

**PROTOCOL FOR ATOMIC ENERGY OF CANADA LIMITED
LICENCE REPLACEMENT ACTIVITIES FOR THE
NUCLEAR POWER DEMONSTRATION (NPD),
GENTILLY-1 and DOUGLAS POINT WASTE MANAGEMENT FACILITIES**

PREAMBLE

WHEREAS Atomic Energy of Canada Limited (AECL) is the licensee for the Nuclear Power Demonstration (NPD), Gentilly-1, and Douglas Point Waste Management Facilities as defined in section 1 of the *Class I Nuclear Facilities Regulations* and section 19 of the *General Nuclear Safety and Control Regulations*, made pursuant to section 44 of the *Nuclear Safety and Control Act* (NSCA).

AND WHEREAS the Canadian Nuclear Safety Commission (CNSC) has regulatory and statutory responsibilities under the *Nuclear Safety and Control Act* (NSCA) and its regulations and is responsible for assessing the licence application and for issuance of the replacement licences to AECL.

AND WHEREAS the CNSC is a quasi-judicial administrative tribunal;

AND WHEREAS nothing in this Protocol fetters the powers of Designated Officers, Inspectors or the Commission when it comes to making regulatory decisions or taking regulatory action in the public interest, transparently and independent of any undue influence;

AND WHEREAS nothing in this Protocol is to be construed or interpreted as affecting the jurisdiction and discretion of the CNSC in any assessment of any application for licensing purposes under the NSCA;

AND WHEREAS all parties to the Protocol understand that, there will be no compromise in the protection of the health, safety and security of Canadians, as well as the environment. The parties also recognize the independence of the CNSC, as the Canada's federal nuclear regulator, will be maintained.

1.0 PURPOSE OF PROTOCOL

The purpose of the Protocol is to establish the administrative framework for the program of activities required to support the re-licensing work for three sites owned by Atomic Energy Canada Limited (AECL). Target timelines, responsibilities and clear milestones are identified to track progress and measure success of each of the key activities leading to the submission of the licence application.

If deemed necessary the protocol may be extended to cover a further period or any conditions on which the new licences are issued upon.

2.0 CONTEXT

Nuclear Power Demonstration, Douglas Point and Gentilly-1 currently have older Atomic Energy Control Board licences. The licences have been in existence for a number of years; in a move to align the licences with current regulations the CNSC has requested that AECL apply for a replacement to these licences. Atomic Energy of Canada Limited has subsequently responded, providing a list of documents to be produced together with a timeline with respect to when the licence replacement applications could be made. This protocol is a framework to manage the production of the required documentation and the timely review between CNSC and AECL.

Under the NCSA and subsequent regulations, AECL will apply for three Waste Management Facility Operating Licences. It is AECL's intention to submit one licence application that will support the replacement of three existing Waste Management Facility Operating Licences. Atomic Energy of Canada Limited understands that three replacement licences will be considered under this application.

3.0 PARTIES & CHAMPIONS

The parties to the Protocol have the following roles and responsibilities with respect to the licensing and progress tracking of the activities listed in Appendix A:

- The CNSC has regulatory and statutory responsibilities under the NSCA and its regulations and is responsible for reviewing the documents submitted prior to the licence applications.
- Atomic Energy of Canada Limited is a crown corporation, owned by the Government of Canada and is the licensee for all activities conducted on the NPD, Douglas Point and Gently-1 waste management sites. Atomic Energy of Canada Limited is also responsible for implementing the work and ensuring all regulatory requirements are fully met.

Champions of this Protocol representing each party are as follows:

Don Howard
Director
Waste and Decommissioning Division
Canadian Nuclear Safety Commission
Telephone: (613) 995-1770
Fax: (613) 995-5086
E-mail: Don.Howard@cnsccsn.gc.ca

David Garrick
Manager
Decommissioning &
Waste Management Safety & Licensing
Chalk River Laboratories
Atomic Energy of Canada Limited
Telephone: (613) 584-8811 ext. 45683
Mobile: (613) 633-0225
Fax: (613) 584-8023
E-mail: garrickd@aecl.ca

4.0 EXECUTIVE MANAGEMENT COMMITTEE

The parties to the Protocol agree to form an Executive Management Committee, comprised of Senior Management Representatives from the two parties to the Protocol.

The Executive Management Committee reviews and approves the progress reports and will also serve to resolve issues. Where an issue cannot be resolved through the Champions, the Executive Management Committee agrees to meet within five working days of notification of the dispute with the intention of expeditiously resolving the concern.

The members of the Executive Management Committee are set out as follows:

Peter Elder
Director General
Directorate of Nuclear Cycle and Facilities Regulation
Canadian Nuclear Safety Commission
Telephone: (613) 943-8948
Mobile: (613) 222-4462
Fax (10th floor): (613) 943-0871
Fax (Records Office): (613) 995-5086
E-mail: peter.elder@cnsccsn.gc.ca

Joan Miller
Vice-President and General Manager
Decommissioning & Waste Management
Atomic Energy of Canada Limited
Telephone: (613) 584-8811 ext. 43277
Mobile: (613) 633-6568
Fax: (613) 584-8222
E-mail: millerj@accl.ca

Each party will identify alternates in the event that the primary committee member is unavailable.

5.0 TIMELINES

The Protocol and the attached Appendices A and B establish the milestones within target timelines. It is recognized that there may be risks that cause delays and subsequent re-scheduling of activities. Should events unfold in a manner that is different from what has been assumed, the Protocol Champions will agree a revised way forward. To preserve the completion of the objectives, the milestones may have to be revised and dealt with in a timely manner, following the process outlined in Section 10.0 of this Protocol.

The parties agree to meet, as necessary and as needed, to clarify intentions and facilitate common understandings, with the aim of achieving the target projects completion dates.

The review timelines shall take into consideration CNSC regulatory documents and guidelines and AECL internal processes and procedures. These timelines shall include:

- a. Number of working days for CNSC staff to complete conformity review of submitted document and to respond to AECL;
- b. Number of working days for CNSC staff to complete review of document and provide the results of the review to AECL;
- c. Number of working days for AECL to respond to CNSC staff's comments (response or submission of revised document); and
- d. Number of working days for CNSC staff to review AECL's response or resubmission and issue response to AECL

6.0 EFFECTIVE LIFE OF THE PROTOCOL

This Protocol will come into effect upon the date of signing by the two parties to the Protocol. This Protocol is valid until the submission of the licence application for the three waste management facilities. As discussed in Section 1, if deemed necessary the Protocol may be extended to cover ongoing activities associated with the licence application.

7.0 REPORTING

Progress meetings shall be held quarterly between the members of the Protocol to discuss the progress against the protocol milestones and table any issues that may threaten future milestones.

Atomic Energy of Canada Limited will produce a report demonstrating progress, status of activities and items of concern/risk to completion. The report shall also specifically identify any revisions to Appendix A and/or Appendix B that have been approved by the Champions. The reports shall be submitted to the Executive Management Committee within the first week of 2012 November and first week of 2013 May.

Any deviation from the protocol must be agreed by the protocol champions and recorded, by means of minutes of meetings or formal correspondence.

8.0 EXTERNAL COMMUNICATIONS

Throughout the duration of this Protocol, the two parties agree that the communications will be open and transparent and that information destined for public release will be coordinated through the designated procedures with support from each party's communications division. Further, these communications will be done in coordination with, and in consideration of each party's communications' practices.

9.0 ISSUES RESOLUTION

The parties to this Protocol will use their best efforts to resolve any differences of opinion in the interpretation or application of this Protocol in an effective and timely manner at the staff level. Issues that cannot be addressed at the staff level will be resolved through direct discussions and collaboration between the Champions. Those that cannot be resolved will be jointly referred to the Executive Management Committee.

10.0 FUTURE REVISIONS OF THE PROTOCOL

Revisions of this Protocol are limited to adjustments to Appendix A and/or Appendix B and shall be coordinated and approved by the Champions, and included in the progress reports to the Executive Management Committee.

11.0 PROTOCOL AGREEMENT

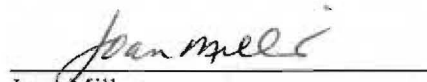
The parties hereto have signed the Protocol, in counterpart, on the dates indicated below.



Peter Elder
Director General,
Directorate of Nuclear Cycle and Facilities Regulation
Canadian Nuclear Safety Commission

2012 August 8

Date



Joan Miller
Vice-President and General Manager
Decommissioning & Waste Management
Atomic Energy of Canada Limited

2012 August 1

Date

Appendix A

Milestones

Milestone	Submission Date to CNSC
Table of Contents for Safety Analysis Reports	2012 July
Fire Protection Procedure	2012 July
Fire Hazard Analysis – NPD	2012 August
Fire Hazard Analysis – Douglas Point	2012 September
Draft Safety Analysis Report	2013 February
Fire Hazard Analysis – Gentilly 1	2013 April
Updated Safety Analysis Report – Gentilly 1	2013 October
Updated Safety Analysis Report – NPD	2013 December
Updated Safety Analysis Report – Douglas Point	2013 December
Licensing Basis Document	2013 December