August 21, 2008

Minutes of the Canadian Nuclear Safety Commission (CNSC) Meeting held Thursday, August 21, 2008 beginning at 9:04 a.m. in the Public Hearing Room, CNSC Offices, 280, Slater Street, Ottawa, Ontario.

Present:

M. Binder, Chairman
A. Graham
M.J. McDill
C.R. Barnes
A. Harvey
R. Barriault
D. Tolgyesi

M.A. Leblanc, Secretary
J. Lavoie, General Counsel
P. Reinhardt, Recording Secretary

CNSC staff advisors were:
G. Rzentkowski, P. Elder, P. Webster, T. Schaubel, K. Lafrenière, M. Latimer, D. Howard, K. Scissons, P. Thompson, B. Torrie, N. Coattrenec, M. Dallaire, A. Régimbald, B. Ecroyd, S. Faille, P. Fundarek, G. Lamarre, R. Lanthier, J. O'Dacre, C. Clement and M. Rickard.

Other contributors were:

- Bruce Power Inc.: F. Saunders, K. Ellis and P. Paquette
- Ontario Power Generations Inc.: S. Seedhouse, P. Tremblay, B. Hagymasy and B. Robinson
- Hydro-Québec: N. Sawyer and P. Desbiens
- Cameco Corporation: T. Gitzel and G. Goddard
- R.A. Davidson, medical doctor
- A.T. Reed, senior consultant with the Peak Centre for Human Performance
- H.J. Haley, registered psychologist
- Power Workers' Union: P. Falconer and C. Dassios

Adoption of the Agenda

1. The revised agenda, CMD 08-M44.C, was adopted as presented.

Chair and Secretary

2. The President of the Commission chaired the meeting assisted by M. A. Leblanc, Secretary of the Commission and P. Reinhardt, Recording Secretary.

Constitution

3. With the notice of meeting, CMD 08-M43, having been properly given and a quorum of Commission Members being present, the meeting was declared to be properly constituted.

4. Since the meeting of the Commission held June 10, 2008, Commission Member Documents CMD 08-M43 to CMD 08-M54 were distributed to the Commission Members. These documents are further detailed in Annex A of these minutes.

Agenda

5. Before the agenda was adopted, the Secretary of the Commission noted that seven supplementary Commission Member Documents (CMDs) were added after the publication of the meeting agenda on August 6th, 2008 (CMD 08-M44.A, 08-M44.B, 08-M44.C, 08-M46, 08-M49.1, 08-M49.2, 08-M54). They are listed on the updated agenda. The revised agenda, CMD 08-M44.C, was adopted as presented.

Minutes of the CNSC Meeting Held June 10, 2008

6. The Commission Members approved the minutes of the June 10, 2008 Commission Meeting as outlined in CMD 08-M45 without modifications.

7. The Commission was updated on items 7 and 12 of the June meeting minutes for which an action was requested.

8. CNSC staff provided the Commission with a follow-up to a previous Significant Development Report (SDR) on a problem with failed fuel bundles at Bruce B Nuclear Generating Station (NGS) Unit 7 which was presented to the Commission at a Public Meeting held December 5, 2007.

9. CNSC staff informed the Commission that end-cap failures on the fuel bundles could result from two main causes: hydrogen contamination during manufacturing and the use of pellet stack of incorrect length. The bundles had to be examined after irradiation by experts from Chalk River Laboratories to clearly identify the causes. Investigation revealed that one of the pencils was contaminated with hydrogen during the manufacturing process.

10. CNSC staff reported that Bruce Power and Zircatec Precision Industries Inc. (Zircatec) took corrective actions in October 2007 to reduce the probability of failure of the bundles. CNSC staff noted that, since the application of these measures, no further end-cap failures have been observed and that all the high-risk bundles have been removed from the reactor. CNSC staff concluded that it was continuing its surveillance through routine inspections and review of the annual fuel performance report.

11. In response to the Commission's enquiry, CNSC staff confirmed that this event was closed.

12. Bruce Power confirmed that it was confident the bundles present in the reactor did not pose undue risk to the reactor operation.

13. Bruce Power informed the Commission that it was monitoring the 1,804 higher-risk bundles still in the core, until their total removal in October 2009.

14. Bruce Power reported that Zircatec had identified 97 actions surrounding the manufacturing process and that it had subsequently corrected these deficiencies.

15. The Commission asked Bruce Power where the 6,000-plus bundles quarantined as a result of this event were stored. Bruce Power answered that they were predominantly stored at Bruce Power NGSs while some were still stored at Zircatec's facility.

16. The Commission had raised concerns regarding the modelling of the fuel bundles at the December Public meeting. In response, Bruce Power explained that several tests and manufacturing examinations have demonstrated that the fuel bundle components and wells specifications meet the performance requirements of the design.

17. CNSC staff provided the Commission with a follow-up to a second SDR. The following item had been presented at a Commission Meeting held April 2, 2008: Bruce Power Bruce B Nuclear Generating Station, Unit 6, Level 1 impairment.

18. CNSC staff reported that it had reviewed Bruce Power's report and was satisfied with the identified corrective actions. However, some points in the report still required clarification and a follow-up meeting was to be arranged with Bruce Power in September. CNSC staff noted that this action item is being reported on to meet a commitment to the Commission to do so. CNSC staff added that it should be closed towards the end of September 2008.

19. Bruce Power reported that the root cause for this event was identified and three areas were identified for improvement: engineering, maintenance and operations. Corrective actions have been implemented as a result. No further reporting to the Commission is required on this item.

20. The Commission further sought an update on item 21 of the June 2008 minutes in respect of an event involving a fuelling machine at the Pickering NGS A, Unit 1. CNSC staff responded that it would update the Commission on this event at a near future Public Meeting. **ACTION Fall 2008**

21. The Commission appreciated these updates and expressed the view they should be dealt with as information CMDs under a separate agenda item, with a particular emphasis on the closure of outstanding action items.

STATUS REPORTS

Significant Development Report

22. The Commission considered the Significant Development Report (SDR) no. 2008-6, submitted by CNSC staff as documents CMD 08-M46 and CMD 08-M46.A.

Ontario Power Generation Inc.: Darlington NGS Unit 4 transient – even shutoffs rods dropped in core

23. With reference to item 4.1.1 of CMD 08-M46 regarding Ontario Power Generation Inc. (OPG): Darlington NGS Unit 4 transient – even shutoffs rods dropped in core, CNSC staff informed the Commission that the unit was back to full power within two days. CNSC staff confirmed that it was waiting for a detailed report of the event from OPG in early September and added the event had been included into the Operating Experience Program for the Candu Owners Group.

24. OPG confirmed to the Commission that the actions taken by OPG staff after the power supply failure were timely and met CNSC staff expectations. OPG confirmed that the event did not pose any risk to the public safety and that actions had been taken to check the backup power supplies reliability and to find the cause of the failure.

25. The Commission sought more information on the maintenance and the monitoring of the backup power supply. OPG answered that the backup power supply was monitored continuously and that failures are known through the activation of a signal. OPG informed the Commission that, in this case, a loose contact within the fuse holder on a backup power supply caused the event. OPG added that this kind of failure was not common and that it plans to inspect fuse holders using its thermography inspection program.

26. The Commission requested that CNSC staff communicate the fuse failure problem to other nuclear power plant operators so they could take appropriate measures if necessary. No further reporting to the Commission is required on this item.

Ontario Power Generation Inc.: Pickering B NGS- Unit 8 shutdown system 1 (SDS1) reactor trip

27. With reference to item 4.1.2 of CMD 08-M46 regarding Ontario Power Generation Inc (OPG): Pickering B NGS- Unit 8 shutdown system 1 (SDS1) reactor trip, CNSC staff informed the Commission that OPG will be providing a root cause assessment for this event. OPG confirmed that it has revised the related procedures and that it is now validating them on a simulator. OPG added that its operations staff had responded well to the trip and that the root cause analysis was in progress.

28. The Commission asked OPG to explain the following statement in the SDR: “The S-99 Report submitted to CNSC on the day of the event did not identify the spill of the D_2O inside the reactor building nor identify the repeated cycling of overpressure protection valves." OPG answered that it was because the S-99 Report covered exclusively the reactor trip.

29. CNSC staff noted that such a small release of D_2O (heavy water) inside of containment was not a reportable event. CNSC staff also noted that it learns about such events through daily communication with OPG but that these events do not require SDR reporting.

30. OPG provided further information regarding the recent trip. OPG added that more assessments would be conducted to avoid such an event in the future. No further reporting to the Commission is required on this item.

Hydro-Québec: Discovery of a possible prolonged licence non-compliance at the Gentilly-2 nuclear power plant

31. With reference to item 4.1.3 of CMD 08-M46 regarding Hydro-Québec: Discovery of a possible prolonged licence non-compliance at the Gentilly-2 nuclear power plant, CNSC staff informed the Commission that Hydro-Québec has put in place some palliative measures and that Hydro-Québec always remained compliant with its licence requirements.

32. Hydro-Québec reported that the new leak detector system installed at Gentilly-2 was not functioning properly due to software and component problems. Hydro-Québec reported that it had committed to repair the system and implemented an alternate system.

33. The Commission asked if this event could have been due to a lack of communication between Hydro-Québec and CNSC staff. The Commission also added that it was concerned that other problems could happen due to that lack of communication and suggested that a review of communication management be conducted. The Commission insisted that, in the present case, the problem may have risen from a gap in the tracking of the correspondence between CNSC staff and Hydro-Québec.

34. CNSC staff confirmed the existence of a correspondence and action tracking system. It recognized that the system may have failed in this case, and confirmed that a root cause analysis was initiated to better understand the cause of this incident.

35. The Commission asked Hydro-Québec if it had a correspondence tracking system. Hydro-Québec confirmed that it was keeping a list of all its commitments and that it was doing a regular follow-up of the items on that list.

36. The Commission inquired how this particular event was discovered. Hydro-Québec answered that it had been aware of the problem since 2007 and it had had many discussions in regards of the problem with CNSC staff but that these discussions had not been tracked in a thorough written correspondence.

37. The Commission further asked Hydro-Québec why it took so long to realize that a system installed in 2004 was not working properly. Hydro-Québec answered that, due to the fact that the system was not considered mandatory for the safety of the nuclear plant, it had given priority to other work. It also pointed out that the system was in an environment of high radiation and thus most of the work had to be performed during shut-down periods.

38. At the invitation of the Commission, Hydro-Québec reported that the Gentilly-2 refurbishment was announced on August 19, 2008 and confirmed that the work could start in March 2011 and last until the end of 2012. Following the refurbishment, Gentilly-2 should operate safely until year 2040. Hydro-Québec added that it intended to rely on Point Lepreau's experience with refurbishment to help with Hydro-Quebec's own project. The Commission was informed that Hydro-Québec Equipment would be responsible for the work.

Bruce Power: Undetected Radiation Hazard

39. With reference to item 4.1.4 of CMD 08-M46.A regarding Bruce Power: Undetected Radiation Hazard, CNSC staff informed the Commission that it wanted to clarify a point in the SDR pertaining to the area where the calandria tube insert (CTI) fell: the area was not accessible to workers between the time the insert was dropped during calandria tube removal operations on April 23, 2008 and June 22, 2008.

40. CNSC staff reported that the insert was found during a radiation survey and that the worker correctly followed the procedure to minimize his radiation exposure.

41. CNSC staff reported that the contractor, AECL, was currently carrying out a detailed root cause analysis. AECL reported that it had assumed that the insert was still inside the reactor and did not consider the possibility that the insert could have been dropped into the reactor vault.

42. CNSC staff added that the contract between AECL and Bruce Power was reviewed and that it included clear reporting requirements. CNSC staff concluded that this incident was an isolated one and believed that Bruce Power has taken appropriate actions to prevent reoccurrence.

43. The Secretary of the Commission noted that the Commission had received a letter from Greenpeace dated August 20, 2008 regarding the SDR pertaining to this matter. Greenpeace requested that the Commission discuss disciplinary action in this matter as part of today's meeting. The Commission has referred the letter to CNSC staff for consideration and has also provided a copy to Bruce Power.

44. Bruce Power reported that the conclusion made by AECL, stating that the ring was inside the reactor vault, was false. Bruce added that the ring was discovered and detected in the calandria when a radiation survey was conducted.

45. Given the link between this event and this meeting's information item 6.2, entitled "Information on reporting requirements for licensee contractors", the information item was addressed in the context of this SDR.

46. CNSC staff added that, following this incident, it had reviewed the reporting requirements for licensee contractors, as documented in CMD 08-M53. The review confirmed that the reporting requirements were stated clearly and adequately.

47. CNSC staff confirmed that it was clear in the *Nuclear Safety and Control Act*[1], and the *General Nuclear Safety and Control Regulations*[2], that the onus to report incidents was on the workers, including contractors at a given facility.

48. CNSC staff reported that licensees, pursuant to Regulatory Standard S-99[3], are required to have an adequate record system in place which has to be reviewed on a daily basis to track any information that must be reported to the CNSC. CNSC staff confirmed that these requirements also applied to all contractors working on-site.

49. Bruce Power confirmed to the Commission that it had such a reporting system in place at the Bruce NGS. It added that, in this particular event, the system itself was not in cause. The problem was rather due to AECL's misinterpretation on the radiation source location.

50. The Commission pointed out that, since many contractors were expected to work on various refurbishment projects, reporting obligations should be communicated by CNSC staff to all contractors in these facilities. CNSC staff confirmed it intended to transmit to the industry the related information document, CMD 08-M53, as a reminder to licensees and contractors on their duty to report.

51. The Commission insisted that CNSC staff distribute CMD 08-M53, *Reporting Requirements for Licensee Contractors*, to all licensees as a communication or information bulletin. No further reporting to the Commission is required on this item. **ACTION**

[1] S.C. 1997, c. 9.
[2] S.O.R./2000-202.
[3] Regulatory Standard S-99, CC173-3/3-99E, ISBN 0-662-33690-9.

Cameco Corporation: Project Cigar Lake –Shaft#1 Flooding during dewatering

52. With reference to item 4.1.4 of CMD 08-M46.A - Cameco Corporation: Project Cigar Lake –Shaft#1 Flooding during dewatering, CNSC staff informed the Commission that during the dewatering of the mine at the Cigar Lake site, the water inflow suddenly increased on August 12th, 2008 to a level where Cameco allowed Shaft No. 1 to reflood as per predetermined emergency plan procedures. CNSC staff stated that, at this time, it had nothing more to add to the preliminary information contained in the SDR.

53. Cameco reported that all systems operated appropriately and that the procedures were followed so that all health, safety and environmental protection requirements were respected. It also added that the work was going on at the site on surface facilities and at Shaft No. 2.

54. The Commission asked Cameco how the source of the leak would be identified. Cameco reported that data collection on the inflow was completed and that the water was returned to its natural equilibrium level within the shaft, approximately 30 meters beneath the surface. Cameco reported that it was continuing to monitor the water inflow level, as well as collecting data. It also reported that it was analysing the recent work achieved to position the plug in place, and the work leading up to the remediation in the shaft.

55. Cameco reported that an expert team was put in place to assess the inflow. Cameco also reported to have consulted with third-party experts.

56. The Commission required more information from Cameco on three particular items: the safe design of the mine, in particular on the conformity of the chambers; the underground pumping capacity, the capacity of the water treatment plant and the approved released rates of treated water to the environment.

57. CNSC staff responded that these requests were noted and that they would be addressed next time Cameco will come before the Commission on its licence amendment application[4]. CNSC staff reported that the mine design was an issue under study by both CNSC and Cameco, as is the pumping capacity and treatment and discharge of restraints.

[4] Cameco has since asked to postpone to a later date the Commission's consideration of a licence amendment application, initially scheduled on September 18, 2008.

58. The Commission requested clarification from Cameco on the mine design and on the location of the wells and the capacity of the dewatering pumps on the site.

59. Cameco answered that there were four 250-cubic metre capacity borehole pumps installed last summer as part of the first Phase remediation. Cameco indicated that the pumps were located at a level of 500-metre so they were able to withdraw water from the mining area as well as from the shaft. As part of the remediation work, additional pumps are being installed.

60. The Commission inquired if hydrogeological studies were conducted since the past inflow, to learn about the bearing zones and the inflow. It also asked if these studies had been updated since the first inflow, several months ago.

61. Cameco responded that there had been hydrogeologic modelling studies as well as structural geology modelling studies and that these studies were up-to-date. Cameco noted that the inflow and the information gathered about the nature of the inflow, its source and its remediation would provide another set of information for the hydro-geologic model.

Status Report on Power Reactors

62. With reference to CMD 08-M47 on the Status Report on Power Reactors, CNSC staff presented a minor update on the fact that Pickering A Unit 1 was now running at 100 percent power and Unit 8 was returned to service on August 8, at 50 percent power.

63. The Commission sought more information in respect to the start of the fuel removal at Point Lepreau scheduled for August 8, 2008. CNSC staff confirmed that it was on schedule.

64. The Commission sought information on the outage of Bruce Power's Units reported earlier in the week in the media. CNSC staff confirmed that two units, one at Bruce A and one at Bruce B, were out during the week of August 10, 2008 and that they had returned to power on August 15, 2008. CNSC staff confirmed that these short outages were both due to issues with the transformers and not with the reactor.

65. The Secretary of the Commission noted, for the record, that item 4.2.6 of CMD 08-M47 pertaining to Pickering B is corrected to state that the operating licence expiry date is June 30, 2013 instead of June 30, 2008.

DECISION ITEMS

Recommendations for the adoption of a new process for screening environmental assessments and the ensuing licensing process at the CNSC

66. With reference to CMD 08-M48, CNSC staff recommended that the Commission accept the proposals contained in CMD 08-M48 and provide direction on the implementation of the recommended changes to the current Environmental Assessment (EA) screening and licensing processes at the CNSC.

67. CNSC staff outlined the following recommendations in its presentation: integration of EA and licensing process for screenings; adoption of a new decision-making process for EA; adoption of a streamlined process for simple screenings, including the criteria to determine what constitutes a simple screening; and establishment of public participation criteria.

68. The Commission expressed some concerns about the limited time period (30 days) given to stakeholders to comment on the proposed process. The Commission added that the response of stakeholders, 18 out of 130 invitations to comment, seemed very low. The Commission noted that a consultation period of 45 days may have been more appropriate.

69. CNSC staff noted that the 30-day public consultation period was commonly used for regulatory documents consultation at the CNSC, for example.

70. CNSC staff is of the view that the comments received on the proposed process were from a variety of groups representing individuals, industry and government organizations, and that they indicated a high level of commitment by stakeholders in reviewing the document presented in CMD 08-M48.

71. The Commission further insisted on the quality of consultation of Aboriginal organizations and groups. CNSC staff responded that the document was sent to all the Aboriginal groups who had participated in an EA or had requested information on an EA or a Commission hearing. The document was also sent to 15 Aboriginal groups in nuclear facilities areas or in areas where EAs were conducted in the past.

72. The Commission sought more information on the stakeholders concerns in regards to the term "integrated approach". CNSC staff answered that "integrated approach" accurately describes the fact that the technical reviews would be conducted at the same time for licensing information and EA information.

73. The Commission sought assurance that CNSC staff would follow-up with the stakeholders that had expressed concerns on the proposed process. CNSC staff confirmed to the Commission that it would communicate with these stakeholders. **ACTION**

74. The Commission further asked for some clarification on the possibility of public input during future EAs following the approval of the proposed process.

75. CNSC staff responded that the only provisions under section 18(3) of the *Canadian Environmental Assessment Act*[5] (CEAA) with respect to public consultation are to have the screening report available for public examination and comments. These consultation requirements do not apply at the scoping stage. CNSC staff added that the practice of having public participation at the scoping stage was unique to the CNSC. CNSC staff also noted that most projects would include public participation at the scoping stage. CNSC staff noted that few comments on scoping documents were received in the past on previous EA screenings.

76. The Commission expressed concern that CNSC staff would no longer send documents to communities and groups of individuals who had requested to be kept informed of projects in their area. CNSC staff responded that it would continue to send requested information to members of the public on a case-by-case basis or project-per-project basis.

77. The Commission expressed concern on how the need for public participation would be assessed under the proposed process. CNSC staff responded that it would use the existing Canadian Environmental Assessment Agency's Ministerial Guideline to assess the need for public participation on environmental screenings. Even with the proposed streamlined approach, the CNSC would be in the higher tier in terms of transparency and public participation for screening-level EAs.

78. The Commission sought clarification on the difference between a simple project and a major project under the proposed process. CNSC staff explained that a simple project would trigger small changes in a facility that was already licensed by the CNSC and did not require new technology. It added that small projects would not introduce unreasonable additional environment interactions or mitigation measures or additional effects on human health and safety.

[5] S.C. 1992, c. 37.

79. The Commission asked CNSC staff to explain how recordkeeping of the new process would be satisfactory for intervenors and for the general public. CNSC staff answered that the Commission, in the course of making decisions, has always issued records of decisions available to the public and that this would remain the same. Furthermore, CNSC staff reported that it will make all comments on the EA screening reports available to the public.

80. The Commission expressed the view that the public who had an interest in a particular EA would be given the opportunity to participate following a specific request. CNSC staff responded that, if public consultation was not included at the scoping stage for certain projects, public consultation could always be carried out at the screening report stage, for a 20 to 30-day time period. CNSC staff still proposed to keep a commenting period of 30 to 45 days for more complex screenings.

81. The Commission noted that the final EA and licensing decisions and the related procedural matters still belonged to the Commission and that to make a licensing decision, the Commission retains the discretion to permit public participation. The Commission insisted that the public remains an active participant in projects in which it has an interest.

82. Following its deliberations on the matter, the Commission approved the adoption of the new process for screening environmental assessments and the integration of the licensing process, where appropriate and feasible. **DECISION**

83. With this decision, the Commission requests that CNSC staff report on the effectiveness, efficiency and overall performance of the new process in approximately 30 months or earlier if changes are recommended. The report is to be presented at a public meeting of the Commission. **ACTION March 2011**

Regulatory Document RD-314- *Radiation Protection Programs for the Transport of Nuclear Substances*

84. With reference to CMD 08-M50, Regulatory Document RD-314, *Radiation Protection Programs for the Transport of Nuclear Substances,* CNSC staff presented the regulatory document for final approval by the Commission.

85. Following its deliberations on the matter, the Commission decided to postpone at a later date the approval of RD-314, *Radiation Protection Programs for the Transport of Nuclear Substances*.

Regulatory Document RD-52- *Design for Nuclear Substance Laboratories and Nuclear Medicine Rooms*

86. With reference to CMD 08-M51, Regulatory Document RD-52, *Design for Nuclear Substance Laboratories and Nuclear Medicine Rooms,* CNSC staff presented the regulatory document for the Commission to approve its release for public consultation.

87. Following its deliberations on the matter, the Commission approved Regulatory Document RD-52, *Design for Nuclear Substance Laboratories and Nuclear Medicine Rooms,* for consultation with some modifications. The document will be published and available on the CNSC Web site at http://www.nuclearsafety.gc.ca/eng/ at a later date. **DECISION**

88. The Commission requests that CNSC staff modifies the document before final publication to clarify its application to research laboratories that use nuclear substances and to veterinary medicine laboratories that use radioisotopes. **ACTION**

Regulatory Document RD-363- *Nuclear Security Officer Medical, Physical and Psychological Fitness*

89. With reference to CMD 08-M49, Regulatory Document RD-363, *Nuclear Security Officer Medical, Physical and Psychological Fitness,* CNSC staff presented the regulatory document for final approval by the Commission.

90. The Commission considered the detailed submissions with respect to this matter in addition to the expert evidence provided.

91. With reference to CMD 08-M49.1, OPG presented its submission to the Commission requiring that the physical test for Nuclear Security Officers (NSO) be conducted every two years as in the case for medical testing.

92. With reference to CMD 08-M49.2, the Power Workers Union presented its submission to the Commission asking that Nuclear Security Officers that had been working as NSOs at a facility for more than three years be exempted from medical, physical and psychological tests.

93. A physical fitness expert presented in its evidence to the Commission that the purpose of physical training was not only to meet a standard but that it was as much important to prevent detraining or the loss of training benefits. He noted that a detrained nuclear security workforce could present a risk and that ideally physical fitness testing should be assessed every three months to avoid any detraining.

94. CNSC staff reported that three out of five licensees concerned with this requirement already comply with the expectations set out in RD-363 and that only two licensees had programs in place with differences in the frequency of testing.

95. The Commission took in consideration CNSC staff and expert recommendation and OPG and Power Workers Union presentations. The Commission concluded that physical fitness testing for an unarmed NSO, once a year, seemed reasonable when taking into account the level of security involved and the nature of the site where a NSO works. The Commission also concluded that physical fitness testing, once a year, was reasonable for an unarmed NSO compared to the every 6 month testing required for Nuclear Response Force (NRF) in Regulatory Standard S-298 for armed NRF Officers.

96. Following its deliberation on the matter, the Commission approved Regulatory Document, *Nuclear Security Officer Medical, Physical and Psychological Fitness* with one modification with respect to the interval for the physical fitness testing of the Nuclear Security Officer: mandatory testing will be performed annually instead of bi-annually. The document will be published and available on the CNSC Web site at http://www.nuclearsafety.gc.ca/eng/ at a later date. **DECISION**

97. The Commission requests that CNSC staff report on the performance of the testing for Nuclear Security Officer in three years following its implementation. The report should be presented at a public meeting of the Commission. **ACTION August 2011**

INFORMATION ITEMS

Update regarding the designated Officer Order to Mr. Kolewaski (Enviropac)

98. With reference to CMD 08-M52, CNSC staff updated the Commission on the status of the Designated Officer Order issued to Mr. E. Kolewaski on April 3, 2008 and confirmed by the Commission on May 15, 2008.

99. CNSC staff informed the Commission that all work at the Enviropac site in Edmonton, Alberta will be completed by the end of August 2008 and that CNSC will receive a final report by the contractor by the end of September 2008. CNSC staff added that it was in regular communication with the landlord of the site, Mr. Kolewaski, during the whole remediation period to advise him of the status of the work and resolve any issues that he identified. CNSC staff also reported to be in contact with the landlord onsite agent to ensure access for utility meter readings and other requirements.

100. In response to the Commission's enquiry, CNSC staff confirmed that Mr. Kolewaski is the landlord of the premises where 588972 Alberta Ltd. (known as Enviropac) operated and that Mr. Masnyk was the operator of the facility. CNSC staff noted that Mr. Masnyk had reported to the CNSC on the 15th of each month, in compliance with Order.

101. CNSC staff concluded that it was expecting to appear before the Commission in October 2008 at an opportunity to be heard on the revocation of the Designated Officer Orders issued to Mr. Kolewaski (the landlord) and to Mr. Masnyk (the operator), and the revocation of the three suspended licences issued to Mr. Masnyk for 588972 Alberta Ltd. In addition, CNSC staff noted that an application to the Federal Court, on behalf of the CNSC, will be prepared for seeking an order for the disposition of the seized items at the Enviropac site. **ACTION October 2008**

Information with respect to Reporting Requirements for Licensee Contractors

102. CMD 08-M53, Information Document on the *Reporting Requirements for Licensee Contractors*, was presented before the Commission in the context of agenda item 4.1.4 pertaining to CMD 08-M46.A: Undetected Radiation Hazard at Bruce Power Inc. (Refer to paragraphs 45 to 51 of these minutes.)

SRB Technologies (Canada) Inc. (SRBT): SRBT Status on meeting its financial commitments

103. CNSC staff informed the Commission that SRBT was in compliance with the licence conditions concerning the fee payment schedule.

104. The Commission asked at which frequency CNSC staff will update the Commission on SRBT's performance in respect of the payment of fees. CNSC staff reported that it will come back with an update at each public meeting for the duration of SRBT's current licence or until the licence conditions are satisfied.

Closure of the Public Meeting

105. The meeting closed at 4:52 p.m.

President

Recording Secretary

Secretary

APPENDIX A

CMD DATE File No

08-M43 2008-07-04 (6.02.01)
Notice of meeting held on Thursday, August 21, 2008 in Ottawa

08-M44 2008-08-06 (6.02.02)
Agenda of the meeting of the Canadian Nuclear Safety Commission (CNSC) held in the public hearing room, 14th floor, 280 Slater Street, Ottawa, Ontario, on Thursday, August 21, 2008

08-M44.A 2008-08-12 (6.02.02)
Updated Agenda of the meeting of the Canadian Nuclear Safety Commission (CNSC) held in the public hearing room, 14th floor, 280 Slater Street, Ottawa, Ontario, on Thursday, August 21, 2008 – Supplementary Information

08-M44.B 2008-08-14 (6.02.02)
Updated Agenda of the meeting of the Canadian Nuclear Safety Commission (CNSC) held in the public hearing room, 14th floor, 280 Slater Street, Ottawa, Ontario, on Thursday, August 21, 2008 – Supplementary Information

08-M44.C 2008-08-15 (6.02.02)
Updated Agenda of the meeting of the Canadian Nuclear Safety Commission (CNSC) held in the public hearing room, 14th floor, 280 Slater Street, Ottawa, Ontario, on Thursday, August 21, 2008 – Supplementary Information

08-M45 2008-08-05 (6.02.03)
Approval of Minutes of Commission Meeting held June 10, 2008

08-M46 2008-08-05 (6.02.04)
Significant Development Report no. 2008-6 for the period of May 28, 2008 to August 5, 2008

08-M46.A 2008-08-13 (6.02.04)
Significant Development Report no. 2008-6 for the period of August 6, 2008 to August 13, 2008

08-M47 2008-08-05 (6.02.04)
Status Report on Power Reactors for the period of May 28, 2008 to August 1, 2008

08-M48 2008-05-08 (7.03.02)
Recommendations for the adoption of a new process for screening environmental assessments and the ensuing licensing process at the CNSC

08-M49 2008-07-30 (1.03.04)
Regulatory Document RD-363 – Nuclear Security Officer Medical, Physical and Psychological Fitness

08-M49.1 2008-08-15 (6.02.04)
Regulatory Document RD-363 – Nuclear Security Officer Medical, Physical and Psychological Fitness - Oral presentation by Ontario Power Generation Inc.

08-M49.2 2008-08-15 (6.02.04)
Regulatory Document RD-363 – Nuclear Security Officer Medical, Physical and Psychological Fitness - Oral presentation by Power Workers' Union

08-M50 2008-07-30 (1.03.04)
Regulatory Document RD-314 – *Radiation Protection Programs for the Transport of Nuclear Substances*

08-M51 2008-07-30 (1.03.04)
Regulatory Document RD-52 – *Design Guide for Nuclear Substance Laboratories and Nuclear Medicine Rooms*

08-M52 2008-07-31 (6.02.04)
Update regarding the Designated Officer Order to Mr. E. Kolewaski (Enviropac)

08-M53 2008-08-11 (2.01)
Information with respect to reporting requirements for licensee contractors

08-M54 2008-08-08 (6.02.04)
SRB Technologies (Canada) Inc.: SRBT Status on meeting its financial commitments