

Record of Proceedings, Including Reasons for Decision

In the Matter of

Applicant Ontario Power Generation Inc.

Subject Application to Amend the Power Reactor
Operating Licence for the Pickering A Nuclear
Generating Station to Reference the Latest
Revision of the Site Plan and Site Security Taut-
Wire Fence Layout and Survey Drawing

Hearing Date June 25, 2008

RECORD OF PROCEEDINGS

Applicant: Ontario Power Generation Inc.

Address/Location: 1675 Montgomery Park Road, Box 160,
Pickering, Ontario L1V 2R5

Purpose: Application to amend the Power Reactor Operating Licence for the
Pickering A Nuclear Generating Station to reference the latest
revision of the Site Plan and Site Security Taut-Wire Fence Layout
and Survey Drawing

Application received: March 14, 2008

Date of hearing: June 25, 2008

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

Members present: M. Binder, Chair

Secretary: K. McGee
Recording Secretary: M. Young

Licence: Amended
Date of Release of Decision: July 8, 2008

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Introduction

1. Ontario Power Generation Inc. (OPG) has applied to the Canadian Nuclear Safety Commission¹ (CNSC) for an amendment to its Power Reactor Operating Licence (PROL) for its Pickering A Nuclear Generating Station (NGS) located in Pickering, Ontario. The current licence is PROL 04.07/2010.
2. OPG requested the following two modifications to Appendix A: Part I (i):
 - reference the latest revision of the Building Development Site Plan; and
 - reference the latest revision of the Pickering NGS Site Security Taut-Wire Fence Layout and Survey Drawing.

Issue

3. In considering the application, the Commission was required to decide, pursuant to subsection 24(4) of the *Nuclear Safety and Control Act*²:
 - 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. Pursuant to section 22 of the NSCA, the President of the Commission established a panel of the Commission to hear this matter.
5. The Commission, in making its decision, considered information presented for a hearing held on June 25, 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 08-H124) and OPG (CMD 08-H124.1).

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.

³ S.O.R./2000-211.

Decision

6. Based on its consideration of the matter, as described in more detail in the following sections of this *Record of Proceedings*, the Commission concludes that OPG is qualified to carry on the activity that the amended licence will authorize. The Commission is also satisfied 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 the Power Reactor Operating Licence PROL 04.07/2010 issued to Ontario Power Generation Inc. for its Pickering A Nuclear Generating Station. The amended licence, 04.08/2010, remains valid until June 30, 2010.

7. The Commission includes in the licence the conditions as recommended by CNSC staff in CMD 08-H124.

Issues and Commission Findings

8. 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

9. CNSC staff stated that it reviewed OPG's request. CNSC staff stated that the proposed changes are administrative in nature and would not pose any unreasonable risk to the health and safety of persons.

Application of the Canadian Environmental Assessment Act

10. 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.

⁴ S.C. 1992, c. 37.

11. 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 as the proposed amendment does not constitute a "project" as defined in section 2 of the CEAA.
12. Therefore, the Commission is satisfied that all applicable requirements of the CEAA have been fulfilled.

Conclusion

13. The Commission has considered the information and submissions of OPG and CNSC staff as presented in the material available for reference on the record.
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 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.
15. The Commission therefore amends, pursuant to section 24 of the *Nuclear Safety and Control Act*, the Power Reactor Operating Licence PROL 04.07/2010 issued to Ontario Power Generation Inc. for its Pickering A Nuclear Generating Station. The amended licence, 04.08/2010, remains valid until June 30, 2010.
16. The Commission includes in the licence the recommendations made by CNSC staff in CMD 08-H124.



for Michael Binder,
President
Canadian Nuclear Safety Commission

Date of release of Decision: July 8, 2008