CMD 26-H7.F - CNSC Staff Update to the Commission Regarding DIR 26-H7

Ontario Power Generation Application to renew the operating licence of the Pickering Nuclear Generating Station and Waste Management Facility and request for authorization to refurbish units 5-8

Classification	UNCLASSIFIED
Type of CMD	Information Update
CMD Number	26-H7.F
Reference CMD(s)	26-H7, 26-H7.B, 26-H7.D, 26-H7.E
Public meeting date	October 6-9, 2026
Summary	CNSC staff's additional submission in response to the Commission's procedural direction, DIR 26-H7, issued on October 20, 2026
Actions required	There are no actions requested of the Commission. This CMD is for information only.

MEMORANDUM NOTE DE SERVICE

To / A: Candace Salmon
Commission Registrar / Registraire de la Commission

CMD# 26-H7.F
UNRESTRICTED

2026-11-19

From / De: X A. Bulkan

Anupama Bulkan
Acting Director General, DPRR
Signed by: Bulkan, Anupama

Subject: CNSC staff's additional submission in response to the Commission's procedural direction, DIR 26-H7, issued on October 20, 2026

PURPOSE

This supplemental CMD (CMD 26-H7.F) provides additional information from CNSC staff in response to the Commission's October 20, 2026, procedural direction (DIR 26-H7).

BACKGROUND

On October 20, 2026, the Commission issued procedural direction (DIR 26-H7) regarding Ontario Power Generation's (OPG) licence application to renew the operating licences for the Pickering Nuclear Generating Station (NGS) and Waste Management Facility (WMF) and to authorize the refurbishment and continued operation of units 5-8 (1).

The purpose of the procedural direction was to keep the record of the hearing open until November 19, 2026, to allow hearing participants the opportunity to provide additional submissions to the Commission on the information added to the record in the week leading up to, during, and following Part 2 of the hearing.

In relation to DIR 26-H7, CNSC staff are providing the following additional information:

- CNSC staff comments on the information added to the public record after the intervention deadline
- CNSC staff's recommendation regarding the licence conditions proposed by the Michi Saagiig Anishinaabeg of the Williams Treaties First Nations (MS-WTFNs) pertaining to the deep-water intake (DWI) and indigenous knowledge
- CNSC staff's update on ongoing engagement and consultation work that has occurred since October 9, 2026, and in particular consultation with the MS-WTFNs on the proposed Licence Condition G.7 and the associated compliance verification criteria (CVC) text included in the draft Licence Conditions Handbook (LCH)

DISCUSSION

Information added to the Public Record after the intervention deadline

Since August 12, 2026, as noted in DIR 26-H7, the following information has been added to the public record:

- Information on the construction and in-service timeline for the DWI
- The Pickering Nuclear Generating Station (NGS) Periodic Safety Review 3 (PSR3) Basis Document (CMD 26-H7.1E)
- Revision 1 of the Predictive Environmental Risk Assessment (PERA) (CMD 26-H7.1F)
- CNSC staff's update on Potassium Iodide (KI) Distribution (CMD 26-H7.E)

Deep-Water Intake

As outlined in CNSC staff's CMD 26-H7.B, OPG provided additional information on construction of the proposed DWI following Part 1 of the hearing in response to CNSC staff's request for information. OPG has committed to complete the DWI during the proposed licence period, with a target completion date of 2032. Until the DWI is in-service, OPG intends to continue to use the existing surface water intake. CNSC staff remain satisfied that the environment will continue to be protected during the operation of the existing surface water intake until the DWI is completed. CNSC staff will continue to engage with Fisheries and Oceans Canada (DFO) regarding construction of the proposed DWI.

PSR3 Basis Document

As outlined in CNSC staff's CMD 26-H7, OPG's PSR3 basis document describes the scope and methodology for the conduct of the PSR. CNSC staff reviewed and accepted OPG's PSR3 basis document and concluded that it met the requirements of CNSC REGDOC 2.3.3, *Periodic Safety Reviews*.

Predictive Environmental Risk Assessment (PERA) Revision 1

As outlined in CNSC staff's CMD 26-H7, CNSC staff reviewed Revision 0 of the PERA and found that it met the requirements of REGDOC 2.9.1, *Environmental Protection: Environmental Principles, Assessments and Protection Measures*, and CSA N288.6-22, *Environmental risk assessments at nuclear facilities and uranium mines and mills*.

OPG submitted revision 1 of the PERA to CNSC staff on May 28, 2026 (CMD 26-H7.1F). The PERA was revised to address comments provided by CNSC staff and Environment and Climate Change Canada, as well as comments received from the MS-WTFNs. It was also updated to incorporate additional environmental sampling data collected through field studies to support the characterization of the existing environmental conditions. The additional information

incorporated into Revision 1 of the PERA does not alter CNSC staff's overall conclusions on the original PERA as outlined in CNSC staff's CMD 26-H7.

Potassium Iodide (KI) Pill Distribution

As outlined in CNSC staff CMD 26-H7.E, CNSC staff are satisfied that OPG meets CNSC regulatory requirements for the availability and distribution of KI pills in the vicinity of the Pickering NGS and that the KI pill distribution arrangements are consistent with international guidance including the International Atomic Energy Agency (IAEA), World Health Organization (WHO), and International Commission on Radiological Protection (ICRP).

In CMD 26-H7.E, CNSC staff noted that Indigenous Nations and communities are identified as offsite authorities in REGDOC 2.10.1, *Nuclear Emergency Preparedness and Response*. It should be noted that this identification pertains only to REGDOC 2.10.1, *Nuclear Emergency Preparedness and Response*, Version 3, which is a draft document and subject to Commission approval.

Proposed Licence Conditions

Completion of Deep-Water Intake

Construction of the DWI is part of the scope of the proposed refurbishment project, as detailed in OPG's application and supporting materials. As stated above, OPG has committed to complete the DWI during the proposed licence period and after the return to service of 1 or more units, with a target in service date of 2032.

As outlined in CMD 26-H7.B, CNSC staff have assessed OPG's application and supporting DWI information and found that continued use of the existing surface water intake is acceptable until the DWI is put in service. CNSC staff will verify that OPG meets operational and environmental protection regulatory requirements during the proposed licence period. CNSC staff do not recommend the inclusion of a licence condition regarding the completion of the DWI given that completion of the DWI is already considered part of the proposed refurbishment project scope. CNSC staff recognize the benefits a DWI would provide to the operations of the Pickering NGS and expect OPG to make all efforts to install the DWI expeditiously during the proposed licence period, in accordance with the project information shared to date.

CNSC staff are committed to ongoing engagement with the MS-WTFNs to address their specific concerns with regards to the surface water intake as well as the DWI, including coordination of consultation activities on OPG's Fisheries Act Authorization (FAA) and related offsetting measures with DFO. CNSC staff will also continue to collaborate with the MS-WTFNs on the oversight and reporting of OPG's commitments to the Nations.

Proposed revision to Licence Condition (LC) G.7

CNSC staff recognize the importance of incorporating Indigenous Knowledge that is shared with OPG or the CNSC into appropriate policies, procedures, and practices. However, CNSC staff recommend maintaining the suggested wording of LC G.7 as written in the draft operating licence included with CNSC staff's CMD 26-H7.

The CNSC strives for standard licence conditions across its nuclear power plant (NPP) licences and wish to maintain consistency with the other NPP licences that include such a condition. The text suggested by the MS-WTFNs pertaining to the use of Indigenous Knowledge is better suited for inclusion in the associated licence conditions handbook (LCH). CNSC staff will work with Indigenous Nations and Communities to develop the LCH provisions related to Indigenous Knowledge during the proposed licence period. As detailed in the following section, CNSC staff have engaged with the MS-WTFNs regarding the CNSC staff perspective on the LC G.7 text.

Ongoing Engagement and Consultation Work

Since October 9, 2026, CNSC staff have continued to engage with Indigenous Nations and OPG regarding the proposed LC G.7 and associated LCH compliance verification criteria (CVC) text.

CNSC staff have continued discussions with the MS-WTFNs, Saugeen Ojibway Nation (SON), and OPG to seek consensus on the proposed LCH language and facilitate collaborative development of commitments and implementation approaches. Efforts have focused on developing CVC text, reporting requirements, and implementation measures that reflect OPG's commitments and CNSC staff's expectations with regards to addressing the concerns and potential impacts identified by Nations during the consultation and regulatory review process.

On October 26, 2026, CNSC staff met with representatives for the MS-WTFNs, to discuss proposed revisions to the LCH text. Recognizing the additional work required to support these discussions, CNSC staff amended the existing contribution agreement and provided additional participant funding to the MS-WTFNs.

On October 30, 2026, CNSC staff met with representatives of SON to discuss specific language within the LCH to address their concerns with respect to waste management and to better understand SON's perspectives on proposed commitments and implementation measures.

CNSC staff have received comments from both the MS-WTFNs and SON and have worked to incorporate proposed revisions where feasible. Both the MS-WTFNs and the SON have indicated to CNSC staff that they continue to engage with OPG to work towards a consensus on the commitments and language that should be included in the LCH related to LC G.7. CNSC staff have asked the Nations and OPG to share the updated proposed commitments list and LCH language for review by the CNSC as soon as practicable. Once the updated list of commitments and LCH text is provided, CNSC staff will review and work with all parties towards consensus on

the LCH text before finalizing. CNSC staff note that the LCH is updated routinely independent of the licence and can be revised during the proposed licence period to reflect the most up-to-date consensus reached by the parties.

CNSC staff also discussed the MS-WTFNs proposed amendments to the text of LC G.7 relating to the consideration and application of Indigenous Knowledge in OPG programs, documents, and policies. Through engagement and discussions with the Nations, CNSC staff have gained a clearer understanding of the intent behind this proposed addition to the LC text. The Nations indicated that their goal with this revised text is to ensure that the outcomes of the studies and information gathering that OPG has committed to support will be meaningfully and tangibly incorporated into decision-making, reporting, and project implementation.

In these discussions, CNSC staff clarified that the LC text is meant to describe a high-level requirement or program for the licensee. CNSC staff noted that the intent behind the MS-WTFNs' proposed changes to the LC text is best addressed through the CVC text in the LCH rather than through amendments to the LC language itself. Maintaining the current LC language while strengthening the LCH would provide greater clarity regarding OPG's obligations, implementation expectations, and reporting requirements related to the consideration and application of Indigenous Knowledge gathered through the different studies and information commitments OPG has made to the Nations. CNSC staff reiterated their commitment to work with the Nations and OPG to incorporate their expectations with regards to OPG's incorporation of Indigenous Knowledge and the information gathered through studies and monitoring activities into the LCH text.

CNSC staff shared its perspectives and recommendations on the proposed LC and LCH text amendments with the MS-WTFNs. However, the MS-WTFNs indicated that they continued to prefer to have the Commission consider adopting their proposed additional wording for the LC G.7 text.

Coordination of Consultation and Engagement on the Fisheries Act Authorization

Following the hearing, CNSC staff have continued engagement and collaboration with DFO, the MS-WTFNs, and OPG regarding matters related to OPG's FAA, including discussions respecting proposed fish habitat offsetting measures.

CNSC staff met with DFO representatives and emphasized the importance of CNSC participation in discussions given its role as Crown Consultation Coordinator and the commitments established through the CNSC-DFO Memorandum of Understanding. CNSC staff have continued to coordinate with DFO to ensure awareness of concerns raised by Indigenous Nations related to OPG's FAA and analysis of potential offsetting measures and to support information sharing among parties.

CNSC staff also participated in discussions involving DFO and MS-WTFNs concerning OPG projects and related Fisheries Act matters. DFO has since provided correspondence outlining its position regarding habitat offsetting and has indicated its intention to convene additional meetings with the MS-WTFNs and include CNSC staff in those discussions.

CNSC staff will continue to monitor discussions, participate in future meetings, and support coordination between DFO, the MS-WTFNs, and OPG to ensure concerns related to FAA requirements and proposed offsetting measures are appropriately understood, considered, and addressed by all parties.

CONCLUSIONS and RECOMMENDATIONS

CNSC staff have assessed the additional information provided on the hearing record and have considered the interventions and discussions that took place during the hearing. CNSC staff's conclusions and recommendations provided in CMD 26-H7 and CMD 26-H7.B remain unchanged.