are clearer and allow proponents to establish a work plan.
64. The Commission sought further information regarding the public participation criteria proposed by CNSC staff. CNSC staff responded that the new criteria would be more flexible than the existing criteria.
65. The Commission questioned why the CNSC's document, INFO-0774 "Environmental Assessment Screening Process at CNSC," is not a regulatory guidance document. CNSC staff responded that regulatory guides are guides to support the NSCA and its Regulations, whereas this document explains the CNSC process for the CEAA. CNSC staff noted that when the Commission adopted the integrated process in 2008, INFO-0774 was published for external stakeholders.

66. After considering the recommendations submitted by CNSC staff in CMD 11-M60, the Commission: DECISION
- adopts a revised EA approach that no longer differentiates screenings as simple or complex, as described in section 3.1 of CMD 11-M60;
 - adopts the revised EA timelines as described in section 3.2 of CMD 11-M60; and
 - adopts a revised approach to determine the level of public participation in the screening-level EA and the type of hearing for the EA Screening Report, as discussed in section 3.3 of CMD 11-M60

Closure of the Public Meeting

67. The meeting closed at 3:08 pm.


Recording Secretary *M. Young*

2011-09-16
Date


Secretary

16-12-11
Date

APPENDIX A

CMD	DATE	File No
11-M55	2011-08-12	(Edocs 3775151)
Notice of Meeting of Thursday, September 15, 2011		
11-M56	2011-09-01	(Edocs 3790023)
Agenda of the meeting of the Canadian Nuclear Safety Commission to be held on Thursday, September 15, 2011, in the Public Hearing Room, 14 th floor, 280 Slater Street, Ottawa, Ontario		
11-M56.A	2011-09-08	(Edocs 3794948)
Updated agenda of the meeting of the Canadian Nuclear Safety Commission to be held on Thursday, September 15, 2011, in the Public Hearing Room, 14 th floor, 280 Slater Street, Ottawa, Ontario		
11-M57	2011-09-12	(Edocs 3796175)
Approval of Minutes of Commission Meeting held August 10 and 11, 2011		
11-M58	2011-09-07	(Edocs 3793951)
Status Report of Power Reactor units as of September 7, 2011		
11-M59	2011-09-15	(Edocs 3787683)
Ontario Power Generation Inc. – Update on the Public Alerting System for Pickering City and the Durham Region – Oral Presentation by CNSC staff		
11-M59.A	2011-09-15	(Edocs 3787683)
Ontario Power Generation Inc. – Update on the Public Alerting System for Pickering City and the Durham Region – Oral Presentation by CNSC staff – Supplementary Information		
11-M60	2011-09-01	(Edocs 3788061)
Update on Process Improvements for Environmental Assessment Screenings at the CNSC – Oral presentation by CNSC staff		
11-M61	2011-08-30	(Edocs 3787904)
Cameco Corporation: Mid-Term Report on the Progress of Remediation Activities and Safety Performance of the Cigar Lake Project – Oral presentation by CNSC staff		
11-M61.1	2011-08-25	(Edocs 3785465)
Cameco Corporation: Mid-Term Report on the Progress of Remediation Activities and Safety Performance of the Cigar Lake Project – Oral presentation by Cameco Corporation		
11-M61.1A	2011-09-07	(Edocs 3794592)
Cameco Corporation: Mid-Term Report on the Progress of Remediation Activities and Safety Performance of the Cigar Lake Project – Oral presentation by Cameco Corporation – Supplementary Information		

11-M62 2011-09-15 (Edocs 3782463)
Ontario Power Generation Inc.: Update on fish impingement and thermal plume impact at the Pickering Nuclear Power Plant – Oral presentation by CNSC staff

11-M62.A 2011-09-15 (Edocs 3794439)
Ontario Power Generation Inc.: Update on fish impingement and thermal plume impact at the Pickering Nuclear Power Plant – Oral presentation by CNSC staff – Supplementary Information

11-M62.1 2011-09-07 (Edocs 3794785)
Ontario Power Generation Inc.: Update on fish impingement and thermal plume impact at the Pickering Nuclear Power Plant – Oral presentation by Ontario Power Generation Inc.

11-M63 2011-08-29 (Edocs 3786742)
Early Notification Report: Bruce Power: Bruce A Unit 3 Forced Outage – Oral presentation by CNSC staff

11-M64 2011-08-23 (Edocs 3783646)
McMaster University: McMaster Nuclear Reactor Worker Exposure to Iodine 125 – Oral presentation by CNSC staff

11-M64.1 2011-09-08 (Edocs 3794967)
McMaster University: McMaster Nuclear Reactor Worker Exposure to Iodine 125 – Oral presentation by McMaster University