



Canadian Nuclear
Safety Commission

Commission canadienne
de sûreté nucléaire

Record of Proceedings Including Reasons for Decision

in the Matter of

Applicant Hydro-Québec

Subject: Application to amend the Gentilly-2 Nuclear
Generating Station Operating Licence

Hearing
Date December 11, 2009

RECORD OF PROCEEDINGS

Applicant: Hydro-Québec

Address: 4900 Bécancour Blvd.
Gentilly, Bécancour, Quebec G9H 3X3

Subject: Application to amend the Operating Licence for the
Gentilly-2 Nuclear Generating Station (December

Application received: September 29, 2009

Date of hearing: December 11, 2009

Location: Canadian Nuclear Safety Commission (CNSC)
280 Slater Street, 12th floor, Ottawa, Ontario

Members present: M. Binder, Chair

Secretary: K. McGee
Recording Secretary: P. Reinhardt

Decision: amended

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Introduction

1. Hydro-Québec has applied to the Canadian Nuclear Safety Commission¹ (CNSC) for an amendment to its operating licence, PROL 10.03/2010, for the Gentilly-2 nuclear generating station, located in Bécancour, Quebec. The current licence expires on December 31, 2010.
2. Hydro-Québec has requested amendments to various clauses and appendices of its operating licence in order to implement Revision 2 of the document entitled "*Requirements for the Requalification Testing of Certified Shift Personnel at Canadian Nuclear Power Plants.*" Revision 1 of this document is listed in Appendix C of the current PROLs.

Issues

3. In considering the application, the Commission was required to decide, in accordance with subsection 24(4) of the *Nuclear Safety and Control Act*² (NSCA):
 - a. whether Hydro-Québec is qualified to carry out the activities that the amended licence would authorize; and
 - b. whether, in carrying on those activities, Hydro-Québec would take the steps required to protect the environment, safeguard the health and safety of persons, maintain national security and fulfill the international obligations Canada has agreed to.

Hearing

4. Pursuant to section 22 of the NSCA, the President of the Commission established a Panel of the Commission to review Hydro-Québec's application.
5. In order to render a decision, the Panel of the Commission (hereafter called "the Commission"), reviewed information presented for a hearing held on December 11, 2009, in Ottawa, Ontario. During the hearing, the Commission considered written submissions from CNSC staff (CMD 09-H132) and Hydro-Québec (CMD 09-H132.1).
6. In establishing the process, the Commission determined, through a standing panel on procedural matters, that there was no need to hold a public hearing on the matter, and that a hearing was conducted by a panel consisting of one Commission member on the basis of written submissions.

¹ The Canadian Nuclear Safety Commission appears as the "CNSC" when reference is made to the organization and its staff in general and as the "Commission" when referring to the tribunal component.

² L.C. 1997, ch. 9.

Decision

7. After giving the matter due consideration, the Commission has concluded that Hydro-Québec is qualified to carry on the activities that the amended licence would authorize, and that, in so doing, it would make take the steps required to protect the environment, safeguard the health and safety of persons, maintain national security and fulfill the international obligations which Canada has agreed to.

Therefore, pursuant to section 24 of the *Nuclear Safety and Control Act*, the Commission amends the Gentilly-2 Nuclear Generating Station operating licence PROL 10.03/2010. The amended licence, PROL 10.04/2010, shall remain valid until December 31, 2010.

8. The Commission has included in the licence the conditions recommended by CNSC staff, as set out in CMD 09-H132.

Issues and Commission Findings

9. CSNC staff reported that it received one submission from Hydro-Québec requesting a licence amendment to implement an updated version of the CSNC document entitled "*Requirements for the Requalification Testing of Certified Shift Personnel at Canadian Nuclear Power Plants*," *Revision 1*, dated June 26, 2003. This document is currently referenced in Gentilly-2's PROL.
10. Revision 2 of the CSNC document entitled "*Requirements for the Requalification Testing of Certified Shift Personnel at Canadian Nuclear Power Plants*," dated May 1, 2009, updates the current requirements, taking into account the observations and analyses made by CNSC staff since the implementation of Revision 1 in 2003, as well as the experience gained by NPP licensees.
11. CNSC staff stated that it reviewed the request and confirmed the following:
 - The requested changes do not involve the introduction or use of new or unproven technology;
 - The changes will not result in an expansion of the existing facility footprint; and
 - The changes will not negatively affect the function of safety-related systems.

12. CSNC staff noted that the amendments to the PROL would allow Hydro-Québec to conduct requalification testing of certified shift personnel using Revision 2 of the CNSC document entitled “*Requirements for the Requalification Testing of Certified Shift Personnel at Canadian Nuclear Power Plants.*” CSNC staff confirmed to Hydro-Québec that a transition period for the full implementation of Revision 2 of the document would not be required, but added that Hydro-Québec will have to maintain Appendix E of its current operating licence, PROL 10.03/2010, to ensure that requalification testing conducted before the effective date of the new licence, pursuant to the conditions of Revision 1, is recognized as fulfilling the requirements of Revision 2.
13. CSNC staff recognized no obstacle to the immediate implementation of Revision 2 in Gentilly-2’s licence, and concluded that it is acceptable to incorporate Revision 2 of that document in Gentilly-2’s PROL.
14. CNSC staff therefore finds that Hydro-Québec’s applications pose no risk to the operation of the Gentilly-2 generating station, to the health and safety of persons or to the environment. The staff therefore recommends that the Commission approve these amendments.
15. In CMD 09-H132, CSNC staff enlisted all proposed changes for the PROL and attached the draft of the amended PROL.

Application of the Canadian Environmental Assessment Act

16. 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.
17. CNSC staff reported that it had made a decision as to whether or not an Environmental Assessment (EA) would be required. It stated that the proposed amendments are administrative in nature and do not amount to a ‘project’ under the CEAA; therefore, there was no requirement for an EA pursuant to subsection 5(1) of the CEAA.
18. The Commission is satisfied that all applicable requirements of the CEAA have been fulfilled.

³ *Canadian Environmental Assessment Act*, L.C. 1992, ch. 37.

Conclusion

19. The Commission considered the information and submissions received from Hydro-Québec and CNSC staff, as presented in the material on the record, and concluded that the licensee is qualified to carry on the activity authorized by the licence and that in carrying on that activity it will make adequate provision for the protection of the environment, the health and safety of persons, and the maintenance of national security, and take the measures required to implement the international obligations to which Canada has agreed.



Michael Binder
President
Canadian Nuclear Safety Commission

DEC 11 2009

Date