

Record of Proceedings, Including Reasons for Decision

In the Matter of

Applicant Ontario Power Generation Inc.

Subject Application to Amend the Pickering B Nuclear
Generating Station Power Reactor Operating
Licence

Hearing
Date February 12, 2008

RECORD OF PROCEEDINGS

Applicant: Ontario Power Generation Inc.

Address/Location: 777 Brock Road, P72-1, Pickering, Ontario L1W 4A7

Purpose: Application to Amend the Pickering B Nuclear Generating Station
Power Reactor Operating Licence

Applications received: August 5, 2003 July 6, 2007
January 12, 2007 July 17, 2007

Date of hearing: February 12, 2008

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

Members present: M. Binder, Chair

Secretary: K. McGee
Recording Secretary: P. Reinhardt

Licence: **Amended**
Date of Release of Decision: February 25, 2008

Table of Contents

Introduction	1
Decision	2
Issues and Commission Findings	2
<i>Qualifications and Protection Measures</i>	2
Application of the <i>Canadian Environmental Assessment Act</i>	4
Conclusion	4

Introduction

1. Ontario Power Generation Inc. (OPG) has applied to the Canadian Nuclear Safety Commission¹ (Commission) for an amendment to its Power Reactor Operating Licence (PROL 08.14/2008) for the Pickering B Generating Station (NGS), located in Pickering, Ontario.
2. OPG is seeking several modifications to its licence to reflect changes and updates to certain referenced documents, correct typographical errors and modify one licence condition and remove another. In summary, OPG has requested changes, to reference the latest Pickering NGS site plan cited in Appendix A, to modify licence condition 2.2 and Appendix B with respect to Supervised Control Panel Operators (SCPO) and to remove licence condition 12.1 to update the Operational Policies and Principles (OP&P) with respect to the site electrical system constraint. OPG has also requested changes in Appendix B to reference updates in the Security Report and Nuclear Emergency Plan and in Appendix E to correct a typographical error. Finally, OPG has requested modifications to Appendices F and G in order to maintain transitional amendments until June 30 2008.

Issues

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. The Commission, in making its decision, considered information presented for a hearing held on February 12, 2008 in Ottawa, Ontario. During the hearing, the Commission considered written submissions from CNSC staff (CMD 07-H154) and OPG (CMD 07-H154.1 and 07-H154.1A).

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 S.C. 1997, c. 9.

Decision

5. Based on its consideration of the matter, the Commission concludes that OPG is qualified to carry on the activity that the amended licence will authorize. The Commission is of the opinion that OPG, 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*, amends PROL 08.14/2008, issued to Ontario Power Generation Inc. for the Pickering B NGS, Pickering, Ontario. The amended licence, PROL 08.15/2008 remains valid until June 30, 2008.

6. With this decision, includes the licence conditions as recommended by the Commission CNSC staff in CMD 07-H154.

Issues and Commission Findings

7. In making its licensing decision, the Commission considered a number of issues relating to OPG'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.

Qualifications and Protection Measures

8. CNSC staff noted and determined in its submission, after reviewing OPG's requests, that the proposed modifications do not pose any unreasonable risk to the health and safety of persons, protection of the environment, maintenance of national security and measures required to implement international obligations to which Canada has agreed.
9. CNSC staff noted that the modification to Appendix A: Part I (i) to reference the latest revision of the Pickering NGS Site Plan, is considered administrative in nature. In CNSC staff's opinion, this modification does not pose unreasonable risk to the health and safety of persons.
10. The removal from Condition 2.2 and from Appendix B of the wording "Use of Supervised Control Panel Operators (SCPO) for Monitoring Reactor Unit Operations" is also considered administrative in nature as the usage of SCPO has been obsolete since July 31, 2007 when this practice was abolished. This condition had been replaced by the mandatory presence at all times in the Main Control Room (MCR) of an Authorized Nuclear Operator (ANO). This change has increased the number of ANOs required at all times in the station from five to six to ensure that four of them are present at all times in the MCR. CNSC staff's opinion is that this modification does not pose unreasonable risk to the health and safety of persons.

11. CNSC staff explained that condition 12.1 – Site Electrical System constraint is a condition that requires all Pickering NGS B units to be shutdown if less than two units are capable of supplying the Site Electrical System unless a second unit can be restarted within four days. OPG has proposed a design modification, which was approved by CNSC staff, to start and run a standby generator and run a high pressure emergency coolant pump in recirculation mode when only one generating unit was available. This design change has been used successfully six times and is considered an improvement to safety. CNSC staff recommended accepting this amendment.
12. CNSC staff noted that OPG's request to correct a typographical error in appendix E (1.1.2a) and 1.3.2a)) is administrative in nature and would not change the existing physical works or the physical activities at the licensed facility. CNSC staff recommended accepting this amendment.
13. CNSC staff reviewed the updated Security Report referenced in Appendix B of the licence and considered that the report fulfills the requirements of the Regulatory Guide G-274, *Security Programs for Category I and II Nuclear Material or Certain Nuclear Facilities*. CNSC staff noted that this amendment is administrative in nature and would not change the existing physical works or the physical activities at the licensed facility and recommended accepting this amendment.
14. CNSC staff reviewed the Consolidated Nuclear Emergency Plan referenced in Appendix B submitted document and considered that it fulfills the requirements detailed in CNSC Regulatory Guide G-225, *Emergency Planning at Class I Facilities and Uranium Mines and Mills*. CNSC staff noted that this amendment is administrative in nature and would not change the existing physical works or the physical activities at the licensed facility and recommended accepting this amendment.
15. CNSC staff noted that the change to maintain the Transitional amendments related to the date of applicability in Appendix F, paragraph 2.2 of the licence and in the related Appendix G that allows an Authorized Nuclear Operator (ANO) who failed a written qualification test before June 30 2007 to successfully write another test that meets the same requirements before returning to the duties of the position, would not change the existing physical works or the physical activities at the licensed facility nor would it change in a substantive way the terms or conditions of the existing licence. CNSC staff recommended accepting this amendment.
16. Based on CNSC staff's review of OPG's request for the licence modifications listed above, the Commission concludes that the licensee is qualified to carry on the activities proposed and recommends that the requested licence modifications be granted, pursuant to subsection 24(4) of the NSCA.

Application of the *Canadian Environmental Assessment Act*

17. 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.
18. 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.
19. The Commission determines that there are no requirements for an Environmental Assessment pursuant to subsection 5(1) of the CEAA. The Commission is satisfied that all applicable requirements of the CEAA have been fulfilled.

Conclusion

20. The Commission has considered the information and submissions of CNSC staff and OPG as presented in the material available for reference on the record.
21. The Commission is of the opinion 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 OPG is qualified to carry on the activity that the amended 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.
22. The Commission therefore amends, pursuant to section 24 of the *Nuclear Safety and Control Act*, PROL 08.14/2008, issued to Ontario Power Generation for its Pickering B NGS, Pickering, On. The amended licence, PROL 08.15/2008 remains valid until June 30 2008, unless suspended, amended, revoked or replaced.

Michael Binder,
President
Canadian Nuclear Safety Commission

Date of Release of Decision: February 25, 2008

³ S.C. 1992, c. 37.