



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

Hearing Date February 24, 2012

RECORD OF PROCEEDINGS

Applicant: Ontario Power Generation Inc.

Address/Location: 889 Brock Road, P82-6E2, Pickering, Ontario L1W 3J2

Purpose: Application to amend the Pickering Nuclear Generating Station B Power Reactor Operating Licence

Application received: October 27, 2011 and December 2, 2011

Date of hearing: February 24, 2012

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 an amendment to the Power Reactor Operating Licence for its Pickering Nuclear Generating Station (NGS) B located in Pickering, Ontario. The current licence, PROL 08.16/2013, expires on June 30, 2013.
2. OPG is requesting changes to the licence to update the full nuclear organizational chart, to change the date by which OPG is required to submit the organizational chart, and to remove references to the obsolete organizational chart.

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 February 24, 2012 in Ottawa, Ontario. During the hearing, the Commission considered written submissions from OPG (CMD 12-H104.1) and CNSC staff (CMD 12-H104).

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 08.16/2013 issued to Ontario Power Generation Inc. for its Pickering Nuclear Generating Station B located in Pickering, Ontario. The amended licence, PROL 08.17/2013, is valid until June 30, 2013.

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.

6. The Commission amends the filing date of the organizational chart from January 31 to March 31 of each year. The licence is also amended to remove specific references to the obsolete organizational chart.

Issues and Commission Findings

Qualifications and Protection Measures

7. The original request made by OPG was to decrease the level of detail required in OPG's annual organizational chart submission, change the date by which OPG is required to submit the organizational chart from January 31 to March 31, and remove the references to the obsolete organizational chart.
8. CNSC staff reported having reviewed OPG's original request and found that the level of detail that OPG proposed to submit in their organizational chart submission was insufficient for CNSC staff to evaluate the adequacy of staffing levels. CNSC staff reported having discussed this matter with OPG and stated that OPG agreed to submit the full nuclear facility organizational chart. OPG has submitted a revised licence amendment request to reflect this change.
9. Regarding the requests to change the date by which OPG is required to submit the organizational chart and to remove the references to the obsolete organizational chart, CNSC staff reported that these changes are administrative and will have no impact on safety.
10. CNSC staff has determined that the changes will have no adverse impact on potential or established Aboriginal or Treaty rights. CNSC staff stated that the duty to consult with Aboriginal groups does not arise in relation to the proposed licence amendment.

Application of the *Canadian Environmental Assessment Act*

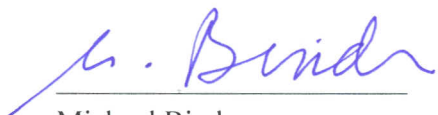
11. Before making a licensing decision, the Commission must be satisfied that all applicable requirements of the *Canadian Environmental Assessment Act*³ (CEAA) have been fulfilled.
12. CNSC staff reported that it had completed an Environmental Assessment (EA) determination. CNSC staff stated that there was no requirement for an EA pursuant to subsection 5(1) of the CEAA.

Conclusion

13. The Commission has considered the information and submissions from OPG and CNSC staff and is satisfied that the requested amendment is 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 amendment.

³ S.C. 1992, c. 37.

14. The Commission is also satisfied that all applicable requirements of the CEAA have been fulfilled.



Michael Binder
President,
Canadian Nuclear Safety Commission

FEB 24 2012

Date