



Record of Decision

Commission Ruling on Request to Protect Confidential Information

Requestor: BWXT NEC Inc.

Matter: CMD 24-H103—BWXT Toronto and Peterborough facilities - Financial Guarantees

Date of proceeding: Hearing in Writing, to be held in February 2024

With respect to the matter noted above, the Commission has considered [BWXT NEC’s request for confidentiality](#) for the following documents for the Commission hearing in writing. This request was made pursuant to rule 12 of the [Canadian Nuclear Safety Commission Rules of Procedure \(the Rules\)](#).

The Commission’s ruling on this request is that, for the purposes of this proceeding:

RULING				
	DOCUMENT TITLE	INFORMATION WILL BE PROTECTED		MEASURE(S) TO BE TAKEN
		YES	NO	
1.	TSG-2022-001 BWXT NEC Toronto Fuel Pellet Operation - Preliminary Decommissioning Plan	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed
2.	TSG-2022-002 BWXT NEC Peterborough Fuel Assembly Plant - Preliminary Decommissioning Plan	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed
3.	Performance Surety Bond Form (Peterborough)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed
4.	Performance Surety Bond Form (Toronto)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed
5.	Standby Letter of Credit Form (Peterborough)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed
6.	Standby Letter of Credit Form (Toronto)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed
7.	Letter from BWXT NEC titled “Response to CNSC Staff Review of BWXT NEC Updated Preliminary Decommissioning Plans for Toronto and Peterborough”, dated August 30, 2023	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed



Where the Commission has ruled in favour of confidentiality, the Commission is satisfied that

- as per subrule 12(1)(a) of the *Rules*, the information involves nuclear security;
- as per subrule 12(1)(b) of the *Rules*, the information is confidential information of a financial, commercial, scientific, technical, personal or other nature that is treated consistently as confidential and the person affected has not consented to the disclosure;
- as per 12(2)(a) and 12(2)(b) of the *Rules*, protection of the information outweighs in importance the public interest in public hearings and disclosure of evidence, and the measures are designed so as not to affect the public nature of the proceeding except to the extent necessary to adequately protect the information; and
- as per subrule 12(3)(b) of the *Rules*, the publication of information given to the Commission or designated officer be restricted or prohibited.

Dr. Timothy Berube
Presiding Member

Date