



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 B

Hearing Date December 24, 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 B

Application received: August 5, 2009, November 24, 2009, and December 4, 2009

Date of hearing: December 24, 2009

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

Members present: M. Binder, Chair

Secretary: K. McGee
Recording Secretary: P. Reinhardt

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 Pickering Nuclear Generating Station (NGS) B (Pickering B) power reactor operating licence (PROL). Pickering B NGS is located in Pickering, Ontario. The current licence, PROL 08.06/2013, expires on June 30, 2013.
2. OPG proposed the following three changes to the Pickering B licence:
 - replacement of Revision 8 of the document entitled “Consolidated Nuclear Emergency Plan” with Revision 9 in Appendix B;
 - inclusion of the most recent revisions of the role documents for the Control Room Shift Operating Supervisor and Shift Manager; and
 - corrections in the Appendix I.

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 December 24, 2009 in Ottawa, Ontario. During the hearing, the Commission considered written submissions from CNSC staff (CMD 09-H133) and OPG (CMD 09-H133.1).

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 08.06/2013 issued to Ontario Power Generation Inc. for the Pickering Nuclear Generating Station B located in Pickering, Ontario. The amended licence, PROL 08.07/2013, remains valid until June 30, 2013.

6. The Commission includes in the licence the conditions as recommended by CNSC staff in CMD 09-H133.

Issues and Commission Findings

Qualifications and Protection Measures

7. OPG's first request was to replace Revision 8 of the document entitled "Consolidated Nuclear Emergency Plan" (CNEP) with Revision 9 in Appendix B of Pickering B PROL.
8. CNSC staff has reviewed the submitted document and concluded that Revision 9 of the CNEP is acceptable and meets CNSC expectations described in CNSC Regulatory Guide G-225³ "Emergency Planning at Class I Facilities and Uranium Mines and Mills".
9. OPG's second request was to include the most recent revisions of the role documents for the Control Room Shift Operating Supervisor and Shift Manager in Pickering B PROL. CNSC staff noted that these documents were revised to change the termination date of the CRSOS position at Pickering NGS-A. CNSC staff confirmed that this revision does not affect Pickering NGS-B, but, as the role documents are referenced in the Pickering NGS-B licence, an amendment is required to reference the updated version of these role documents.
10. CNSC staff reviewed OPG's second request and recommended that the Pickering NGS-B PROL be amended to reflect the update of the role documents.
11. Finally OPG requested that two corrections be made to Pickering B Appendix I entitled "Requirements for Licence Condition 5.1" under subsection 5.1, and sub-section 5.3, because of the introduction of typos when the last PROL amendments were presented and approved by the Commission on November 27, 2009. The proposed corrections requested for the Pickering B PROL are bolded below :

³ http://www.nuclearsafety.gc.ca/pubs_catalogue/uploads/G225_e.pdf

- In 5.1: The licensee shall arrange for the Authorized Inspection Agency inspectors to have access to all areas of the **licensee's facilities and records, and to the facilities and records of the licensee's** pressure boundary contractors and material organizations, as necessary for the purposes of performing inspections and other activities required by the standards; and
 - In 5.3: **Where a variance or deviation from the standard exists, the licensee shall submit the proposed resolution to the Authorized Inspection Agency for evaluation. The evaluated resolution shall not be implemented without the prior written approval of the Commission or of a person authorized by the Commission.**
12. CNSC staff noted that the corrections have been incorporated into the proposed DRAFT Pickering NGS-B PROL 04.07/2010, attached to this CMD.

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*⁴ (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.

Conclusion

16. CNSC staff concluded that the licensee is authorized to carry out the activities and has made adequate provision for the health and safety of persons and the environment.
17. The Commission approves the proposed amendments and corrections to Pickering B licence as outlined in CNSC staff CMD 09-H133.



Michael Binder
President,
Canadian Nuclear Safety Commission

DEC 24 2009

Date

⁴ S.C. 1992, c. 37.