



Canadian Nuclear
Safety Commission

Commission canadienne
de sûreté nucléaire

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 Nuclear
Generating Station A to Reflect Updates in
Documentation

Hearing
Date November 27, 2009

RECORD OF PROCEEDINGS

Applicant: Ontario Power Generation Inc.

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

Purpose: Application to amend the power reactor operating licence for the
Pickering Nuclear Generating Station A to reflect updates in
documentation

Application received: July 31, 2009 and August 28, 2009

Date of hearing: November 27, 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. Ontario Power Generation Inc. (OPG) has applied to the Canadian Nuclear Safety Commission¹ (CNSC) for an amendment to the power reactor operating licence (PROL) for its Pickering Nuclear Generating Station (NGS) A (Pickering A) located in Pickering, Ontario. The current licence, PROL 04.13/2010, expires on June 30, 2010.
2. OPG proposed the following three changes to the Pickering A licence:
 - reference the 2009 version of the Safety Report Facility Description in Appendix A of the licence;
 - reference the new revision to the Building Development Site Plan (Revision 26) in Appendix A of the licence; and
 - update the licence conditions and appendices related to pressure boundaries in order to accommodate OPG's transition to the 2008 Edition and Update No. 1 of CSA Standard N285.0 "*General Requirements for Pressure Retaining Systems and Components in CANDU Nuclear Power Plants*" and to accommodate the implementation of a formal agreement with an Authorized Inspection Agency (AIA).

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 (NSCA):
 - a) if OPG is qualified to carry on the activity that the amended licences 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 review the application. The Commission, in making its decision, considered information presented for a hearing held on November 27, 2009 in Ottawa, Ontario. During the hearing, the Commission considered written submissions from CNSC staff (CMD 09-H127) and OPG (CMD 09-H127.1).

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 Statutes of Canada (S.C.) 1997, chapter (c.) 9.

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 OPG 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 PROL 04.13/2010 issued to Ontario Power Generation Inc. for its Pickering Nuclear Generating Station A located in Pickering, Ontario. The amended licence, PROL 04.14/2010, remains valid until June 30, 2010.

6. The Commission includes in the licence the conditions as recommended by CNSC staff in CMD 09-H127.

Issues and Commission Findings

Qualifications and Protection Measures

7. OPG's first request was to reference the 2009 version of the Safety Report Facility Description, which replaces 2006 version, in Appendix A of the Pickering A licence. CNSC staff stated that the 2009 version was received within the required three-year timeframe, as required by CNSC Regulatory Standard S-99 "Reporting Requirements for Operating Nuclear Power Plants". CNSC staff stated that it reviewed the 2009 version and found it acceptable.
8. OPG's second request was to reference Revision 26 of the Building Development Site Plan in Appendix A of the Pickering A licence. CNSC staff stated that Revision 26 has been prepared to reflect as-built conditions. CNSC staff stated that it reviewed Revision 26 and found it acceptable.
9. OPG's third request was to amend the Pickering A licence to accommodate OPG's transition to the 2008 Edition and Update No.1 of Canadian Standards Association (CSA) N285.0 "*General Requirements for Pressure-Retaining Systems and Components in CANDU Nuclear Power Plants*," and to implement a formal agreement with an Authorized Inspection Agency (AIA).
10. CNSC staff stated that it has reviewed and assessed the 2008 and 2009 revisions to CSA N285.0 and found the changes to the standard to be acceptable. CNSC staff stated that the proposed amendment will allow OPG to hire one or more AIAs in place of the existing Public Works Government Services Canada (PWGSC)/Technical Standards and Safety Authority (TSSA) inspection contract that ends on March 31, 2010. CNSC staff noted that this will ensure continuing third-party inspections of OPG's pressure-boundary repairs, replacements and modifications.

11. CNSC staff stated that CSA N285.0 specifies the AIA must be acceptable to the regulatory authority. CNSC staff noted that OPG is in the process of selecting an AIA acceptable to the CNSC and OPG will submit the formal agreement with the AIA before March 31, 2010. CNSC staff further stated that as part of this proposed change, Appendices F, I and J of the licence will contain new requirements for other procedures and processes, including registration of fire protection systems and the new provisions and interfaces to disposition code/standard non-compliances between the AIA, the licensee and the CNSC.
12. CNSC staff stated that OPG's proposed changes are largely administrative in nature and will have no negative impact on the health and safety of workers, the public or the environment. CNSC staff noted that the incorporation of updates to more recent standards and regulatory guides should, in those circumstances, improve safety. CNSC staff recommended that the Commission amend the licence to include the proposed changes.

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*³ (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

NOV 27 2009

Date

³ S.C. 1992, c. 37.