



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 Pickering Nuclear
Generating Station B Power Reactor Operating
Licence to Reflect Updates in Documentation

Hearing
Date November 22, 2011

RECORD OF PROCEEDINGS

Applicant: Ontario Power Generation Inc.

Address/Location: 700 University Avenue, Toronto, Ontario M5G 1X6

Purpose: Application to amend the Pickering Nuclear Generating Station B Power Reactor Operating Licence to Reflect Updates in Documentation

Applications received: July 18, 2011, June 30, 2011, June 8, 2011, June 1, 2011, May 11, 2011 and December 23, 2010

Date of hearing: November 22, 2011

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

Members present: M. Binder, Chair

Secretary: M. Leblanc
Recording Secretary: D. Carrière

Licence: Amended

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Introduction

1. Ontario Power Generation Inc. (OPG) has applied to the Canadian Nuclear Safety Commission¹ (CNSC) for five amendments to the Power Reactor Operating Licence for its Pickering Nuclear Generating Station (NGS) B located in Pickering, Ontario. The current licence, PROL 08.14/2013, expires on June 30, 2013.
2. The following changes requested by OPG are updates to the operating licence to incorporate the Pickering Instruction “Pickering Minimum Shift Complement” and to reflect the most current revisions of the OPG documents entitled “Pickering GS Site Security Taut-Wire Fence Layout and Survey”, “Pickering B Operating Policies and Principles (OP&P)”, “Occupational Radiation Protection Action Levels for Power Reactor Operating Licences” and “Nuclear Management System”.

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 licence 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 22, 2011 in Ottawa, Ontario. During the hearing, the Commission considered written submissions from CNSC staff (CMD 11-H121) and OPG (CMD 11-H121.1).

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,

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.

the Commission, pursuant to section 24 of the *Nuclear Safety and Control Act*, amends the Power Reactor Operating Licence PROL 08.14/2013 issued to Ontario Power Generation Inc. for its Pickering Nuclear Generating Station B located in Pickering, Ontario. The amended licence, PROL 08.15/2013, is valid until June 30, 2013.

Issues and Commission Findings

Qualifications and Protection Measures

6. OPG requested an update to Appendix A of the operating licence to reflect the most current revision, Revision 5, of Pickering Instruction “Pickering Minimum Shift Complement”, which incorporates the results of a process to validate the Minimum Shift Complement for the Pickering A and B stations in accordance with CNSC Regulatory Guides G-278, *Human Factors Verification and Validation Plans*, and G-323, *Ensuring the Presence of Sufficient Qualified Staff at Class I Nuclear Facilities – Minimum Staff Complement*. CNSC staff reported having reviewed the document and found that it meets the regulatory requirements.
7. OPG requested another update to Appendix A of the operating licence to reflect the most current revision of the drawing which details the layout and survey of the security fence surrounding the Pickering NGS. CNSC staff reported having reviewed the submitted drawing and found that it meets the regulatory requirements. CNSC staff stated that the requested change is appropriate and modifications involved do not implement the use of new technology and/or features other than those already in use and approved by the Commission.
8. OPG requested an update to Appendix B of the operating licence to reflect the most current revision, Revision 34, of the OPG document “Pickering B Operating Policies and Principles”, which incorporates revised and reduced maximum fuel bundle operating limits following recent analyses for Small Break Loss of Coolant Accidents to account for heat transport system ageing. CNSC staff reported having reviewed this document and found that OPG presented an adequate mid-term solution to an ongoing analysis project. Recognizing that the changes are in a conservative direction and provide a safe margin, CNSC staff stated that they will allow OPG to maintain consistency within their own documentation. The Commission considers that OPG’s request provides acceptable operating limits until CNSC staff’s review of the technical basis of the project is complete.
9. OPG also requested an update to Appendix B of the operating licence to reflect the most current revision, Revision 1, of the OPG document “Occupational Radiation Protection Action Levels for Power Reactor Operating Licences”, which includes new criteria for alpha contamination and a refreshed basis and statement of the action levels consistent with the OPG Radiation Protection program. CNSC staff stated that the document meets the regulatory requirements based on OPG’s inclusion of corrections made by CNSC staff.

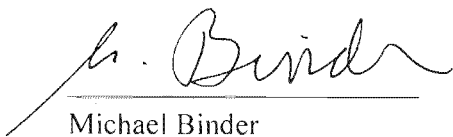
10. The final request made by OPG was to update Appendix B of the operating licence to reflect the most current revision, Revision 15, of the OPG document entitled "Nuclear Management System" to remove the now obsolete programs associated with the safe storage of Units 2 and 3 at Pickering NGS-A and refurbishment of the Pickering reactors. CNSC staff reported having reviewed the document which reflects the corporate decision by OPG not to refurbish the units at the Pickering NGSs and found that it meets the regulatory requirements and offers no increased risk with respect to safe operations.
11. CNSC staff reported that the proposed changes to the operating licence are administrative in nature and that they will not adversely affect the safe operation of the Pickering NGS B. CNSC staff also considers that the proposed revised documents are acceptable to reference in the operating licence.
12. CNSC staff has determined that, since the requested amendments are administrative, the changes will have no adverse impact on the Aboriginal rights or Treaty rights of Aboriginal groups. CNSC staff stated that Aboriginal consultation was not necessary in relation to the proposed licence amendments.

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.

Conclusion

15. The Commission has considered the information and submissions of CNSC staff and OPG and is satisfied that the requested amendments are administrative in nature and will not adversely impact the safety of the Pickering NGS B operations. The Commission is also satisfied that aboriginal consultation is not necessary in relation to the proposed amendments.
16. The Commission is also satisfied that all applicable requirements of the CEAA have been fulfilled.



Michael Binder
President,
Canadian Nuclear Safety Commission

NOV 22 2011

Date

³ S.C. 1992, c. 37.