Canadian Nuclear Safety Commission | Commission canadienne de sûreté nucléaire

CMD 26-H7.39C

Date: 2026-11-23

Supplementary Information

Written Submission from the Canadian Environmental Law Association

In the matter of

Ontario Power Generation

Application to refurbish Pickering Nuclear Generating Station and to renew licences for the Pickering Nuclear Generating Station and Waste Management Facility

Commission Public Hearing
Part 2

October 6-9, 2026

Renseignements supplémentaires

Mémoire de l'Association canadienne du droit de l'environnement

À l'égard de

Ontario Power Generation

Demande concernant la réfection de la centrale nucléaire de Pickering et le renouvellement de ses permis pour la centrale et l'installation de gestion des déchets

Audience publique de la Commission
Partie 2

6-9 octobre 2026

Document ID: QQQVZZNDK725-166150894-16563

Canada

Canadian Environmental Law Association
EQUITY. JUSTICE. HEALTH.

October 21, 2026

Sent by email interventions@cnsc-ccsn.gc.ca

Senior Tribunal Officer, Secretariat
Canadian Nuclear Safety Commission
280 Slater Street,
P.O. Box 1046, Station B
Ottawa, Ontario K1P 5S9

Re: Ref. 2026 - H-7 - Requests for Ruling
Disclosure of Periodic Safety Review 3 Documents, Ontario Power Generation Gap Analysis to Comply with Version 3 of RegDoc 2.10.1, and Opportunity for Public Comment Prior to Decision

We are counsel for the intervenors, Durham Nuclear Awareness, Slovenian Home Association and Canadian Environmental Law Association in Ref. 2026 – H-7. We are in receipt of the Procedural Direction of the Tribunal dated October 20, 2026, which provides an opportunity for further comment on the following:

- information on the construction and in-service timeline for the deep-water intake (DWI)
- Pickering NGS Periodic Safety Review 3 (PSR3) Basis Document (CMD 26- H7.1E)
- Predictive Environmental Risk Assessment for Pickering Refurbishment, Decommissioning, and Continued Operations - Revision 1 (CMD 26-H7.1F)
- Update on Potassium Iodide (KI) Distribution (CMD 26-H7.E)

Request for Ruling on Disclosure and Opportunity to Comment on All Periodic Safety Review 3 Documents

We are writing to seek a ruling on additional requests for a ruling made by the intervenors at the day 2 public hearing, pursuant to Rule 20(3) of the *Canadian Nuclear Safety Commission Rules of Procedure,* SOR/2000-211. The requests relate to disclosure of all Periodic Safety Review 3 documents and an opportunity to comment on those documents, and are not addressed by the Procedural Direction dated October 20, 2026:

- **Request for Ruling 1:** The intervenors request disclosure of full copies, not only summaries, of all PSR 3 documents:
    - All safety factor reports
    - Global Assessment Report: Currently, only a summary has been disclosed. (CMD 26 – H7.1B)
    - Integrated Implementation Plan (not yet completed)

- **Request for Ruling 2:** The intervenors request an opportunity to provide comments on all of the documents in the PSR3 process, including all of the safety factor reports, the full global assessment report, and the integrated implementation plan, prior to a decision by the Tribunal.

Request for Ruling on Disclosure of Ontario Power Generation's Gap Analysis to Comply with RegDoc- 2.10.1, Nuclear Emergency Preparedness and Response, Version 3 and Opportunity to Comment

The Canadian Nuclear Safety Commission is proposing to present the updated version of RegDoc 2.10.1, Nuclear Emergency Preparedness and Response for acceptance on December 2, 2026. Ontario Power Generation's failure to demonstrate compliance with RegDoc 2.10.1, version 3 was a subject of significant concern in the intervenor's submissions. The intervenors made the following recommendations:

> **RECOMMENDATION NO. 22:** The CNSC should address the requirements under REGDOC-2.10.1, Version 3 by requiring compliance with Version 3's substantive obligations as conditions of any licence; or (b) providing a reasoned explanation of why a renewed PROL should be granted on the basis of a standard the Commission's own staff has determined requires material upgrade. The Commission should firmly reject OPG's request for a licence for a 30-year refurbishment program on the basis of a standard that the CNSC has determined is inadequate and requires revision.
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> **RECOMMENDATION NO. 23:** The Commission should treat the absence of a current, published, PNERP 2025-conformant Pickering Implementing Plan and a REGDOC-2.10.1 v3 gap analysis as a condition precedent to be satisfied prior to the renewal of the PROL, not as a matter to be resolved post-licensing. The intervenors recommend that the Commission withhold approval for the PROL renewal until the OPG's gap analysis is complete, the implementation plan and PSRs are all finalized, publicly vetted, and the OPG is found to be in full compliance with the most recent Canadian and international standards.
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> …
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> **RECOMMENDATION NO. 25:** The Commission should formally adopt the Draft REGDOC-2.10.1 Version 3 requirement to account for "multi-unit and/or multi-module accident scenarios" occurring during refurbishment activities.

Due to the update from the Commission on the timing of acceptance of RegDoc-2.10.1, Version 3, to December 2, 2026, we formally request:

Request for Ruling 3: The Ontario Power Generation Gap Analysis, to address the strengthened requirements in version 3 of RegDoc-2.10.1, must be completed and disclosed to the public and the Tribunal prior to a decision.

Request for Ruling 4: The public seeks an opportunity to comment on Ontario Power Generation's gap analysis and its compliance with RegDoc 2.10.1, Version 3, prior to a Tribunal decision.

Thank you for your attention to these matters.

Sincerely,
CANADIAN ENVIRONMENTAL LAW ASSOCIATION



Jacqueline Wilson
Counsel