



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 A Nuclear Power Reactor
Operating Licence

Hearing Date June 22, 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 A Nuclear Power Reactor Operating Licence

Application received: April 26, 2012

Date of hearing: June 22, 2012

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

Members present: M. Binder, Chair

Secretary: M. Leblanc

Recording Secretary: S. Gingras / C. Heyendal

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 Nuclear Power Reactor Operating Licence (PROL) for the Pickering Nuclear Generating Station - A (Pickering NGS-A), located in the Province of Ontario, in the City of Pickering in the Regional Municipality of Durham. The current licence, PROL 04.04/2013, expires on June 30, 2013.
2. In the application, OPG requested the Commission's approval to correct an omission made by CNSC staff in the original CMD 12-H112, upon which the Commission issued the Pickering NGS-A PROL 04.04/2013 licence. The correction is to change a specific qualification for the Pickering NGS-A Fuel Handling staff.

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 June 22, 2012 in Ottawa, Ontario. During the hearing, the Commission considered written submissions from CNSC staff (CMD 12-H119) and OPG (CMD 12-H119.1).

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

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 conditions of subsection 24(4) of the NSCA. Therefore,

The Commission, pursuant to section 24 of the *Nuclear Safety and Control Act*, amends the Nuclear Power Reactor Operating Licence PROL 04.04/2013 issued to Ontario Power Generation Inc. for its Pickering Nuclear Generating Station A located in Pickering, Ontario. The amended licence, PROL 04.05/2013, is valid until June 30, 2013.

6. The Commission includes in the licence the conditions as recommended by CNSC staff in CMD 12-H119.

Issues and Commission Findings

Qualifications and Protection Measures

7. CNSC staff stated that an administrative correction to the Pickering NGS-A licence is needed, OPG having discovered an error in the PROL 04.04/2013 presented to the Commission in CMD 12-H112 and recently amended by the Commission. This error is an omission made by CNSC staff regarding a change made to a specific qualification of staff as a footnote to the Minimum Shift Complement table in Appendix A.1 of the licence.
8. CNSC staff reported that, in the previous version of the Pickering NGS-A licence, the specific qualification of “Critical Safety Parameter qualified” requirement was only for the Fuel Handling Major Panel Operator position. OPG requested this qualification to be shared and, therefore, one of either the Fuel Handling Major Panel Operator or the Fuel Handling Nuclear Operator must be Critical Safety Parameter qualified. CNSC staff was satisfied with the changes proposed by OPG, as was detailed in CMD 12-H112.
9. CNSC staff noted that the correction to this error is made by adding a footnote to the Minimum Shift Complement table in Appendix A.1 of the new proposed licence.

Application of the *Canadian Environmental Assessment Act*

10. 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.
11. 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.

³ S.C. 1992, c. 37.

Conclusion

12. The Commission has considered the information and submissions from OPG and CNSC staff and is satisfied that the requested amendment will not adversely impact the safety of the Pickering NGS-A operations. The Commission is also satisfied that aboriginal consultation is not necessary in relation to the proposed amendment.
13. The Commission is also satisfied that all applicable requirements of the CEAA have been fulfilled.



Michael Binder
President,
Canadian Nuclear Safety Commission

JUN 22 2012

Date