

# REQUEST FOR CONFIDENTIALITY

## OF MATERIAL SUBMITTED IN RELATION TO 2024-H-103

In the matter of:

### **BWXT NEC Toronto and Peterborough - Financial Guarantees (ref. 2024-H-103)**

This request has been prepared in Canada, in the province of Ontario, in the matter of CMD # 24-H103, scheduled for consideration in a Hearing, anticipated in early 2024.

I, David Snopek, of [REDACTED], am an authorized representative of BWXT Nuclear Energy Canada Inc. I understand that:

- documents and information (“the material”) provided to the Canadian Nuclear Safety Commission (“the Commission”) as part of a public proceeding may be made publicly available;
- the material is considered confidential only if it is prescribed information under the [Nuclear Safety and Control Act](#) (NSCA), as defined in section 21 of the [General Nuclear Safety and Control Regulations](#), or if the Commission takes measures to protect the information; and
- regardless of any request for confidentiality or approval of same, the material may be disclosed if the Commission is required by law to disclose it (for example, after a request under [Access to Information Act](#)).

I hereby request that the Commission take measures to protect the following information, pursuant to rule 12 of the [Canadian Nuclear Safety Commission Rules of Procedure](#):

*Note: Where the request for confidentiality applies only to part of the submission, the portions to be deemed confidential must be clearly identified to distinguish them from any content that is non-sensitive.*

TABLE 1: MATERIAL TO BE DEEMED CONFIDENTIAL		
	Item Name	Portion(s) to be Deemed Confidential
1.	TSG-2022-001 BWXT NEC Toronto Fuel Pellet Operation - Preliminary Decommissioning Plan	<input checked="" type="checkbox"/> Entire content <input type="checkbox"/> Redacted content as shown
2.	TSG-2022-002 BWXT NEC Peterborough Fuel Assembly Plant - Preliminary Decommissioning Plan	<input checked="" type="checkbox"/> Entire content <input type="checkbox"/> Redacted content as shown
3.	Performance Surety Bond Form (Peterborough)	<input checked="" type="checkbox"/> Entire content <input type="checkbox"/> Redacted content as shown
4.	Performance Surety Bond Form (Toronto)	<input checked="" type="checkbox"/> Entire content <input type="checkbox"/> Redacted content as shown
5.	Standby Letter of Credit Form (Peterborough)	<input checked="" type="checkbox"/> Entire content <input type="checkbox"/> Redacted content as shown
6.	Standby Letter of Credit Form (Toronto)	<input checked="" type="checkbox"/> Entire content <input type="checkbox"/> Redacted content as shown
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 checked="" type="checkbox"/> Entire content <input type="checkbox"/> Redacted content as shown

This request is made pursuant to the following paragraph(s) of rule 12 of the [CNSC Rules of Procedure](#):

- 12 (1) (a)
- 12 (1) (b)

Further,

1. The above-noted material should be protected for the following reasons:
  - 12 (1) (a) The reports provide information and insights that could be exploited by a potential adversary, including; locations, quantities, and forms of material, material movement routes, interior facility descriptions and layouts, and building construction information.
  - 12 (1) (b) The reports include commercially confidential production-related information, descriptions of operations and inventories, types and quantities of production machinery, vendor information, waste types and amounts, and confidential labour rates and costs not available publically that would be of interest to competitors. For example, in surmising production capacity limits, production process types, levels of automation, operational costs, and are thus commercially sensitive.
2. I attest that the above-noted material is not available through any public sources.
3. I have previously provided to the Registry a **summary** version of the material that provides adequate detail to satisfy the public interest in public hearings and disclosure of evidence.
4. I understand that if this request is not approved by the Commission, I may withdraw the associated material within five business days of receiving written notice of the Commission's decision from the Commission Registrar (except as noted in items 5 and 6, below).
5. Notwithstanding item 4, above, I understand that if submission of the material is required pursuant to reporting requirements under the [NSCA](#) or the regulations under the NSCA, or pursuant to a licence issued under the NSCA, or if the material is specifically requested by the Commission, it may **not** be withdrawn.
6. I understand that upon receipt of this request, the Commission Registrar will treat the material that is subject to this request as confidential unless and until the Commission makes a ruling to deny this request.

**Attachments:**

- none

**Authorized signature:**



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David Snopek, Director, EHS & Regulatory Affairs

2023/12/13

\_\_\_\_\_  
Date