



Record of Decision

Commission Ruling on Request to Protect Confidential Information

Requestor: Ontario Power Generation (OPG)
Matter: CMD 24-H101— OPG’s application to amend its Darlington Nuclear Generating Station Power Reactor Operating Licence to authorize the production of the Cobalt-60 Radioisotope
Date of proceeding: Written Hearing, to be held in April 2024

With respect to the matter noted above, the Commission has considered OPG’s requests for confidentiality for the following documents for the April 2024 Commission hearing in writing. These requests were 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:

DOCUMENT TITLE	INFORMATION WILL BE PROTECTED		MEASURE(S) TO BE TAKEN
	YES	NO	
1. [1] OPG letter, R. Geofroy to J. Burta, “Confidential – Darlington NGS – Cobalt-60 Production Modifications Project – Response to CNSC Staff’s Review of the Detailed Engineering Design Documents (D03)”, October 31, 2022, CD# NK38-CORR-00531-23780. (e-doc 6904233)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.
2. [2] OPG letter, S. Gregoris to J. Burta, “Confidential – Darlington NGS – Cobalt-60 Production Modifications Project – Submission of Preliminary Engineering Design Documents (D01-01 and D01-02)”, September 3, 2020, CD# NK38-CORR-00531-21872. (e-doc 6373527)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.
3. [3] OPG letter, S. Gregoris to K. Hazelton, “Confidential – Darlington NGS – Cobalt-60 Production Modifications Project – Submission of Preliminary Engineering Design Documents (D02-01 and D02-02)”,	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.



<p>March 5, 2021, CD# NK38-CORR-00531-22406. (e-doc 6507113)</p>			
<p>4. [4] OPG email, C. Axler to A. Mathai, “Confidential – Darlington NGS – Cobalt-60 Production Modifications Project: CNSC Staff’s Notification of Document Changes – Co-60 Production Modification: RMD, Site Transportation and Monitoring, NK38-MDR-31780-10002 R002 and Modification Design Requirements for Discharge, Storage, Processing, and Off-Site Shipping of Cobalt, NK38-MDR-31935-10001 R002”, April 28, 2023, CD# NK38-CORR-00531-24235. (e-doc 7037319)</p>	<p>✓</p>	<p><input type="checkbox"/></p>	<p>Only the non-confidential summary shall be disclosed.</p>
<p>5. [5] OPG letter, R. Geofroy to J. Burta, “Confidential – Darlington NGS – Cobalt-60 Production Modifications Project – Update on the Initiative to Produce Cobalt-60”, February 28, 2022, CD# NK38-CORR-00531-23192. (e-doc 6749055)</p>	<p>✓</p>	<p><input type="checkbox"/></p>	<p>Only the non-confidential summary shall be disclosed.</p>
<p>6. [6] OPG email, C. Axler to A. Mathai, “Confidential – Darlington NGS – Cobalt-60 Production Modifications Project: CNSC Staff’s Notification of Document Changes – Cobalt Adjuster and Molybdenum Target Delivery System Interaction, NK38-REP-03500-0989867 R002”, April 12, 2023, CD# NK38-CORR-00531-24231. (e-docs 7034530, 7024473)</p>	<p>✓</p>	<p><input type="checkbox"/></p>	<p>Only the non-confidential summary shall be disclosed.</p>
<p>7. [7] OPG email, A. Bhardwaj to S. Baskey, “Confidential – Darlington NGS: Co-60@DNCS: CNSC staff requests for information supporting OPG Round 1 Dispositions to D03 – A9096”, February 15, 2023, CD# NK38-CORR-00531- 24067. (e-doc 6996859)</p>	<p>✓</p>	<p><input type="checkbox"/></p>	<p>Only the non-confidential summary shall be disclosed.</p>
<p>8. [8] OPG letter, R. Geofroy to J. Burta, “Confidential – Darlington NGS – Cobalt-60 Production Modifications Project – Submission of Safety Analysis Documentation for SA03”, March 14, 2022, CD# NK38-CORR-00531-23058. (e-doc 6758658)</p>	<p>✓</p>	<p><input type="checkbox"/></p>	<p>Only the non-confidential summary shall be disclosed.</p>
<p>9. [9] OPG letter, R. Geofroy to J. Burta, “Confidential – Darlington NGS – Cobalt-60 Production Modifications Project – Submission of the Impact Assessment of Cobalt Absorber Rods and Molybdenum Isotope Irradiation System on the Same Unit</p>	<p>✓</p>	<p><input type="checkbox"/></p>	<p>Only the non-confidential summary shall be disclosed.</p>



(SA04)", June 1, 2022, CD #NK38-CORR-00531-23379. (e-doc 6811101)			
10. [10] OPG letter, S. Gregoris to J. Burta, "Confidential – Darlington NGS – Cobalt-60 Production Modifications Project – Submission of Reactor Safety Documents (SA-01)", September 18, 2020, CD# NK38-CORR-00531-21945. (e-doc 6382737)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.
11. [11] OPG letter, S. Gregoris to J. Burta, "Confidential – Darlington NGS – Cobalt-60 Production Modifications Project – Submission of Reactor Safety Supporting Documents for SA02-01 and SA02-02", September 30, 2021, CD# NK38-CORR-00531-22762. (e-doc 6653515)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.
12. [12] OPG letter, S. Gregoris to J. Burta, "Confidential – Darlington NGS – Cobalt-60 Production Modifications Project – Submission of Detailed Engineering Design Documents (D03)", November 12, 2021, CD# NK38-CORR-00531-22945. (e-doc 6680085)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.
13. [13] OPG letter, R. Geofroy to J. Burta, "Confidential – Darlington NGS – Cobalt-60 Production Modifications Project – Submission of D03-01 and the Human Factors Verification and Validation Plan", January 12, 2022, CD# NK38-CORR-00531-23083. (e-doc 6718091)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.
14. [14] OPG email, A. Bhardwaj to J. Burta, "Confidential – Darlington NGS – Cobalt-60 Production Modifications Project – CNSC Staff Notification of Regulatory Management Action Request Due Date Extension for HFESR", October 13, 2022, CD# NK38-CORR-00531- 23786. (e-doc 6911743)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.
15. [15] OPG letter, B. Duncan to P.A. Webster, "Darlington NGS 'A' – Request for Approval of an OP&P Temporary Change for a Demonstration of the Rod-Based Guaranteed Shutdown State", January 27, 2012, CD# NK38-CORR-00531-15754. (e-doc 3874116)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.
16. [16] OPG letter, R. Geofroy to A. Mathai, "Confidential – Darlington NGS – Cobalt-60 Production Modifications Project – Plan to Address Residual CNSC Staff Comments on the Darlington Irradiated Fuel Bay Analysis", April 21, 2023, CD# NK38-CORR-00531-24021. (e-doc 7036188)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.



<p>17. [17] OPG email, S. Chae to J. Burta, "Confidential – Darlington NGS – CNSC Staff's Notification of Document Changes: Impact of Cobalt Adjusters Implementation on Darlington Risk Assessment (DARA), NK38-REP-31780- 0854476 R001", July 7, 2022, CD# NK38-CORR-00531- 23578. (e-doc 6833355)</p>	<p>✓</p>	<p><input type="checkbox"/></p>	<p>Only the non-confidential summary shall be disclosed.</p>
<p>18. [18] OPG letter, R. Geofroy to J. Burta, "Confidential – Darlington NGS – Cobalt-60 Production Modifications Project – Submission of the Evaluation of Limiting Safety Cases for Guide Tube Extension / Cobalt Adapter Thermal Analysis", August 26, 2022, CD# NK38-CORR-00531- 23649. (e-doc 6869952)</p>	<p>✓</p>	<p><input type="checkbox"/></p>	<p>Only the non-confidential summary shall be disclosed.</p>
<p>19. [19] OPG letter, R. Geofroy to A. Mathai, "Confidential – Darlington NGS – Cobalt-60 Production Modifications Project – Response to CNSC Staff's Review of the Evaluation of Limiting Safety Cases for Guide Tube Extension / Cobalt Adapter Thermal Analysis", April 13, 2023, CD# NK38-CORR-00531-24010. (e-doc 7030127)</p>	<p>✓</p>	<p><input type="checkbox"/></p>	<p>Only the non-confidential summary shall be disclosed.</p>
<p>20. [20] OPG email, A. Palladino to J. Burta, "Confidential – Darlington NGS – CNSC Staff's Notification of Document Changes: Hazard Analysis for CAEPS Flask and Nordion Shipping Flask Transportation Activities at the WFFAA, NK38-REP-31935-10035 R001", March 28, 2022, CD# NK38-CORR-00531-23372. (e-doc 6765620)</p>	<p>✓</p>	<p><input type="checkbox"/></p>	<p>Only the non-confidential summary shall be disclosed.</p>
<p>21. [21] OPG letter, R. Geofroy to A. Mathai, "Confidential – Darlington NGS – Cobalt-60 Production Modifications Project – Response to CNSC Staff's Round 2 Review of the Reactor Safety Supporting Documents for SA02-01 and SA02-02", April 4, 2023, CD# NK38-CORR-00531-24060. (e-doc 7019385)</p>	<p>✓</p>	<p><input type="checkbox"/></p>	<p>Only the non-confidential summary shall be disclosed.</p>
<p>22. [22] OPG letter, M.R. Knutson to V. Viktorov, "OPG Response – Pickering NGS and Darlington NGS – Implementation of CSA N290.14-15 (R2020), Qualification of Digital Hardware and Software for Use in Instrumentation and Control Applications for Nuclear Power Plants – Action Item 2022-OPG-24737", November 22, 2022, CD# N-CORR-00531-23324. (e-doc 6925039)</p>	<p>✓</p>	<p><input type="checkbox"/></p>	<p>Only the non-confidential summary shall be disclosed.</p>



<p>23. [23] OPG email, A. Palladino to J. Burta, “Confidential – Darlington NGS – CNSC Staff’s Notification of Document Changes: Co-60 Production Modification: RMD, Site Transportation and Monitoring, NK38-MDR-31780-10002 R001”, March 28, 2022, CD# NK38-CORR-00531-23371. (e-doc 6765477)</p>	<p>✓</p>	<p><input type="checkbox"/></p>	<p>Only the non-confidential summary shall be disclosed.</p>
<p>24. [24] OPG email, A. Palladino to J. Burta, “Confidential – Darlington NGS – CNSC Staff’s Notification of Document Changes: Modification Design Requirements for Conversion to Cobalt Adjuster Rods, NK38-MDR-31780-10004 R001”, March 28, 2022, CD# NK38-CORR-00531-23373. (e-doc 6765650)</p>	<p>✓</p>	<p><input type="checkbox"/></p>	<p>Only the non-confidential summary shall be disclosed.</p>
<p>25. [25] OPG email, V. Carter to J. Burta, “Confidential – Darlington NGS – CNSC Staff’s Notification of Document Changes: Modification Design Requirements for Conversion to Cobalt Adjuster Rods, NK38-MDR-31780-10004 R002”, April 24, 2022, CD# NK38-CORR-00531-23374. (e-doc 6782210)</p>	<p>✓</p>	<p><input type="checkbox"/></p>	<p>Only the non-confidential summary shall be disclosed.</p>
<p>26. [26] OPG email, A. Bhardwaj to J. Burta, “Confidential – Darlington NGS – CNSC Staff’s Notification of Document Changes: Modification Design Requirements for Conversion to Cobalt Adjuster Rods, NK38-MDR-31780-10004 R003”, October 26, 2022, CD# NK38-CORR-00531-23803. (e-doc 6898277)</p>	<p>✓</p>	<p><input type="checkbox"/></p>	<p>Only the non-confidential summary shall be disclosed.</p>
<p>27. [27] OPG email, A. Bhardwaj to S. Baskey, “Confidential – Darlington NGS – Co-60@DNCS: OPG’s Response to CNSC Staff Requests for Information: SA03 – 189DF.2”, December 2, 2022, CD# NK38-CORR-00531-23918. (e-doc 6928763)</p>	<p>✓</p>	<p><input type="checkbox"/></p>	<p>Only the non-confidential summary shall be disclosed.</p>
<p>28. [28] OPG email, A. Bhardwaj to S. Baskey, “Confidential – Darlington NGS – Co-60@DNCS: OPG Response to CNSC Staff Requests for Information: 2022 CODE CLASS REQUET - Modification to the Units 1, 3 and 4 Reactivity Mechanisms Deck Containment Boundary - 51E2C”, December 23, 2022, CD# NK38-CORR-00531-24002. (e-doc 6943415)</p>	<p>✓</p>	<p><input type="checkbox"/></p>	<p>Only the non-confidential summary shall be disclosed.</p>
<p>29. [29] OPG letter, R. Geofroy to J. Burta, “Confidential – Darlington NGS – Cobalt-60</p>	<p>✓</p>	<p><input type="checkbox"/></p>	<p>Only the non-confidential summary shall be disclosed.</p>



Production Modifications Project – Request for CNSC Staff’s Code Classification Consent for Adjuster Thimbles and Adjuster Cobalt Adapter”, May 2, 2022 CD# NK38-CORR-00531-23248. (e-doc 6790590)			
30. [31] OPG letter, R. Geofroy to J. Burta, “Confidential – Darlington NGS – Cobalt-60 Production Modifications Project – Request for CNSC Staff’s Code Classification Consent for Modification to the Units 1, 3 and 4 Reactivity Mechanisms Deck Containment Boundary”, October 28, 2022, CD# NK38-CORR-00531-23745. (e-doc 6903959)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.
31. [33] OPG letter, M.R. Knutson to J. Burta and R. Richardson, “OPG Notification of Compliance with the 2018 Edition of CSA Standard N285.5 – Periodic Inspection of CANDU Nuclear Power Plant Containment Components”, April 12, 2022, CD# N-CORR-00531-23054. (e-doc 6778174)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.
32. [34] OPG letter, S. Gregoris to K. Hazelton, “Confidential – Darlington NGS – Cobalt-60 Production Modifications Project – Response to CNSC Staff’s Comments on the Preliminary Engineering Design Documents (D01-01 and D01-02)”, April 30, 2021, CD# NK38-CORR-00531-22516. (e-doc 6554596)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.
33. [35] OPG email, A. Bhardwaj to S. Baskey, “Confidential – CNSC Staff Requests - Darlington NGS – Co-60@DNGS: Round 2 RP comments from D03 and D01 - A9100”, April 17, 2023, CD# NK38-CORR-00531-24234. (e-doc 7023802)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.
34. [36] OPG letter, R. Geofroy to J. Burta, “Confidential – Darlington NGS – Cobalt-60 Production Modifications Project – Submission of the Predictive Effects Assessment”, April 27, 2022, CD# NK38-CORR-00531-23353. (e-doc 6787034)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.
35. [41] OPG email, A. Bhardwaj to S. Baskey, “Confidential – Darlington NGS – Cobalt-60 Production Modifications Project – Indigenous Engagement Plan”, November 9, 2022, CD# NK38-CORR-00531-23812. (e-docs 6918830, 6918831, 6918832, 6918833)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.
36. [42] OPG letter, R. Geofroy to A. Mathai, “Darlington NGS – Co-60 Production Modifications Project – Revision of	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.



Darlington Irradiated Fuel Bay Analysis Report”, November 28, 2023, CD# NK38-CORR-00531-25066. (e-doc 7176721)			
37. [43] OPG email, L. Moraru to A. Mathai, “Darlington NGS - Response to CNSC Staff Review and Comments Regarding OPG Application for DNGS PROL 13.03/2025 Amendment for Production of the Cobalt-60 Radioisotope - 20A87”, November 9, 2023, CD# NK38-CORR-00531-24962. (e-docs 7165226, 7166669)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.
38. [44] OPG email, L. Moraru to A. Mathai, “Darlington NGS – Response to CNSC Staff Review and Comments Regarding OPG Application for DNGS PROL 13.03/2025 Amendment for Production of the Cobalt-60 Radioisotope - Appendix B – 20C88”, November 22, 2023, CD# NK38-CORR-00531-25065 (e-docs 7171618, 7171645, 7171646)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.
39. [45] OPG email, A. Bhardwaj to A. Mathai, “Darlington NGS - Response to CNSC Staff Review and Comments Regarding OPG Application for DNGS PROL 13.03/2025 Amendment for Production of the Cobalt-60 Radioisotope - 20A87”, October 26, 2023, CD# NK38-CORR-00531-24952. (e-docs 7154107, 7154118, 7154119, 7154115, 7154116, 7154117)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.
40. [46] OPG letter, R. Geofroy to A. Mathai, “Darlington NGS – Cobalt-60 Production Modifications Project – Request for CNSC Staff’s Code Classification Consent for Modification to the Unit 2 Reactivity Mechanisms Deck Containment Boundary and to Re-route Target Delivery System Class 2 Tubing”, September 4, 2023, CD# NK38-CORR-00531- 24571. (e-doc 7120668)	✓	<input type="checkbox"/>	Only the non-confidential summary shall be disclosed.
41. [2] OPG letter, R. Geofroy to A. Mathai, “CONFIDENTIAL - Cobalt-60 Production Modifications Project Prior Written Notification of Installation of Cobalt-59 Adjuster Rods during DNRU1”, May 30, 2023, CD# NK38-CORR-00531-24559. (e-doc 7054617)	✓	<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) (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.

Timothy Berube

Digitally signed by Timothy
Berube
Date: 2024.03.25 10:53:58
-04'00'

Dr. Timothy Berube
Acting Commission President

Date