

Comments from Bruce Power, CNL, NB Power, OPG: draft REGDOC-2.12.3, Security of Nuclear Substances – Sealed Sources and Category I, II and III Nuclear Material, Version 2

#	Document/ Excerpt of Section	Industry Issue	Suggested change (if applicable)	Major Comment/ Request for Clarification ¹	Impact on Industry, if major comment
1.	Preface	<p>Industry remains concerned the true nature of guidance vs requirements is being confused and conflated by the continued use of the phrase, “Licensees are expected to review and consider guidance: should they choose not to follow it, they should explain how their chosen alternate approach meets regulatory requirements.”</p> <p>For example, Section 1.1 says, “Part B of this document sets out guidance to help applicants...” Then, in Section 1.2 paragraph 3, the document says, “Part B describes the security measures for the use and storage and/or transport of nuclear materials.”</p>	<p>Amend the 3rd sentence of the 8th paragraph of the Preface to read, “Licensees are expected to review and consider guidance: should they choose not to follow it, they should explain how their chosen alternate approach meets regulatory requirements.””</p> <p>If Part B is guidance, then change the first line of Section 1.2 paragraph 3 to read, “Part B of the document describes the <i>recommended</i> security measures for the storage...”</p>	Major Comment	<p>Guidance is meant to be guidance. However, when REGDOCs say alternate means of meeting guidance are necessary, it is viewed by some CNSC Specialists and Inspectors as a defacto requirement. While this has been raised during previous REGDOC reviews, licensees continue to see this Preface statement misinterpreted and guidance treated as requirements.</p> <p>Industry appreciates the CNSC’s past acknowledgement of this concern and its intent to address it with a new, clearly-worded Preface in time. However, until it is remedied, a significant burden remains on licensees to provide alternative means in cases where guidance is considered, but not followed. Industry would prefer the document clarify what is a requirement and what is guidance to avoid future disputes over the interpretation.</p>
2.	General	<p>Table 1 is a strong example of Industry’s concern with the number of typographical errors and missing information throughout this draft document. Specifically, some of the values in the table are inconsistent with the previous version of this REGDOC. There is also concern whether Table 1 is complete since the Category 2 and 3 Gadolinium-153 and Strontium/Yttrium-90 sealed source entries are blank</p> <p>Other examples of missing information or typographical errors include:</p>	<p>Overall, industry encourages the CNSC to issue this document for a second round of review once the typographical errors, dropped sentences and missing information have been corrected.</p> <p>For Table 1, industry urges the CNSC to ensure the values are consistent with the previous version or a rationale for the changes provided. Similarly, either fill in the blank entries in the table or provide rationale as</p>	Major	<p>Regulatory uncertainty due to unclear requirements owing to missing information, different values or imprecise language.</p>

¹ Please identify whether the comment is a major comment or a request for clarification

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		<ul style="list-style-type: none"> - Section 2.2.1, paragraph 3, says the Terabecquerel is the official measurement used to determine source categorization, yet no TBq is given in Table 1 for Cesium-137 and Ytterbium-169. Are there TBq equivalences for these Category 2 sources? - Section 2.2.1, paragraph 4 should read “IAEA RS-G-1.9” - Section 2.2.2, ‘certified’ is not spelled correctly in the second bullet. - Section 3.1, the bullets are incomplete in the Guidance portion. - Section 3.2.1, it’s unclear what the title of this section has to do with its content. It should read, ‘Access Control.’ - In Section 3.2.2, the leading sentence in Part A is missing. It should include the sentence from the previous revision which reads, “Licensee shall implement measures...” - Section 3.2.4 references Section 3.2.5.1.1, which does not exist in this document. - In Appendix B, there is no Section 3.3.4.1 as identified in the flow chart. It should be changed to 	to why they have been omitted.		

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		3.3.3.			
3.	Part A and Table 2	<p>As currently written, this REGDOC does not properly recognize the significant, multi-layered security measures already required for high-security sites. This has already led some inspectors to adopt a narrow interpretation of the REGDOC’s intent and disregard the entire array of highly-effective measures that already secure NPPs and the sealed sources safely stored within them.</p> <p>With regard to Table 2, sealed sources are used in a variety of settings that do not inherently have the same robust physical protection measures that high security nuclear facilities do. When following, to the letter, the requirements in the REGDOC, the security requirements for a Category 3 sealed source would exceed that of Category 1 or 2 nuclear materials. Consideration on security requirements should be made for high security nuclear facilities, separate from those of hospitals or other industries which store and use these types of sources.</p> <p>As a further example of this issue, do Sections 3.2.1 and 3.2.2 consider access protocols and intrusion protection into a Protected Area when defining access control to storage areas? If not, a literal</p>	<p>Industry encourages the CNSC to insert the following guidance for high-security sites in Part A of this draft REGDOC:</p> <p>“If high-risk radioactive sources are stored at a high-security nuclear site (e.g., nuclear power plant) some of the security requirements that are in place will provide the required level of protection as outlined in this regulatory document (REGDOC 2.12.3 <i>Security Measures for Sealed Sources</i>). In cases of high-security nuclear sites, the expectation is that licensees would provide the required details as to how they meet all of the applicable requirements. It is expected this information would be documented in the licensee’s Site Security Plan.”</p>	MAJOR	<p>There is a risk, supported by recent experience, that CNSC inspectors will diminish or disregard the multiple security measures in place at high-security sites and demand unique sets of additional measures for sealed sources within the Protected Area. The expense for these added measures is not commensurate with the risk given that high-security sites already feature:</p> <ul style="list-style-type: none"> - Dual layer high security fence that possess both detection and assessment capabilities. - Armed security response to any and all alarms. - Regular armed patrols throughout the facility and site. - Controlled access to the facility & site. - Access conditions that require all persons to obtain a site security clearance at a minimum. - Persons entering the PA having received at minimum orange badge training or an escort by a radiologically-qualified person. - Radiological and Security awareness training for all staff and contractors. - Monitoring of all persons and vehicles for radiological material upon exiting the station turnstiles - Scanning of all commercial vehicles for radiological material as they leave the site.

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Comments from Bruce Power, CNL, NB Power, OPG: draft REGDOC-2.12.3, Security of Nuclear Substances – Sealed Sources and Category I, II and III Nuclear Material, Version 2

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		implementation would require licensees of high security nuclear facilities to virtually and unnecessarily double the security of that material.			
4.	4.3	48-hour notification is not always possible based on the required information to be submitted.	Change to 24-hour advance notification	MAJOR	In some instances, it's difficult to comply with the requirement since the activity quantity is not always available 48 hours in advance.
5.	4.3 (b)	Categorization is based on activity not quantity	For clarity, change quantity to activity	Clarification	
6.	Part B, Section 6.3.7	Industry has concerns with the sentence, "The descriptions should also include the criteria used to demonstrate the effectiveness of the supervisory awareness program."	This document would be stronger if it clearly confirmed its intent is to show the licensee's ability to manage the program through the systematic approach to training	Clarification	

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September 5, 2018

ADMIN 2018SEP06am10:05

NK21-CORR-00531-14629
NK29-CORR-00531-15319
NK37-CORR-00531-03050



Mr. B. Torrie
Director General, Regulatory Policy Directorate
Canadian Nuclear Safety Commission
P.O. Box 1046
280 Slater Street
Ottawa, Ontario
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1.03.02

FILE DOSSIER	1-8-8-0
REFERRED TO / REFÉRÉ À	Torrie B.

Dear Mr. Torrie:

Bruce Power comments on draft REGDOC-2.12.3, Version 2, Security of Nuclear Substances: Sealed Sources and Category I, II and III Nuclear Material

The purpose of this letter is to provide Bruce Power's comments on draft *REGDOC-2.12.3, Version 2*, which details the security measures licensees must implement with regard to sealed sources as well as the storage and transport of nuclear materials.

Bruce Power appreciates the opportunity to provide feedback on this important document, which was reviewed in collaboration with our industry peers at Ontario Power Generation, New Brunswick Power, Canadian Nuclear Laboratories and the Nuclear Waste Management Organization.

Please see Attachment 1 for a list of comments and clarification requests for the CNSC to consider, with particular emphasis on the following points:

- As currently written, this REGDOC does not fully recognize the significant, multi-layered security measures already required for high-security sites and their role in securing sealed sources. The CNSC is encouraged to insert guidance in future drafts of this document to explain that if radioactive sources are stored at a high-security nuclear site, some of the existing security requirements will provide the required level of protection as outlined in this regulatory document. Licensees would detail how they meet the applicable requirement in their Site Security Plans.
- While we recognize this document is in draft form at this time, industry's collective review found a series of typographical errors and missing information throughout that generated uncertainty around some requirements. To ensure a thorough understanding of this document's intentions, industry encourages the CNSC to circulate it once again for an abbreviated review before publication.

Mr. B. Torrie

September 5, 2018



If you require further information or have any questions regarding this submission, please contact Steve Cannon, Department Manager, Nuclear Oversight and Regulatory Affairs, at (519)-361-6559, or steve.cannon@brucepower.com.

Yours truly,

A handwritten signature in red ink that reads "Steve Cannon". Below the signature, the word "FOR" is written in a smaller, less distinct red ink.

Maury Burton
Senior Director, Regulatory Affairs
Bruce Power

cc: CNSC Bruce Site Office (Letter only)
L. Sigouin, CNSC Ottawa
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Attach.

2018 September 07

145-CNNO-18-0018-L

Mr. Brian Torrie
Director General, Regulatory Policy Directorate
Canadian Nuclear Safety Commission
280 Slater Street
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OTTAWA, Ontario K1P 5S9

COMPLIANCE
Regulatory Affairs

Dear Mr. Torrie:

Comments on Draft REGDOC-2.12.3, Version 2, Security of Nuclear Substances: Sealed Sources and Category I, II, and III Nuclear Material

The purpose of this letter is to provide Canadian Nuclear Safety Commission (CNSC) staff with Canadian Nuclear Laboratories' (CNL) comments on REGDOC 2.12.3, Version 2, Security of Nuclear Substances: Sealed Sources and Category I, II, and III Nuclear Material [1].

CNL has collaborated with NB Power, Bruce Power, Ontario Power Generation and the Nuclear Waste Management Organization to review the proposed regulatory document in detail.

Please see Attachment A for a full list of comments being provided, and clarification requests for the consideration of CNSC staff, with particular emphasis on the following points:

- As currently drafted, this REGDOC does not fully recognize the significant, multi-layered security measures already required for high-security nuclear sites and their role in securing sealed sources. CNSC staff is encouraged to insert guidance text in future drafts of this document to explain that if radioactive sources are stored at a high-security nuclear site, some of the existing security requirements will provide the required level of protection as outlined in this regulatory document. Licensees would detail how they meet the applicable requirement in their respective Site Security Plans.
- Whilst we recognize this document is currently in draft form, industry's collective review has found a series of typographical errors and missing information throughout that has generated uncertainty around some requirements, during the review. In order to ensure a thorough understanding of the document's intentions, industry encourages CNSC staff to circulate it once again for an abbreviated review prior to publication.

CNL appreciates the opportunity to provide comments on this regulatory document and is prepared to clarify our comments and concerns. If you should require any additional information or have any questions regarding this submission, please contact me directly.

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2018 September 07

145-CNNO-18-0018-L

Yours sincerely,

Solly Karivelil, Manager

Regulatory Affairs

Phone: 613-584-3311, Ext. 48021

Email: solly.karivelil@cnl.ca

SK/mj

Attachment (1)

References:

- [1] CNSC draft REGDOC 2.12.3, Version 2, Security of Nuclear Substances: Sealed Sources and Category I, II, and III Nuclear Material, 2018 June.

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Énergie NB Power

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August 30, 2018

Mr. Brian Torrie, Director General
Regulatory Policy Directorate
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K1P 5S9

Dear Mr. Torrie:

Subject: NB Power Comments on REGDOC 2.12.3, Version 2, Security of Nuclear Substances: Sealed Sources and Category I, II, and III Nuclear Material

The purpose of this letter is to provide NB Power's comments on REGDOC 2.12.3, Version 2, Security of Nuclear Substances: Sealed Sources and Category I, II, and III Nuclear Material (Reference 1).

NB Power's Point Lepreau Nuclear Generating Station (PLNGS) has collaborated with Canadian Nuclear Laboratories, Bruce Power, Ontario Power Generation and the Nuclear Waste Management Organization to review the proposed regulatory document in detail.

Please see Attachment 1 for a full list of comments and clarification requests for the CNSC to consider, with particular emphasis on the following points:

- As currently written, this REGDOC does not fully recognize the significant, multi-layered security measures already required for high-security sites and their role in securing sealed sources. The CNSC is encouraged to insert guidance in future drafts of this document to explain that if radioactive sources are stored at a high-security nuclear site, some of the existing security requirements will provide the required level of protection as outlined in this regulatory document. Licensees would detail how they meet the applicable requirement in their Site Security Plans.

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- While we recognize this document is in draft form at this time, industry's collective review found a series of typographical errors and missing information throughout that generated uncertainty around some requirements. To ensure a thorough understanding of this document's intentions, industry encourages the CNSC to circulate it once again for an abbreviated review before publication.

NB Power appreciates the opportunity to provide comments on this regulatory document and is prepared to clarify our comments and concerns. If you require additional information, please contact Brian Thorne at 506-659-6264 or brthorne@nbpower.com.

Sincerely,

Mark Power for B.P.

Brett Plummer
Vice President Nuclear and Chief Nuclear Officer

BP/BT /bt

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Carol Murray, Amanda Gardner, Brian Thorne, Chris Fields, Marlene Dewar,
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Reference:

1. CNSC draft REGDOC 2.12.3 Version 2, Security of Nuclear Substances: Sealed Sources and Category I, II, and III Nuclear Material, June 2018

Attachment:

1. NB Power comments on draft REGDOC-2.12.3, Security of Nuclear Substances – Sealed Sources and Category I, II and III Nuclear Material, Version 2