

Summary Record of Proceedings and Decision

In the Matter of

Applicant TRIUMF Accelerators Inc.

Subject Application for the Renewal of the Operating
Licence for the TRIUMF Particle Accelerator
Facility

Hearing
Dates December 13, 2006 and March 7, 2007

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Introduction

1. TRIUMF Accelerators Inc. (TRIUMF) has applied to the Canadian Nuclear Safety Commission (CNSC¹) for the renewal of the Class IB operating licence for the TRIUMF particle accelerator facility, located on the campus of the University of British Columbia (UBC) in Vancouver, British Columbia. The current operating licence PA10L-01.05/2007 expires on March 31, 2007. TRIUMF has requested a five-year licence term.
2. The TRIUMF facility is used for research in the fields of nuclear and particle physics and for the production of various radioisotopes mainly for use in medical facilities. TRIUMF operates a suite of five cyclotrons and two linear particle accelerators.
3. A third linear accelerator has been recently completed and commissioned as a Class II accelerator facility. TRIUMF is requesting and CNSC staff is recommending that this facility licence be consolidated with the Class IB² site licence.
4. This *Summary Record of Proceedings and Decision* announces the decision of the Commission on TRIUMF's licence renewal application. A *Record of Proceedings, including Reasons for Decision* will be published at a later date to describe the Commission's consideration of the evidence on record for this hearing and to provide the Commission's reasons for decisions.

Issues

5. In considering the application, the Commission was required to decide, pursuant to subsection 24(4) of the *Nuclear Safety and Control Act*³ (NSCA):
 - a) if TRIUMF is qualified to carry on the activity that the licence would authorize; and
 - b) if, in carrying on that activity, TRIUMF 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.

¹ In this *Summary Record of Proceedings and Decision*, 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 Class I and Class II facilities are defined in the *Class I Nuclear Facilities Regulations* (S.O.R./2000-204) and the *Class II Nuclear Facilities and Prescribed Equipment Regulations* (S.O.R./2000-205), respectively.

³ S.C. 1997, c. 9.

Public Hearing

6. The Commission, in making its decision, considered information presented for a public hearing held on December 13, 2006 and March 7, 2007 in Ottawa, Ontario. The public hearing was conducted in accordance with the *Canadian Nuclear Safety Commission Rules of Procedure*⁴. During the public hearing, the Commission received written submissions and heard oral presentations from CNSC staff (CMD 06-H28, CMD 06-H28.A and CMD 06-H28.B) and TRIUMF (CMD 06-H28.1, CMD 06-H28.1A and CMD 06-H28.1B). The Commission also considered written submissions from 5 intervenors (see Appendix A for a detailed list of interventions).

Decision

7. Based on its consideration of the matter, the Commission concludes that TRIUMF is qualified to carry on the activity that the licence will authorize. The Commission is also satisfied that TRIUMF, in carrying on that activity, will 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. Therefore,

the Commission, pursuant to section 24 of the *Nuclear Safety and Control Act*, renews the Class IB Operating Licence to TRIUMF Accelerators Inc. for its particle accelerator facility located in Vancouver, British Columbia. The licence, No. PA1OL-01.00/2012, is valid from April 1, 2007 until March 31, 2012.

8. The Commission includes in the licence the conditions recommended by CNSC staff, as set out in the draft licence attached to CMD 06-H28 and CMD 06-H28.B.
9. With this decision, the Commission requests that CNSC staff present a status report to the Commission on the performance of the facility during the first half of the licence term. The status report will be presented at a hearing after the mid-point of the licence term, by the end of spring 2010.

Issues and Commission Findings

10. In making its licensing decision, the Commission considered a number of issues relating to TRIUMF's qualification to carry out the proposed activities and the adequacy of the proposed measures for protecting the environment, the health and safety of persons, national security and international obligations to which Canada has agreed.

⁴ S.O.R./2000-211.

11. The findings of the Commission will be presented in a *Record of Proceedings, including Reasons for Decision*, to be published at a later date.

Conclusion

12. The Commission has considered the information and submissions of TRIUMF, CNSC staff and intervenors as presented in the material available for reference on the record.
13. The Commission concludes that an environmental assessment under the *Canadian Environmental Assessment Act*⁵ is not required before the Commission may make its decision with respect to the application for the renewal of the licence.
14. The Commission is satisfied that the applicant meets the requirements of subsection 24(4) of the *Nuclear Safety and Control Act*. That is, the Commission is of the opinion that TRIUMF is qualified to carry on the activity that the proposed licence will authorize and that it will 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.
15. The Commission therefore renews, pursuant to section 24 of the *Nuclear Safety and Control Act*, the Class IB operating licence for the TRIUMF particle accelerator facility located in Vancouver, British Columbia. The licence, No. PA1OL-01.00/2012, is valid from April 1, 2007 to March 31, 2012.
16. The Commission includes in the licence the conditions recommended by CNSC staff as set out in the draft licence attached to CMD 06-H28 and CMD 06-H28.B.
17. The Commission requests that CNSC staff present a status report to the Commission on the performance of the facility during the first half of the licence term. The status report will be presented at a hearing after the mid-point of the licence term, by the end of spring 2010.

Linda J. Keen,
President
Canadian Nuclear Safety Commission

Date of decision: March 7, 2007

Date of release of Reasons for Decision, Part I: March 29, 2007

⁵ S.C. 1992, c. 37.

Appendix A – Intervenors

Intervenors	Document Number
Michigan State University	CMD 06-H28.2
British Columbia Association of Physics Teachers	CMD 06-H28.3
BC Cancer Agency Care and Research	CMD 06-H28.4
MDS Nordion	CMD 06-H28.5
Indiana University Cyclotron Facility	CMD 06-H28.6