



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 B 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 B 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

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Introduction

1. Ontario Power Generation Inc. (OPG) has applied to the Canadian Nuclear Safety Commission¹ (CNSC) for four amendments to the Power Reactor Operating Licence for its Pickering Nuclear Generating Station (NGS) B located in Pickering, Ontario. The current licence, PROL 08.18/2013, expires on June 30, 2013.
2. OPG is requesting that the Commission approve the following amendments to the operating licence to:
 - reflect the most current revision of the OPG document entitled “Pickering Minimum Shift Complement”;
 - reflect the most current revision of the OPG document entitled “Pickering Nuclear Generating Station Security Report” and increase the Nuclear Security Officer minimum shift complement;
 - update Licence Condition 3.3 with the currently approved Reactor Power Limits; and
 - correct the document number related to the OPG document entitled “The Derived Release Limits for Pickering Nuclear Generating Station B” listed in Appendix B of the licence.

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).

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.

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 08.18/2013 issued to Ontario Power Generation Inc. for its Pickering Nuclear Generating Station B located in Pickering, Ontario. The amended licence, PROL 08.19/2013, is valid until June 30, 2013.

Issues and Commission Findings

Qualifications and Protection Measures

6. OPG requested (amendment #1) an update to Appendix B of the operating licence to reflect the most current revision, Revision 6, of the OPG document entitled “Pickering Minimum Shift Complement”. Revision 6 of this OPG document removes the position of Volunteer Emergency Response Team (VERT) and increases the requirement for Emergency Response Maintainers. CNSC staff stated that, as part of OPG’s ongoing full analysis of the minimum shift complement and of the roles of maintenance staff in an emergency situation, OPG found that the position of VERT as part of the Emergency Response Organization at the Pickering NGS B 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 provided by the VERT will be provided by increasing the Nuclear Security Officers (NSO) minimum shift complement; this minimum shift complement increase is discussed further below. CNSC staff reported having observed OPG’s validation exercise and found that OPG’s request meets the regulatory requirements.
8. In December 2011, OPG requested (amendment #2) an update to Appendix B of the operating licence to reflect the most current revision, Revision 7, of the OPG document “Pickering Nuclear Generating Station Security Report”. CNSC staff explained that OPG’s original submission for the update to the site security report did not include the increase to the NSO minimum shift complement as CNSC staff was still reviewing the accompanying VERT assessment. CNSC staff stated that OPG subsequently submitted an addendum to append to the submitted site security report to reflect the NSO increase. CNSC staff reported having reviewed both the site security report and the addendum and found them to be acceptable for reference in Licence Condition 10.1 and Appendix B.

9. OPG has requested (amendment #3) that Licence Condition 3.3 be updated to include the channel and bundle power limits approved by the Commission on November 22, 2011. CNSC staff explained that Licence Condition 3.3 was not updated in November 2011 to include the update to the channel and bundle power limits in the OPG document entitled “Operating Policies and Principles”. CNSC staff reported having reviewed OPG’s request and found that it meets the regulatory requirements and also coincides with approvals already received from the Commission.
10. OPG has also requested (amendment #4) a correction to the document number related to the Document entitled “The Derived Release Limits for Pickering Nuclear Generating Station B” referenced in Appendix B of the licence. CNSC staff reported that Appendix B erroneously references the Pickering NGS A document number instead of the Pickering NGS B document number. CNSC staff also reported that this error was produced during the licence amendment process for the Abridged Hearing held in a closed session on February 7, 2012.
11. 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 B. CNSC staff also considers that the proposed revised documents are acceptable to reference in the operating licence.
12. 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*

13. 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.
14. 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

15. 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 B operations. The Commission is also satisfied that aboriginal consultation is not necessary in relation to the proposed amendments.

³ S.C. 1992, c. 37.

16. 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