

# Summary Decision

In the Matter of

Applicant Ontario Power Generation Inc.

Subject Application to Renew the Power Reactor  
Operating Licence for the Darlington Nuclear  
Generating Station

Hearing Dates November 1, 2007, January 10, 2008 and  
February 20, 2008.

**SUMMARY DECISION**

Applicant: Ontario Power Generation Inc.

Address/Location: 700 University Avenue, Toronto, Ontario, M5G 1X6

Purpose: Application to renew the Power Reactor Operating Licence for the Darlington Nuclear Generating Station

Application received: N/A

Dates of hearing: November 1, 2007, January 10, 2008 and February 20, 2008

Location: Canadian Nuclear Safety Commission (CNSC) Public Hearing Room, 280 Slater St., 14th. Floor, Ottawa, Ontario (Day One and Day Three) and Holiday Inn, Oshawa, Guild Hall, 1011 Bloor St. East, Oshawa, Ontario (Day Two)

Members present: C.R. Barnes, Presiding Member                      M. J. McDill  
A.R. Graham    A. Harvey

Secretary: M.A. Leblanc

Recording Secretary: S. Dimitrijevic

Legal Counsel: S. Maislin-Dickson (Day One and Day Three) and  
L. Thiele (Day Two)

<b>Applicant Represented By</b>		<b>Document Number</b>
<ul style="list-style-type: none"> <li>• T. Mitchell, Chief Nuclear Officer, Ontario Power Generation (OPG)</li> <li>• W. Robbins, Senior Vice-President, Darlington Nuclear Generation Station (DNGS)</li> <li>• C. Sellers, Chief Nuclear Engineer</li> <li>• M. Peckham, Vice-President of Performance Improvement and Nuclear Oversight</li> <li>• F. Dermakar, Director of Engineering Services</li> <li>• J. McInnes, Director of Corporate Public Relations</li> </ul>		CMD 07-H20.1 CMD 07-H20.1A CMD 07-H20.1B CMD 07-H20.1C CMD 07-H20.1D CMD 07-H20.1E
<b>CNSC staff</b>		<b>Document Number</b>
<ul style="list-style-type: none"> <li>• T. Viglasky</li> <li>• K. Lafrenière</li> <li>• G. Schwarz</li> <li>• M. Couture</li> </ul>	<ul style="list-style-type: none"> <li>• P. Thompson</li> <li>• D. Newland</li> <li>• P. Webster</li> <li>• G. McDougall</li> </ul>	CMD 07-H20 CMD 07-H20.A CMD 07-H20.B CMD 07-H20.C CMD 07-H20.D CMD 07-H20.E CMD 07-H20.F
<b>Intervenors</b>		<b>Document Number</b>
See appendix A		

**Licence:**    Renewed  
**Date of Release of Decision:** February 26, 2008

## Table of Contents

<b>Introduction</b> .....	1
<b>Decision</b> .....	2
<b>Issues and Commission Findings</b> .....	2
<b>Conclusion</b> .....	3

## **Introduction**

1. Ontario Power Generation (OPG) has applied to the Canadian Nuclear Safety Commission (Commission)<sup>1</sup> for the renewal of its Power Reactor Operating Licence for the Darlington Nuclear Generating Station (DNGS) for a period of five years. The current operating licence, PROL-13.15/2008, expires on February 29, 2008.
2. The DNGS is located in the Province of Ontario on the north shore of Lake Ontario, about 10 kilometres south-east of the city of Oshawa. The nuclear facility consists of four CANDU pressurized heavy water reactors and their associated equipment. Each reactor has a nominal electrical output of 881 megawatts (MW). Included within the licensed area is the Tritium Removal Facility (TRF), constructed and operated to reduce tritium concentration in heavy water inventories. A hazardous material storage building was added to the site for storage of heavy water from the Bruce Heavy Water Plant. Heavy water storage is licensed separately by the CNSC.
3. This *Summary Decision* announces the decision of the Commission on OPG's application for the renewal of its licence for the DNGS. A *Record of Proceeding, 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 decision.

## Issues

4. In considering the application, the Commission was required to decide, pursuant to subsection 24(4) of the *Nuclear Safety and Control Act*<sup>2</sup>:
  - a) if OPG is qualified to carry on the activity that the 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.

## Public Hearing

5. The Commission, in making its decision, considered information presented for a public hearing held on November 1, 2007 in Ottawa, Ontario, January 10, 2008 in Oshawa, Ontario and February 20, 2008 in Ottawa, Ontario. The public hearings were conducted in accordance with the *Canadian Nuclear Safety Commission Rules of Procedure*.<sup>3</sup>

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<sup>1</sup> 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.

<sup>2</sup> S.C. 1997, c. 9.

<sup>3</sup> S.O.R./2000-211.

During the public hearing, the Commission received written submissions and heard oral presentations from CNSC staff (CMD 07-H20, CMD 07-H20.A to CMD 07-H20.F) and OPG (CMD 07-H20.1, CMD 07-H20.1A to CMD 07-H20.1E). The Commission also considered oral and written submissions from 22 intervenors (see Appendix A for a detailed list of interventions).

### **Decision**

6. Based on its consideration of the matter, to be described in more detail in a *Record of Proceedings Including Reasons for Decision* to be released at a later date, the Commission concluded that OPG is qualified to carry on the activity that the licence will authorize. The Commission also determined 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*, issues Nuclear Power Reactor Operating Licence PROL 13.00/2013 to Ontario Power Generation Inc., Toronto, Ontario, for the Darlington Nuclear Generating Station. The licence is valid from March 1, 2008 to February 28, 2013.

7. The Commission includes in the licence the conditions recommended by CNSC staff as set out in the draft licence attached to CMD 07-H20.E.
8. With this decision, the Commission expects that CNSC staff will monitor the implementation of the new licence conditions. In addition to the regular annual reports, the Commission requests that a status report on the implementation of the new licence conditions be presented to the Commission at a public proceeding of the Commission, approximately two years from the date of issuance of the renewed licence.

### **Issues and Commission Findings**

9. In making its licensing decision under section 24 of the NSCA, the Commission considered a number of matters relating to OPG's qualifications 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.
10. The reasons for decision of the Commission will be presented in a *Record of Proceeding, Including Reasons for Decision*, to be published at a later date.

## **Conclusion**

11. The Commission has considered the information and submissions of OPG, CNSC staff and intervenors as presented in the material available for reference on the record.
12. The Commission is satisfied that the licensee meets the requirements of section 24 of the *Nuclear Safety and Control Act*. That is, the Commission concludes that OPG is qualified to carry out the activities that will be permitted under the renewed licence. The Commission also concludes that in carrying out those activities, OPG should 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.
13. The Commission therefore issues, pursuant to section 24 of the *Nuclear Safety and Control Act*, Nuclear Power Reactor Operating Licence PROL 13.00/2013 to Ontario Power Generation Inc., Toronto, Ontario, for the Darlington Nuclear Generating Station. The licence is valid from March 1, 2008 to February 28, 2013, unless suspended, amended, revoked or replaced.
14. The Commission includes in the licence the conditions recommended by CNSC staff in the draft licence attached to CMD 07-H20.E.
15. With this decision, the Commission requests that OPG and CNSC staff provide the Commission with a status report on the implementation of the new licence conditions. The status report will be presented at a public proceeding of the Commission, in approximately two years from the date of the issuance of the renewed licence.

C. R. Barnes,  
Presiding Member  
Canadian Nuclear Safety Commission

Date of release of Summary Reasons for Decision: February 26, 2008

## Appendix A – Intervenors

Intervenors	Document Number
Corporation of the Municipality of Clarington, represented by Mayor J. Abernethy	CMD 07-H20.2
Society of Energy Professionals, represented by R. Sheppard	CMD 07-H20.3
Power Workers' Union, represented by P. Falconer and B. Walker	CMD 07-H20.4 CMD 07-H20.4A
Canadian Nuclear Workers Council, represented by D. Shier and T. Fraser	CMD 07-H20.5 CMD 07-H20.5A
North American Young Generation in Nuclear, Durham Chapter, represented by A. Daley and C. Waugh	CMD 07-H20.6
Jeff Brackett	CMD 07-H20.7
Citizens For Renewable Energy, represented by Z. Kleinau	CMD 07-H20.8
Bethesda House	CMD 07-H20.9
Durham Nuclear Health Committee	CMD 07-H20.10
Eastview Boys and Girls Club	CMD 07-H20.11
Lions Club of Courtice	CMD 07-H20.12
City of Oshawa	CMD 07-H20.13
Big Brothers and Sisters of Clarington	CMD 07-H20.14
Clarington Board of Trade	CMD 07-H20.15
Atomic Energy of Canada Limited	CMD 07-H20.16
Memorial Hospital Foundation-Bowmanville	CMD 07-H20.17
Firehouse Youth Centre	CMD 07-H20.18
University of Ontario Institute of Technology	CMD 07-H20.19
Darlington Nuclear Site Planning Committee	CMD 07-H20.20
Durham College	CMD 07-H20.21
John R. O'Toole, M.P.P., Durham	CMD 07-H20.22
Greenpeace, represented by S-P. Stensil	CMD 07-H20.23