



President

Président

DEC 28 2012

Mr. Andrew Cash, M.P.
Room 835, Confederation Building
Ottawa ON K1A 0A6

Dear Mr. Cash:

I refer to your e-mail and attached letter dated December 20, 2012 addressed to me and the Honourable Joe Oliver requesting a review of the GE-Hitachi Nuclear Energy Canada Inc.'s (GEH-C) operating licence for its Toronto uranium processing plant.

The 2010 relicensing decision of GEH-C facility in Toronto followed the Canadian Nuclear Safety Commission's (CNSC) two-day public hearing process, which was web cast live. As part of this process, public notification for the hearing was disseminated through the CNSC Web site, an e-mail to our subscription list which consists of more than 2000 subscribers who are interested in nuclear matters, including approximately 85 media outlets or media representatives. Furthermore, advertisements were posted in the Toronto Star, L'Express de Toronto, and the Peterborough Examiner. In addition, an advertisement appeared on the Windspeaker's page of the Aboriginal Multi-Media Society Web site. Following the public hearing, the Commission deliberated and made its decision on the matter. The decision and the public hearing proceedings were also posted and distributed widely. There was no application for judicial review of this decision within the standard 30-day review application period.

As stated in its 2010 decision, the Commission recognized the improvements made by GEH-C in its Public Information Program while stating its expectation that the program continue to improve. It should be noted that, once a licence is issued, the CNSC has various enforcement tools that encourage licensees to comply with regulatory requirements. Consequently, the Commission will not conduct a licensing hearing to re-examine GEH-C's operating licence.

There are other means to achieve the purpose of disseminating information to the public or providing feedback to a regulator. In addition to informal meetings or information session in the community, in which CNSC staff has recently participated (as acknowledged in your letter) and are willing to attend again if asked, there is also the possibility for the public to file written submissions for consideration during public meetings of the Commission.

In this regard, GEH-C was directed to deliver a status report to the Commission on the safety performance of its facilities following the midpoint of the 10-year licence term (circa 2016). The Commission also directed CNSC staff to prepare annual reports on the results of compliance activities for Canadian fuel cycle and processing facilities (which captures GEH-C's performance). These industry sector reports are presented at public meetings of the Commission, as was the case on October 25, 2012. The public was invited to file written submissions and observe the proceedings, either live or via Webcast. Please note that the same process will be followed for the 2012 Annual Performance Report. This is the next opportunity for members of the public to provide written comments to the Commission on GEH-C's operating activities. To receive CNSC announcements and notices for the 2012 Annual Report on the Performance of Nuclear Fuel Cycle and Processing Facilities, please subscribe to <http://www.nuclearsafety.gc.ca/eng/mediacentre/subscription/index.cfm>.

Finally, your letter states that the "licence was granted for an unprecedented period of ten years". A ten-year licence is not unprecedented and many facilities that have been considered as low-risk by the Commission have been granted ten-year licences, including the Slowpoke nuclear reactors, OPG's waste management facilities, TRIUMF Accelerators and Nordion (dating back to 2005).

The CNSC would not issue a licence unless it was safe to do so. The Commission renewed GEH-C's operating licence for a 10-year licence based on a number of factors including GEH-C's positive compliance history, as well as the maturity of its key health and safety programs. Based on CNSC's comprehensive compliance verification program that includes desktop reviews, annual compliance and performance reporting, event reviews as required, and site inspections, the CNSC confirms that GEH-C is operating safely.

Yours sincerely,



Michael Binder

c.c.: The Honourable Joe Oliver, Minister of Natural Resources