



Notice of Public Hearing

June 27, 2024

Ref. 2024-H-03

CNSC to conduct a public hearing on Ontario Power Generation Inc.'s application for a licence to construct one BWRX-300 reactor for its Darlington New Nuclear Project

The Canadian Nuclear Safety Commission (CNSC) will hold a 2-part public hearing on October 2, 2024 and in January 2025, to consider an application from Ontario Power Generation Inc. (OPG) for a licence to construct a reactor facility for its [Darlington New Nuclear Project](#) (DNNP). The DNNP is located on the site of the Darlington Nuclear Generating Station in the Municipality of Clarington, Ontario, on the traditional lands and waters of the Michi Saagiig Anishinaabeg, the Gunshot Treaty (1877–88), the Williams Treaties (1923), and the Williams Treaties Settlement Agreement (2018). OPG currently holds a power reactor site preparation licence for the DNNP, which the Commission [renewed in 2021](#).

In December 2021, OPG announced its selection of the General Electric Hitachi BWRX-300 reactor for deployment at the DNNP site. The BWRX-300 is an approximately 300-megawatt electric (MWe) water-cooled, natural circulation boiling water reactor. In October 2022, OPG applied for a licence to construct one BWRX-300 reactor. In April 2024, the [CNSC announced](#) the Commission decision that the existing environmental assessment (EA) for the DNNP, which covers the full project lifecycle, is applicable to the BWRX-300 reactor.

Purpose and scope of hearing

The application before the Commission is an application for the construction of a Class IA nuclear facility, defined in the [Nuclear Safety and Control Act](#) (NSCA) and the [Class I Nuclear Facilities Regulations](#). The purpose of the hearing is for the Commission to consider and decide on OPG's application for a licence to construct 1 BWRX-300 reactor for its DNNP. Although the EA for the DNNP considers up to 4 reactor units, the application before the Commission is limited to 1 reactor unit.

Under the NSCA, no licence shall be issued unless, in the opinion of the Commission, the applicant

- (a) is qualified to carry on the activity that the licence will authorize the licensee to carry on; and
- (b) will, in carrying on that activity, 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.

The Commission will consider the information on the record that will allow it to render a licensing decision with respect to the above.

As an agent of the Crown, the Commission's responsibilities include the duty to consult and, where appropriate, accommodate, where the Crown contemplates conduct that may adversely impact potential or established Aboriginal or treaty rights. In meeting its obligations towards Indigenous Nations and communities, the Commission may rely on consultation undertaken by CNSC staff as well as the opportunities for Indigenous Nations and communities to make submissions directly to the Commission and to participate in the hearing process.

To assist the Commission in meeting its duty to consult and, where appropriate, accommodate, in respect of the OPG's application for a licence to construct 1 BWRX-300, the Commission will also be relying on the engagement work of OPG. The Commission will consider engagement undertaken by OPG, including with respect to avoidance, mitigation or other measures adopted or proposed by OPG for potential accommodation purposes. This consideration does not mean that the consultation undertaken by CNSC staff stops or is replaced by OPG's engagement, but rather that both continue concurrently.

Hearing details

Date (part 1): October 2, 2024
Place: Virtually via Zoom
Time: As set by the agenda published prior to the hearing date

Date (part 2): Starting January 8, 2025 (number of days to be determined)
Place: Ajax Convention Centre, 550 Beck Crescent, Ajax, Ontario and virtually via Zoom
Time: As set by the agenda published prior to the hearing date

The public hearing will be webcast live and available on the CNSC website at cnsccsn.gc.ca. Additional details about the public hearing will be issued at a later date.

During the hearing, the Commission will consider oral and written submissions from OPG and CNSC staff related to OPG's application. The Commission will also consider oral and written interventions from Indigenous Nations and communities, as well as from members of the public and other interested parties.

[OPG's application](#) is available on its website. OPG's hearing submission and CNSC staff's recommendations to be considered at the hearing will be available on the CNSC website, or on request to the Commission Registry, after **July 2, 2024**.

Participant funding

On October 10, 2023, the [CNSC announced](#) that it was making available up to **\$150,000** in funding through its [Participant Funding Program](#). The purpose of the funding is to assist Indigenous Nations and communities, members of the public and interested parties in reviewing OPG's application for a licence to construct for the DNNP, as well as to assist in the review of

CNSC staff's and OPG's submissions to the Commission, and in participating in the hearing process by providing topic-specific interventions to the Commission. The CNSC opened this funding opportunity prior to the Commission's decision on the applicability of the EA in order to ensure that Indigenous Nations and communities, the public, and interested parties had a reasonable amount of time to review the application and relevant supporting documentation. Any funding awarded to support participation in the hearing process was dependent on the outcome of the Commission's decision. The deadline for submitting a completed participant funding application form was **December 8, 2023**. A funding review committee, independent of the CNSC, was established to review funding applications and awarded [up to approximately \\$192,000 in funding to 11 recipients](#).

Interventions

Pursuant to rule 19 of the [Canadian Nuclear Safety Commission Rules of Procedure](#), persons who have an interest or expertise in this matter or information that may be useful to the Commission in coming to a decision are invited to comment on OPG's application. Requests to intervene must be filed with the Commission Registry by **November 4, 2024**, using the [online request form](#), [email](#), or the contact information below. **The request to intervene must include the following information:**

- a written submission of the comments to be presented to the Commission
- a statement setting out whether the requester wishes to intervene by way of written submission only, or by way of written submission and oral presentation
- the requester's name, address, telephone number and email address

Oral presenters who wish to use a PowerPoint presentation are asked to submit their slide decks to the Commission Registry by **December 12, 2024**. All submissions will be available for download on the [CNSC website](#) or on request to the Commission Registry. Personal information, such as email address and telephone number, is essential for linking the submission to its author. If you wish to ensure the confidentiality of your personal information, please submit it on a separate page.

Persons who require Indigenous language interpretation for the hearing are asked to contact the Commission Registry by **July 24, 2024**, to request interpretation services.

Obligation for Providing Documentary Material for the Record

Under rule 15 of the [Canadian Nuclear Safety Commission Rules of Procedure](#), any documentary evidence, written submission or other material filed with the Commission shall be open to the participants and the public (subject to any confidentiality measures taken by the Commission, as described below).

In order to provide a clear record of information that is before the Commission, all participants should submit to the Commission Registry, along with their substantive submissions, any reference materials used to support their position. Reference materials must be directly appended

to the submission or filed under separate cover, as appropriate, to be considered on the record. Items cited in and/or hyperlinked from the body of the main submissions but not filed will not be considered as part of the record, and will not be taken into account in the Commission's deliberations.

Confidentiality

Under rule 12 of the [Canadian Nuclear Safety Commission Rules of Procedure](#), the Commission can decide to take measures to protect confidential information. Persons considering filing information that may be confidential in nature are asked to contact the Commission Registry in advance of their submission deadline for information on how to request that the Commission decide whether to take measures to that protect information, and what those measures should be.

For further information on the Participant Funding Program, contact:

Participant Funding Program Administrator, CNSC
Tel.: 613-415-2814 or 1-800-668-5284
Email: pfp@cnsccsn.gc.ca
Web: [Participant Funding Program](#)

For further information on the public Commission hearing process, or on the licensee or the facility being considered in this matter, or to request documents, contact:

Senior Tribunal Officer, Commission Registry
Canadian Nuclear Safety Commission
280 Slater St
PO Box 1046 Stn B
Ottawa ON K1P 5S9

Tel.: (343) 542-8587
Fax: 613-995-5086
Email: interventions@cnsccsn.gc.ca
Web: [Participate in a public Commission hearing](#)

For inquiries to the applicant, contact:

Manager, Regulatory Affairs, DNNP Licensing
Ontario Power Generation, Inc.
230 Westney Road South
Ajax ON L1S 7P9

Email: darlingtonnuclear@opg.com
Web: [OPG Darlington New Nuclear](#)

e-Doc 7294716 (Word)
e-Doc 7295121 (PDF)