



Canadian Nuclear
Safety Commission

Commission canadienne
de sûreté nucléaire

Summary Record of Proceedings and Decision

In the Matter of

Applicant Atomic Energy of Canada Limited

Subject Application to Renew its Nuclear Research and
Test Establishment Operating Licence for the
Chalk River Laboratories

Public Hearing
Dates June 8 and October 4, 2011

SUMMARY RECORD OF PROCEEDINGS

Applicant: Atomic Energy of Canada Limited (AECL)

Address/Location: Chalk River, Ontario, K0J 1J0

Purpose: Application to Renew its Nuclear Research and Test Establishment Operating Licence for the Chalk River Laboratories

Application received: September 30, 2010

Dates of public hearing: June 8 (Day 1) and October 4 (Day 2), 2011

Location: Canadian Nuclear Safety Commission (CNSC) Public Hearing Room, 280 Slater St., 14th. Floor, Ottawa, Ontario (Day 1) and Chalk River & Area Lions Club Hall, 11 Kellett Street, Chalk River, Ontario (Day 2)

Members present: M. Binder, Chair R. J. Barriault
M. J. McDill A. Harvey
D.D. Tolgyesi

Secretary: M.A. Leblanc
Recording Secretary: S. Dimitrijevic
General Counsel: L. Thiele

Applicant Represented By	Document Number
<ul style="list-style-type: none"> • H. MacDiarmid, President and CEO • H. Drumhiller, Site Licence Holder, Vice-President of Operations and Chief Nuclear Officer (June 8, 2011) • R. Walker, Senior Vice-President • R. Lesco, Site Licence Holder, Acting Vice-President of Operations and Chief Nuclear Officer • J. Miller, Vice-President and General Manager, Decommissioning and Waste Management • A. White, Chief Regulatory Officer, General Manager, Programs and Nuclear Oversight Waste Management • G. Dolinar, Program Authority, Environmental Protection • S. Bushby, General Manager, Isotope Supply Reliability Program and Project New Lease • C. Fisher, Manager, Emergency Preparedness • J. Osborne, General Manager, NRU Reactor • R. Blair, Safety Manager • G. Archinoff, Technical Manager (Global Assessment Report) 	<p style="text-align: center;">CMD 11-H7.1 CMD 11-H7.1A CMD 11-H7.1B CMD 11-H7.1C CMD 11-H7.1D CMD 11-H7.1E CMD 11-H7.1F CMD 11-H7.1G</p>

<ul style="list-style-type: none"> • D. Cox, Facility Authority, NRU Reactor • R. Belair, Director and Program Authority, Occupational Safety and Health 		
CNSC staff		Document Number
<ul style="list-style-type: none"> • R. Jammal • P. Elder • C. Carrier • N. Riendeau • B. Carroll 	<ul style="list-style-type: none"> • L. Sigouin • M. Callighen • R. Marini • M. Rinker • A. Laidlaw 	<p>CMD 11-H7 CMD 11-H7.A CMD 11-H7.B CMD 11-H7.C CMD 11-H7.D</p>
Other Representatives		
<ul style="list-style-type: none"> • Emergency Management Ontario, represented by A. Stuart, D. Nodwell and K. Bleyer 		<p>CMD 11-H7.2 CMD 11-H7.2A</p>
<ul style="list-style-type: none"> • Natural Resources Canada represented by C. Cl��roux 		
<ul style="list-style-type: none"> • Town of Laurentian Hills, represented by R. Rabishaw and E. McDonald • Town of Deep River represented by D. Thompson 		
Intervenors		
See appendix A		

Licence: Renewed

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INTRODUCTION

1. Atomic Energy of Canada Limited (AECL) has applied to the Canadian Nuclear Safety Commission¹ for the renewal of the Class I Nuclear Research and Test Establishment Operating Licence for its Chalk River Laboratories (CRL) located in Chalk River, Ontario. The current operating licence NRTEOL-01.09/2011 expires on October 31, 2011. AECL has applied for the renewal of this licence for a period of five years. In its application, AECL requested that the Dedicated Isotope Facilities (DIF) be included in the overall CRL site licence. The DIF currently operates under a separate operating licence, NPROL-62.04/2011, which is set to expire on October 31, 2011, coinciding with the expiration of the current operating licence for the CRL site NRTEOL-01.09/2011.
2. The CRL site comprises several nuclear facilities, including the National Research Universal (NRU) reactor. These facilities provide for the production of medical isotopes, the delivery of various nuclear services and the conduct of a wide variety of research and development programs. The built-up area of the site is occupied by 159 buildings that provide working space for approximately 3 000 employees. Outside the built-up area, there are several waste management areas for handling and storage of both nuclear and non-nuclear waste. The remaining operational life of the site is assumed, for planning purposes, to be approximately 100 years, although some facilities will undergo decommissioning activities.
3. CNSC staff has assessed the submitted application, reviewed and rated all fourteen safety and control areas and recommend to the Commission that it renews the licence for a period of five years. Several intervenors supported a five-year licence. One intervenor recommended a shorter licence period and the segregation of the licence into several separate licences.

Issue

4. In considering the application, the Commission was required to decide, pursuant to subsection 24(4) of the *Nuclear Safety and Control Act*² (NSCA):
 - a) if AECL is qualified to carry on the activities that the licence would authorize; and
 - b) if, in carrying on those activities, AECL would make adequate provision for the protection of the environment, the health and safety of persons and the maintenance of national security and measures required to implement international obligations to which Canada has agreed.

¹ The *Canadian Nuclear Safety Commission* is referred to as the “CNSC” when referring to the organization and its staff in general, and as the “Commission” when referring to the tribunal component.

² Statutes of Canada (S.C.) 1997, c. 9.

Public Hearing

5. The Commission, in making its decision, considered information presented for a public hearing held on June 8, 2011 in Ottawa, Ontario (Day 1) and on October 4, 2011 in Chalk River, Ontario (Day 2). The public hearing was conducted in accordance with the *Canadian Nuclear Safety Commission Rules of Procedure*³. During the public hearing, the Commission considered written submissions and heard oral presentations from CNSC staff (CMD 11-H7, CMD 11-H7.A, CMD 11-H7.B, CMD 11-H7.C, and CMD 11-H7.D) and AECL (CMD 11-H7.1, CMD 11-H7.1A, CMD 11-H7.1B, CMD 11-H7.1C, CMD 11-H7.1D, CMD 11-H7.1E, CMD 11-H7.1F and CMD 11-H7.1G). Following the Commission's invitation to participate in the public hearing process, Emergency Management Ontario (EMO) updated the Commission on its activities related to emergency preparedness of the communities surrounding CRL site and on coordination of these activities on municipal and provincial levels (CMD 11-H7.2 and CMD 11-H7.2A). The Commission also considered oral and written submissions from 14 intervenors (see Appendix A for a detailed list of interventions).

DECISION

6. Based on its consideration of the matter, the Commission concludes that AECL is qualified to carry on the activity that the licence will authorize. The Commission is of the opinion that AECL, in carrying on these activities, will make adequate provision for the protection of the environment, the health and safety of persons and the maintenance of national security and measures required to implement international obligations to which Canada has agreed. Therefore,

the Commission, pursuant to section 24 of the *Nuclear Safety and Control Act*, renews the Nuclear Research and Test Establishment Operating Licence issued to Atomic Energy of Canada Limited for its Chalk River Laboratories. The renewed licence, NRTEOL 01.00/2016, is valid from November 1, 2011 to October 31, 2016.

7. The Commission includes in the licence the conditions as recommended by CNSC staff and set out in the draft licence attached to CMD 11-H7.D.
8. The Commission includes the authorization of activities related to Dedicated Isotope Facility into the renewed operating licence for the CRL site.
9. The Commission determined that there was no requirement for an Environmental Assessment pursuant to subsection 5(1) of the *Canadian Environmental Assessment Act*⁴ (CEAA). The Commission is satisfied that all applicable requirements of the CEAA have been fulfilled.

³ S.O.R./2000-211.

⁴ S.C. 1992, c. 37.

10. With this decision, the Commission requests that AECL prepare yearly reports on compliance monitoring and operational performance. In addition, with respect to operation of the National Research Universal reactor, the Commission expects to receive AECL's report on progress made regarding the reactor vessel inspection by the end of February 2012.
11. The Commission directs CNSC staff to adjust the proposed *Licence Conditions Handbook* (LCH), set out in the CMD 11-H7.B, so that it reflects the Commission's decision.

ISSUES AND COMMISSION FINDINGS

12. The detailed findings of the Commission will be presented in a *Record of Proceedings, including Reasons for Decision*, to be published at a later date.



OCT 27 2011

Michael Binder
President,
Canadian Nuclear Safety Commission

Date

Appendix A – Intervenors

Intervenors	Document Number
Eric Campbell	CMD 11-H7.8 CMD 11-H7.8A
Nordion represented by T. Benjamin	11-H7.3
Town of Deep River represented by D. Thompson	11-H7.4
Deep River Science Academy represented by C. Turner	11-H7.11
Lantheus Medical Imaging, Inc. represented by C. Villeneuve and I. Goldman	11-H7.5
Canadian Nuclear Workers’ Council represented by D. Shier, G. Peplinski, G. Tapp and V. Frisna	11-H7.6
Best Theratronics and the Cancer Centre of Southeastern Ontario (CCSEO) Medical Physics Department represented by J. Schreiner and R. Wassenaar	11-H7.7
Canadian Nuclear Association represented by D. Carpenter and K. Olson	11-H7.9
Eugene Sokolov	11-H7.12
Concerned Citizens of Renfrew County represented by O. Hendrickson	11-H7.13 11-H7.13A 11-H7.13B
Métis Nation of Ontario	11-H7.10 11-H7.10A
Renfrew County District School Board	11-H7.14
Ontario Power Generation	11-H7.15
National Research Council Canada	11-H7.16