Canadian Nuclear Safety Commission | Commission canadienne de sûreté nucléaire

CMD 26-H7.43B

Date: 2026-11-19

Supplementary Information

Written Submission from the Nuclear Transparency Project

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 du Projet de transparence nucléaire

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: QQQVZZNDK725-166150894-16497

Canada

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By email

November 19, 2026

Re: Ontario Power Generation's request for a licence renewal for the Pickering Nuclear Generating Station and Waste Management Facility and application to refurbish units 5-8

We would like to begin by thanking the Canadian Nuclear Safety Commission (CNSC) for providing the opportunity for all intervenors to submit further comments at this time, pursuant to Procedural Direction DIR 26-H7 released by the Commission on October 20, 2026. We would also like to take this opportunity to explain that due to the terms of our funding agreement and the August deadline for written submissions in this matter, our organization does not have the capacity to provide further analysis of the documents added to the public record since August 12. We have also become aware that further materials upon which we relied for our written submissions were revised and updated after NTP contributors completed their reports. As such we have effectively been prevented from reviewing and providing analysis of the full evidentiary record in this proceeding.

We understand that this current additional comment period is meant to ensure a greater degree of procedural fairness in this matter. However, those relying on CNSC Participant Funding to perform their work are effectively prevented from taking advantage of this opportunity. NTP argues that procedural fairness would have required that Ontario Power Generation (OPG) present its full case in advance of the written public intervention deadline. In the alternative, intervenors should have been provided more funding and time to review OPG's later materials once they were made available.

Late additions to the public record, after written interventions were due

Between the due date for intervenors' final submissions (August 12) and the start of the public hearing (October 6), there were many significant additions to the public record:

- On August 21, CNSC staff posted a request that OPG provide additional information at the Day Two public hearing relating to six significant project areas: refurbishment scope, fitness for service, steam generator replacement, deep water intake (DWI), waste management, and operating experience;

- On September 14, a 48-page Global Assessment Report Summary by OPG was posted to the Registry;
- On September 23, CNSC staff posted a 220-page document with updates on a series of significant aspects of the proposed refurbishment. That same day, 195 pages of additional OPG materials were posted providing further substantive updates on significant elements of the proposed refurbishment;
- On October 1, CNSC requested that OPG provide its Periodic Safety Review 3 Report and Accident Analysis. One of these was posted a week in advance of the hearings, the other was posted as hearings concluded; and
- On October 2, CNSC staff published a 232-page document outlining concerns arising over the course of Indigenous consultation activities.

We reviewed these documents as they were released and prepared a few responses to include in our final oral submissions. However, the late release of these documents meant that NTP experts were precluded from including these updates in expert reports, having already used the time and funding provided. The result is that our organization has not been able to fully understand or comment on OPG's proposal in this matter.

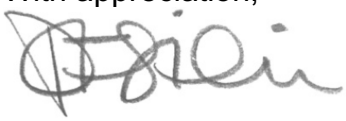
Late revisions to OPG materials not posted to the Registry

OPG's Predictive Environmental Risk Assessment (PERA) prepared in 2025 for the proposed Pickering refurbishment was not posted to the Registry before our submission deadline, but was provided directly to our organization via hyperlink by OPG. This document was the most significant source of information relating to potential environmental effects of the proposed refurbishment. However, it lacked information characterizing the potential environmental impacts of constructing and operating a deep water intake (DWI). NTP commented on this in greater length in our final written submissions.

We became aware, months later, that a revision of the PERA was released after NTP contributors had completed their reviews. We discovered this by chance and no recognition of this revision is made on OPG's website. Intervenors were not notified that the 2025 PERA would be revised. The revision was posted to replace the older version on OPG's website quietly halfway through proceedings. As a result, we were effectively prevented from being able to assess potential environmental impacts associated with a DWI at the Pickering site. As this was an important part of the review we were funded to provide, and as the DWI is one of the most significant physical changes at the site relating to the refurbishment, the late release of a revised PERA and lack of public notification are deep concerns.

We support all other intervenors' further comments at this time, noting several are also experiencing significant capacity constraints and require more access to important information. Our submissions are meant to highlight that considerable procedural fairness deficits in this matter persist – and make a case that intervenors receiving participant funding to hire experts should have been afforded more consideration.

With appreciation,



Pippa Feinstein, JD LLM
NTP Founder and Co-ordinator