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REFERRED TO / REFÉRÉ A	Torrie, B

Dear Mr. Torrie:

Bruce Power comments on draft REGDOC-3.1.3, Reporting Requirements for Waste Nuclear Substance Licensees, Class II Nuclear Facilities and Users of Prescribed Equipment, Nuclear Substances and Radiation Devices

The purpose of this letter is to provide feedback on recent updates to this draft Regulatory Document, which sets requirements and guidance for reports and notifications licensees of Class II nuclear facilities and users of prescribed equipment, nuclear substances and radiation devices must submit to the CNSC.

Please see Enclosure A for a series of observations, suggestions and requests for clarification that emerged from a collaborative review of this document with our industry peers.

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

Yours truly,



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Encl.

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Enclosure 1

**Bruce Power comments on draft REGDOC-3.1.3, Reporting Requirements for Waste Nuclear
Substances Licences, Class II Nuclear Facilities and
Users of Prescribed Equipment, Nuclear Substances and Radiation Devices**

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Enclosure A: Bruce Power comments on draft REGDOC-3.1.3, Reporting Requirements for Waste Nuclear Substances Licences, Class II Nuclear Facilities and Users of Prescribed Equipment, Nuclear Substances and Radiation Devices

#	Document/ Excerpt of Section	Industry Issue	Suggested Change <i>(if applicable)</i>	Major Comment/ Request for Clarification	Impact on Industry, if major comment
1.	Pg. 1, last para.	<p>The statements:</p> <p>“Class I licensees who use nuclear substances or prescribed equipment should consult either REGDOC 3.1.1, Reporting Requirements for Nuclear Power Plants, version 2...”</p> <p>In addition, “Nothing contained in this document is to be construed as relieving any licensee from any other pertinent requirements. It is the licensee’s responsibility to identify and comply with all applicable regulations and licence conditions.”</p> <p>Create some ambiguity. Does it mean that the default for Class I licensees is REGDOC 3.1.1, or not? For example, the introduction of REGDOCs 3.1.3 combined with the integration of Bruce Power’s WNSL, Class II, etc. licences into its site wide PROL has led to a lack of clarity in reporting requirements.</p>	<p>Clarify which guidance applies where.</p> <p>“Class I licensees who use nuclear substances or prescribed equipment should consult either REGDOC 3.1.1 or REGDOC 3.1.2, <u>unless specifically directed otherwise, in their PROL.</u>”</p>	Clarification	
2.	2.6: “The following reporting requirement applies to licensees holding a waste nuclear substance licence (WNSL). The licence shall report: a. Any failure to	Under Reporting Requirements, there is a separate reporting requirement that applies to licensees holding a waste nuclear substance licence (WNSL) – should this not just be a reportable condition in Appendix A?	Move to Appendix A with the other reportable conditions, so that it is clearly assessed as part of the reportability assessment for an event.	Clarification	

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	monitor or control the release of a hazardous substance as required by any federal or provincial regulation, or a licence, permit or certificate issued by a municipal, provincial, or other federal authority.				
3.	Section 3.4, pg. 8	<p>REGDOC 3.1.1 stipulates that annual reports must be filed with the CNSC on <u>May 1st</u>, with the exception of the research and development reports. For example, the BP LCH does not specify a timeline for reporting in association with what was previously WNSL.</p> <p>REGDOC 3.1.3 does not specify reporting timelines except in the case of PTNSR, which stipulate, that the person who performs the characterization must file an annual report to the CNSC by <u>April 30</u> that contains a summary of radiation detections for the calendar year before the date of the report.”</p>	Clarify reporting timelines (e.g., what they are and where they are). In keeping with REGDOC 3.1.1, it is recommended aligning to a date of May 1 st .	<i>Clarification</i>	
4.	Section 4, pg. 8-9	REGDOC 3.1.1 stipulates that annual reports be filed with the CNSC on <u>May 1st</u> , with the exception of the research and development reports. The current Bruce Power LCH indicates that in the	Improve licence integration and consistency of reporting requirements. File all annual reports by May 1 st .	<i>Clarification</i>	

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		<p>case of the Class II licence “The licensee is required to submit to the Commission the annual compliance report by <u>March 31</u> of each year. The report shall include activities covering the nuclear substances and prescribed equipment of the Class II Nuclear facility as listed in this section of the LCH.” Also, in the case of the Annual Compliance report for Nuclear Substances and Prescribed Equipment, “The licensee is required to submit to the Commission the annual compliance report by <u>March 31</u> of each year.”</p>			
5.	4. Annual Compliance Report	<p>The use of the word ‘separately’ in item #1 might suggest the need for an additional compliance report to some readers.</p> <p>The entire Annual Compliance Report (ACR) is considered “protected B when completed.” However, as currently written, the item could be interpreted to require licensees to provide two submissions where previously one submission has sufficed. This would require additional administrative resources with no corresponding benefit to nuclear safety.</p>	<p>For clarity, industry suggests a simple amendment to Item #1 to read, “information that can be made available to the public (note: any classified, protected, proprietary or personal information shall be submitted to the CNSC in accordance with the appropriate security precautions and marked with appropriate protection and classification)”</p>	Clarification	
6.	Appendix A	<p>Licensees appreciate the value of simplification and the CNSC’s reason to omit the list of nuclear substances for licence</p>	<p>Include the relevant list of substances.</p>	Clarification	

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		condition 2406 “for ease of reading.” However, in this instance, licensees believe the list should be cited for clarity. If REGDOC-3.1.3 is to define requirements, then it should explicitly list the relevant nuclear substances.			
7.	4 and Appendix B	Inconsistent wording: Guidance, 3 rd para “...the report <u>should</u> include all of the information...” Appendix B, 1 st para “...the report <u>may</u> include all information...”	Recommending changing to “may”.	Clarification	
8.	Appendix B	There are consistency issues around the reporting requirements for WNSLs in cases where, for example, Bruce Power’s WNSL has been integrated into its PROL, which currently states: “For REGDOC 3.1.1 Section 3.1, Quarterly report on safety performance indicators: Bruce Power’s quarterly report on Safety Performance Indicators (SPIs) is to include contributions from the licensed support activities at the Central Maintenance and Laundry Facility (CMLF) for SPI 1, Collective Radiation Exposure and SPI 5, Environmental Releases – Radiological.” How does this Appendix apply to a consolidated license?	Improve licence integration and clarify reporting requirements where WNSL has been integrated into PROL.	Clarification	

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9.	Appendix B (generic comment)	For the structure and content shown for the Annual Compliance Monitoring Report for WNSL, OPG already provides the relevant/applicable information for many of the listed Safety and Control Areas (SCA's) in the Quarterly Operations Report submitted under the site waste license where the WNSL is located.	Exemption for licensees that already provide this information to the CNSC in other required regulatory submissions.	Major Comment	Duplication of effort required by the Licensee, with no value added.
10.	Appendix B – Operating Performance	Requirement for “an assessment of how well the licensee conducted operations ...” This requirement has not been seen anywhere else in reporting REGDOC's.	Remove requirement as it is believed that this is captured by CNSC Type II Compliance Inspection findings and in Performance Indicator reporting, as applicable.	Major Comment	Onerous for Licensee to conduct self-assessment to meet this one requirement of the Annual Compliance Report that should be captured in CNSC Type II Compliance Inspections and other metrics (such as the Quarterly Operations reports that are already submitted).
11.	Abbreviation sp. 61	This is inconsistent with REGDOC-3.1.2 requirements, where such a table is not provided.	Remove the table and leave in a reference to REGDOC-3.6, Glossary of CNSC Terminology. The abbreviations currently missing from REGDOC-3.6 should be added to its next revision.	<i>Clarification</i>	