



Canadian Nuclear
Safety Commission

Commission canadienne
de sûreté nucléaire

Record of Proceedings, Including Reasons for Decision

In the Matter of

Applicant TRIUMF Accelerators Inc.

Subject Application to Renew Particle Accelerator
Operating Licence

Hearing
Date January 26, 2012

RECORD OF PROCEEDINGS

Applicant: TRIUMF Accelerators Inc.

Address/Location: 4004 Wesbrook Mall, Vancouver, BC, V6T 2A3

Purpose: Application to renew the Operating Licence for the TRIUMF Particle Accelerator Facility

Applications received: November 21, 2011

Date of hearing: January 26, 2012

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

Members present: M. Binder, Chair

Secretary: M.A. Leblanc
Recording Secretary: S. Dimitrijevic

Licence: Renewed

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Introduction

1. TRIUMF Accelerators Inc. (TAI) has applied to the Canadian Nuclear Safety Commission¹ for a three-month renewal of its operating licence for the TRIUMF particle accelerator facility, located on the campus of the University of British Columbia in Vancouver, British Columbia. The current operating licence, PA1OL-01.06/2012, expires on March 31, 2012.
2. TAI is the national centre for subatomic research and conducts fundamental and applied research in physics. Under the current operating licence, TAI operates one Class IB and six Class II particle accelerators, and produces and uses a variety of radioisotopes.
3. Prior to this application, TAI had submitted to the CNSC an extensive application to renew its operating licence, including a request for an extended licence period of ten years. In order to allow sufficient time for CNSC staff to review and evaluate the application, TAI subsequently requested, after consultation with CNSC staff, a three-month renewal of its current operating licence to allow sufficient time to complete and process this application.

Issue

4. 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 TAI is qualified to carry on the activity that the amended licence would authorize; and
 - b) if, in carrying on that activity, TAI 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

5. 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 January 26, 2012 in Ottawa, Ontario. During the hearing, the Commission considered written submissions from the applicant (CMD 12-H100.1) and CNSC staff (CMD 12-H100).

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

6. Based on its consideration of the matter, the Commission concludes that TRIUMF Accelerators Inc 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*, renews the Particle Accelerator Operating Licence to TRIUMF Accelerators Inc. for its particle accelerator facility located in Vancouver, British Columbia. The renewed licence, PA1OL-01.07/2012, is valid until June 30, 2012.

7. The Commission includes in the licence the conditions as recommended by CNSC staff in CMD 12-H100.

Issues and Commission Findings

Qualifications and Protection Measures

8. Since the Commission has not authorized a Designated Officer to issue, renew or amend a Class I Nuclear Facility Operating Licence, the Commission must make a decision regarding the TAI's request for a renewal of the current operating licence for a period of three months.
9. CNSC staff reported to the Commission that they had assessed the submitted request and were of the opinion that the limited three-month renewal of the licence, with the same licence conditions and operating limitations that are included in the current licence, would not have adverse effects on the environment, the health and safety of the public or the maintenance of national security.
10. CNSC staff noted that, apart from the dates of issue and expiry, no alterations were required to the existing operating licence.
11. CNSC staff recommended that the Commission renew the operating licence for a period of three months, starting on April 1, 2012 and expiring on June 30, 2012.

Application of the *Canadian Environmental Assessment Act*

12. 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.

³ Statutes of Canada, S.C. 1992, c. 37.

13. CNSC staff reported that it had completed an Environmental Assessment (EA) determination. CNSC staff determined that the renewal of the licence is not a “trigger” listed in the *Law List Regulations*⁴ under the CEEA, and that there was no requirement for an EA.

Conclusion

14. The Commission has considered the submissions of TAI and CNSC staff as presented in the material available for reference on the record.
15. The Commission accepts the opinion of CNSC staff and is satisfied that all applicable requirements of the CEEA have been fulfilled.
16. The Commission is satisfied that the applicant meets the requirements of subsection 24(4) of the *Nuclear Safety and Control Act*.
17. The Commission therefore decides to renew, pursuant to section 24 of the *Nuclear Safety and Control Act*, the operating licence issued to TRIUMF Accelerators Inc. for its TRIUMF particle accelerator facility. The licence, PA1OL-01.07/2012, will be valid until June 30, 2012.



Michael Binder
President,
Canadian Nuclear Safety Commission

JAN 26 2012

Date

⁴ Statutory Orders and Regulations, S.O.R./94-636