

Record of Proceedings, Including Reasons for Decision

In the Matter of

Applicant Bruce Power Inc.

Subject Application to Amend the Power Reactor
Operating Licences for Bruce A Nuclear
Generating Station to Reference the latest
revision of the Operating Policies and Principles

Hearing
Date March 20, 2008

RECORD OF PROCEEDINGS

Applicant: Bruce Power Inc.

Address/Location: P.O. Box 1540, B10, 4th floor, Tiverton, Ontario N0G 2T0

Purpose: Application to Amend the Power Reactor Operating Licences for Bruce A Nuclear Generating Station to Reference the latest revision of the Operating Policies and Principles

Application received: June 29, 2006

Date of hearing: March 20, 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: April 7, 2008

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Introduction

1. Bruce Power Inc. (Bruce Power) has applied to the Canadian Nuclear Safety Commission¹ (CNSC) for an amendment to its Power Reactor Operating Licence (PROL) for Bruce A Nuclear Generating Station (NGS), located in Tiverton, Ontario. The current licence is PROL 15.09/2009.
2. Bruce Power proposed to refer to Revision 7 of BP-OPP-00002 “Operating Policies and Principles – Bruce A” in the Appendix B of the licence. The changes reflect the modifications to separate the Unit 1 and 2 reactor vaults from the fuelling machine duct, in order to facilitate the continued safe operation of Units 3 and 4 while Units 1 and 2 undergo refurbishment.

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 Bruce Power is qualified to carry on the activity that the amended licences would authorize; and
 - b) if, in carrying on that activity, Bruce Power 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 March 20, 2008 in Ottawa, Ontario. The hearing was conducted in accordance with the *Canadian Nuclear Safety Commission Rules of Procedure*³. During the hearing, the Commission considered written submissions from CNSC staff (CMD 07-H120) and Bruce Power (CMD 07-H120.1).

¹ In this *Record of Proceedings*, 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.

³ S.O.R./2000-211.

Decision

5. Based on its consideration of the matter, the Commission concludes that Bruce Power is qualified to carry on the activity that the amended licence will authorize. The Commission is of the opinion that Bruce Power, 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 15.10/2009, issued to Bruce Power Inc. for the Bruce A NGS, located in Tiverton, Ontario. The amended licence, PROL 15.11/2009 remains valid until March 31, 2009.

6. The Commission includes in the licence the conditions as recommended by CNSC staff in CMD 07-H120.

Issues and Commission Findings

7. In making its licensing decision, the Commission considered a number of issues relating to Bruce Power'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 has reviewed information in support of the application of Bruce Power for the following amendment: to refer in Appendix B to the revision 7 of the BP-OPP-00002 "Operating Policies and Principles (Op&P)- Bruce A". The revision has been approved previously per Reference 1 and was issued on June 15, 2006.
9. Revision 7 of OP&P – Bruce A , BP-OPP-00002 (Enclosure 2 of Reference 1) contains the remainder of the revisions to table A21.2 which was approved in Reference 1, specifically the addition of 5c) which specifies reactor vault conditions during pressure testing of the vault and bulkheads.

10. CNSC staff stated that it reviewed Bruce Power's request and determined that it does 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. The revisions made to the OP&Ps are intended to facilitate the safe operation of Units 3 and 4 while Units 1 and 2 undergo refurbishment, by allowing for the isolation and de-isolation of the Unit 1 and 2 reactor vaults from containment. CNSC staff recommended the amendment to Bruce Power NGS A PROL.

Application of the *Canadian Environmental Assessment Act*

11. Before making a licensing decision, the Commission must be satisfied that all applicable requirements of the *Canadian Environmental Assessment Act*⁴ (CEAA) have been fulfilled.
12. 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.
13. The Commission determined that there was no requirement 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

14. The Commission has considered the information and submissions of CNSC staff as presented in the material available for reference on the record.
15. 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 Bruce Power Inc. 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.
16. The Commission therefore amends, pursuant to section 24 of the *Nuclear Safety and Control Act*, PROL 15.10/2009, issued to Bruce Power for its Bruce A NGS, located in Tiverton, Ontario. The amended licences, PROL 15.11/2009 remains valid until March 31, 2009, unless suspended, amended, revoked or replaced.

⁴ S.C. 1992, c. 37.

17. The Commission includes in the licence the recommendations as recommended by CNSC staff in CMD 07-H120.

Michael Binder,
President
Canadian Nuclear Safety Commission

Date of Release of Decision: April 7, 2008