



Canadian Nuclear  
Safety Commission

Commission canadienne  
de sûreté nucléaire

# Record of Proceedings, Including Reasons for Decision

In the Matter of

Applicant New Brunswick Power Nuclear

Subject Application to Amend the Power Reactor  
Operating Licence for the Point Lepreau Nuclear  
Generating Station to Reflect Organizational  
Changes and an Update in Documentation

Hearing  
Date August 14, 2009

## **RECORD OF PROCEEDINGS**

Applicant: New Brunswick Power Nuclear

Address/Location: P.O. Box 600, Lepreau, NB E5J 2S6

Purpose: Application to amend the Power Reactor Operating Licence for the Point Lepreau Nuclear Generating Station to reflect organizational changes and an update in documentation

Application received: January 20, 2009

Date of hearing: August 14, 2009

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**

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## **Introduction**

1. New Brunswick Power Nuclear (NB Power Nuclear) has applied to the Canadian Nuclear Safety Commission<sup>1</sup> (CNSC) for an amendment to the Power Reactor Operating Licence for its Point Lepreau Nuclear Generating Station (NGS) located on the Lepreau Peninsula in New Brunswick. The current licence is PROL 17.08/2011.
2. NB Power Nuclear has requested to implement organizational changes and update the document “Nuclear Management Manual” (NMM-00660) to Revision 5 in Appendix B of the PROL to reflect those changes. In addition, CNSC staff recommended several administrative changes be made to the licence.

## Issue

3. 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> (NSCA):
  - a) if NB Power Nuclear is qualified to carry on the activity that the amended licences would authorize; and
  - b) if in carrying on that activity, NB Power Nuclear 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 review the application. The Commission, in making its decision, considered information presented for a hearing held on August 14, 2009 in Ottawa, Ontario. The hearing was conducted in accordance with the *Canadian Nuclear Safety Commission Rules of Procedure*<sup>3</sup>. During the hearing, the Commission considered written submissions from CNSC staff (CMD 09-H118) and NB Power Nuclear (CMD 09-H118.1).

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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.

## Decision

5. 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 NB Power Nuclear has met the conditions of subsection 24(4) of the NSCA. Therefore,

the Commission, pursuant to section 24 of the *Nuclear Safety and Control Act*, amends the Power Reactor Operating Licence 17.08/2011 issued to New Brunswick Power Nuclear for its Point Lepreau Nuclear Generating Station located on the Lepreau Peninsula in New Brunswick. The amended licence, 17.09/2011, remains valid until June 30, 2011.

6. The Commission includes in the licence the conditions as recommended by CNSC staff in CMD 09-H118.

## Issues and Commission Findings

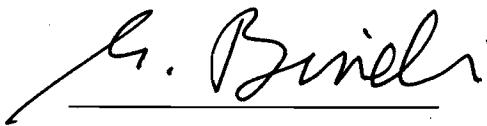
### *Qualifications and Protection Measures*

7. NB Power Nuclear proposed organizational changes to:
  - rename the Station Manager position as the Station Director; and
  - separate the Security, Health Safety & Environment, and Nuclear Safety accountabilities of the Manager, Safety & Environment.
8. NB Power Nuclear explained that under the new organization configuration:
  - Security will report to a newly created position, the Regulatory Affairs Manager, which will have a direct reporting relationship to the Deputy Chief Nuclear Officer and have a dotted-line relationship to the Station Director;
  - Health Safety & Environment will report to the Station Director through the renamed position of Health Safety & Environment Manager; and
  - Nuclear Safety will join with Design to form a new unit, with the Nuclear Safety and Design Manager reporting directly to the Station Director.
9. NB Power Nuclear also provided information regarding the reassignment of the Safety and Environment Manager's responsibilities to the Nuclear Safety and Design Manager and the Health Safety and Environment Manager. NB Power Nuclear stated that the organizational change will facilitate succession planning, improve the organizational culture and align with the processes in its Management System. NB Power Nuclear stated that no responsibilities are being removed or delegated to lower levels as result of the reorganization.

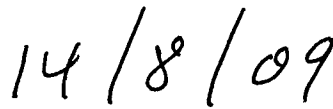
10. CNSC staff stated that it reviewed NB Power Nuclear's proposed changes. CNSC staff agreed that all roles and responsibilities have been kept, although some have been reassigned to other positions. CNSC staff stated that the proposed reorganization and update to "Nuclear Management Manual" (NMM-00660), Revision 5 are acceptable.
11. Further to the organizational change and the associated documentation update, CNSC staff recommended several administrative changes to the PROL. CNSC staff stated that there are inconsistencies within the licence, where certain references to licensee documents do not follow the standard format for the licence. CNSC staff proposed to correct these inconsistencies and to remove a redundant requirement from one of the licence conditions.
12. The Commission is satisfied that the proposed changes are administrative in nature and will not negatively affect the function of safety-related systems.

**Application of the *Canadian Environmental Assessment Act***

13. Before making a licensing decision, the Commission must be satisfied that all applicable requirements of the *Canadian Environmental Assessment Act*<sup>4</sup> (CEAA) have been fulfilled.
14. 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.
15. The Commission is satisfied that all applicable requirements of the CEAA have been fulfilled.



Michael Binder  
President,  
Canadian Nuclear Safety Commission



Date

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<sup>4</sup> S.C. 1992, c. 37.