



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 Power Reactor Operating
Licence to Reflect Updates in Documentation

Hearing
Date April 24, 2012

RECORD OF PROCEEDINGS

Applicant: Ontario Power Generation Inc.

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

Purpose: Application to amend the Pickering Nuclear Generating Station A Power Reactor Operating Licence to Reflect Updates in Documentation

Applications received: December 14, 2011 and March 20, 2012

Date of hearing: April 24, 2012

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

Members present: M. Binder, Chair

Secretary: M. Leblanc
Recording Secretary: D. Carrière

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
Conclusion	3

Introduction

1. Ontario Power Generation Inc. (OPG) has applied to the Canadian Nuclear Safety Commission¹ (CNSC) for two amendments to the Power Reactor Operating Licence for its Pickering Nuclear Generating Station (NGS) A located in Pickering, Ontario. The current licence, PROL 04.03/2013, expires on June 30, 2013.
2. OPG is requesting that the Commission approve an update to the Minimum Shift Complement and update the licence to reflect the Reactor Power limits referenced in the OPG document “Operating Policies and Principles” and approved by the Commission in November 2011.

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 licence 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 April 24, 2012 in Ottawa, Ontario. During the hearing, the Commission considered written submissions from OPG (CMD 12-H112.1) and CNSC staff (CMD 12-H112).

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 04.03/2013 issued to Ontario Power Generation Inc. for its Pickering Nuclear Generating Station A located in Pickering, Ontario. The amended licence, PROL 04.04/2013, is 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.

Issues and Commission Findings

Qualifications and Protection Measures

6. OPG requested (amendment #1) an update to the Minimum Shift Complement in Appendix A of the operating licence to remove the position of Volunteer Emergency Response Team (VERT) and increase the requirement for Emergency Response Maintainers. CNSC staff stated that OPG is conducting a full analysis of the minimum shift complement and of the roles of maintenance staff in an emergency situation and found that the position of VERT as part of the Emergency Response Organization at the Pickering NGS A is no longer required.
7. CNSC staff reported having reviewed OPG's request and found that increasing the number of Emergency Response Maintainers by one additional member will provide the required support which was previously provided by the VERT. CNSC staff added that escorting functions of offsite emergency response teams previously undertaken by the VERT will be provided by the Nuclear Security Officers (NSO) and that the NSO minimum shift complement was increased by two members in the Licence Conditions Handbook to compensate for these additional functions. CNSC staff reported having observed OPG's validation exercise and found that OPG's request meets the regulatory requirements.
8. OPG also requested (amendment #2) a correction to Appendix A of the operating licence to reflect the channel and bundle power limits which were updated in the OPG document "Operating Policies and Principles" and approved by the Commission in November 2011. CNSC staff explained that the update to the channel and bundle power limits approved in November 2011 did not also include an update to Appendix A.2 of the operating licence. CNSC staff reported having reviewed OPG's request and recommend Appendix A.2 be amended to align with the power limits approved by CNSC staff in the OPG document "Operating Policies and Principles".
9. CNSC staff reported that the proposed changes to the operating licence are administrative in nature and that they will not adversely affect the safe operation of the Pickering NGS A.
10. CNSC staff has determined that, since the requested amendments are administrative, the changes will have no adverse impact on potential or established Aboriginal or Treaty rights. CNSC staff stated that the duty to consult does not arise.

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 *CEAA*.

Conclusion

13. The Commission has considered the information and submissions from OPG and CNSC staff and is satisfied that the requested amendments are administrative in nature and will not adversely impact the safety of the Pickering NGS A operations. The Commission is also satisfied that aboriginal consultation is not necessary in relation to the proposed amendments.
14. The Commission is satisfied that all applicable requirements of the *CEAA* have been fulfilled.



Michael Binder
President,
Canadian Nuclear Safety Commission

APR 24 2012

Date