

TERMS OF REFERENCE - MEMORANDUM OF UNDERSTANDING

BETWEEN ATOMIC ENERGY CONTROL BOARD AND DEPARTMENT OF ENERGY, MINES & RESOURCES

1. The Atomic Energy Control Board (AECB) may in carrying out its duties call upon the Department of Energy, Mines and Resources (EMR) for advice and assistance with respect to matters such as:
 - 1.1 regional geological matters related to siting of nuclear facilities, including aspects of foundation and construction materials and groundwater conditions; (Geological Survey of Canada)
 - 1.2 assistance in drawing up contracts, and comments on geotechnical reports prepared by consultants; (Any Sector)
 - 1.3 tectonic and seismic aspects of sites for nuclear facilities; (Earth Physics Branch Geological Survey of Canada)
 - 1.4 development and application of instrumentation for measuring ionizing radiation related to health and safety of uranium miners, and advice on sampling of mine atmospheres; (Canada Centre for Mineral and Energy Technology)
 - 1.5 expertise for mine inspector training courses (twice a year for the time being); (Canada Centre for Mineral and Energy Technology)
 - 1.6 metallurgical matters related to reactor and other facilities' safety; (Canada Centre for Mineral and Energy Technology)
 - 1.7 Policy requirements with respect to resources; (Energy Policy Sector Mineral Development Sector)
 - 1.8 expertise for mine waste disposal, stability of underground structures and revegetation of waste areas. (Canada Centre for Mineral and Energy Technology)
2. In meeting these requests, EMR may take one or more of several possible actions of which the following are examples (not intended to be complete):
 - 2.1 provide (to AECB, consultants, other interested parties) available information without carrying out any new work, e.g. a literature survey related to regional geology aspects, or the status of existing information with respect to some particular region or site;
 - 2.2 participate in standing Advisory Committees of the Board;

- 2.3 participate in ad hoc committees and meetings set up by AECB and requiring input of expertise available in EMR;
 - 2.4 undertake studies of metallurgical nature related to safety of nuclear facilities;
 - 2.5 make field trips for first-hand information on questions relating to construction of nuclear facilities (e.g. reactors or mill tailings disposal);
 - 2.6 provide lecturers and laboratory facilities for AECB-sponsored training courses such as those for uranium mine inspectors; provide analytical laboratory expertise and support in connection with occasional needs for analysis, for instrument calibration, or for instrument evaluation and comparison.
3. For siting and construction of most if not all nuclear facilities, the proponent will have one or more consultants. Relations between EMR and consultants will be based on the following understanding:
- 3.1 AECB staff will ask EMR for opinions, not decisions. AECB considers EMR the centre of Canadian expertise in several fields, and this agreement will simply ensure that this expertise is available to all concerned with the facilities in question. The AECB will make decisions based on opinions from EMR and others;
 - 3.2 AECB will normally consider that consultants concerned with site selection and site development are the experts on local geology and seismicity, whereas the Geological Survey of Canada and Earth Physics Branch will logically be the experts in regional knowledge and in interpretation;
 - 3.3 AECB will arrange for consultants' reports to be available to EMR branches that are requested to provide opinions and comments;
 - 3.4 AECB will consider it requisite that the opinion of the appropriate EMR branches is sought, either by AECB staff or by the proponent, in all cases where there may be concern about geological and tectonic stability of foundations. AECB will ensure that proponents and consultants are aware of the use of EMR expertise and that any conflicts of opinion are resolved before licensing is finalized.
4. To assist in planning, representatives of AECB and EMR will meet periodically in order to review forward schedules for nuclear facilities and to identify ahead of time as much as possible where assistance is likely to be requested by AECB.
5. If requests from AECB exceed the resources which can be provided within EMR to service the AECB need, means for providing the extra support (both manpower and operating costs) will be negotiated at the Deputy Minister level.

6. All requests from AECB to EMR for assistance, with the exception of that defined in section 2.3 unless travel is involved, will be made to the Office of the Assistant Deputy Minister (Science and Technology), EMR.

The terms of this memorandum come into effect on July 1, 1977, and remain valid until further notice from either party.



President
Atomic Energy Control Board



Deputy Minister
Energy, Mines & Resources Canada

Date: June 30/77

Date: July 7/77

Statutes

- Arctic Waters Pollution Prevention Act, R.S.C. 1970,
1st Supp., c. 2
- Atomic Energy Control Act, R.S.C. 1970, c. A-19
- Canada Lands Surveys Act, R.S.C. 1970, c. L-5
- Department of Energy, Mines and Resources Act, R.S.C. 1970,
c. E-6, 1970-71, c. 42
- Electoral Boundaries Readjustment Act, R.S.C. 1970, c. E-2
- Emergency Gold Mining Assistance Act, R.S.C. 1970, C. E-5
(payments terminated 30 June 1976)
- Energy Supplies Emergency Act, S.C. 1974, c. 52 (in part)
- Explosives Act, R.S.C. 1970, c. E-15
- National Energy Board Act, R.S.C. 1970, c. N-6
- Nuclear Liability Act, R.S.C. 1970, 1st Supp., c. 29
- Oil and Gas Production and Conservation Act, R.S.C. 1970,
c. O-4, 1st Supp., c. 30
- Oil Export Tax Act, Bill C-245, 1st Session, 29th Parliament,
Passed on 7 January 1974
- Petro Canada Act, S.C. 1974-75-76, c. 61
- Petroleum Administration Act,* Bill C-32, 1st Session, 30th
Parliament, passed on 19 June 1975 (S.C. 1974-75-76, c. 47)
- Public Lands Grants Act, R.S.C. 1970, c. P-29
- Representation Commissioner Act, 1963, R.S.C. 1970, c. R-6
- Resources and Technical Surveys Act, R.S.C. 1970, c. R-7
- Territorial Lands Act, R.S.C. 1970, c. T-6

* Parts of which have not yet been proclaimed