



**Written submission from
Canadian Nuclear
Laboratories Limited**

**Mémoire des
Laboratoires Nucléaires
Canadiens Limitée**

In the Matter of

À l'égard de

**Douglas Point, Gentilly-1 and Nuclear
Power Demonstration Waste Facilities**

**Installations de gestion des déchets de Douglas
Point, Gentilly-1 et le Réacteur nucléaire de
démonstration**

Request by CNL to separate the current licence
into three licences

Demande des LCN pour séparer le permis actuel
en trois permis

Public Hearing - Hearing in writing based on
written submissions

Audience Publique - Audience fondée sur des
mémoires

January 2019

Janvier 2019

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2018 July 11

Haidy Tadros, Director General
Directorate of Nuclear Cycles and Facilities Regulation
Canadian Nuclear Safety Commission
280 Slater Street, P.O. Box 1046, Station B
Ottawa, Ontario, K1P 5S9

Dear Ms. Tadros,

**REQUEST TO SEPARATE THE WASTE FACILITY DECOMMISSIONING LICENCE, WFDL-W4-332.01/2034
TO THREE SEPARATE LICENCES FOR DOUGLAS POINT, GENTILLY-1, AND
NUCLEAR POWER DEMONSTRATION WASTE FACILITIES**

The purpose of this letter is to request the Canadian Nuclear Safety Commission (CNSC) to separate the Waste Facility Decommissioning Licence for Prototype Waste Facilities, WFDL-W4-332.01/2034 [1] into three separate licences for the Douglas Point (DP), Gentilly-1 (G-1) and Nuclear Power Demonstration (NPD) Waste Facilities.

The DP, G-1 and NPD waste facilities are currently licensed under one Waste Facility Decommissioning Licence [1]. Based on the 10-Year Integrated Plan Summary [2] that was submitted to the CNSC [3], decommissioning of these three facilities will be diverse and will be carried out under different timelines, each requiring licence amendments that will be of primary interest to their different respective communities. Therefore, to allow appropriate focus to be given to each facility's requests, the purpose of this letter is to provide required information for application to amend the licence [1] by dividing it and issuing three separate licences for DP, G-1 and NPD waste facilities. No change is requested for the licence activities or expiry date of December 31, 2034. Please note that the changes to be made at this time would be purely administrative in nature.

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The information as per Section 24, 25 and 26 of the Nuclear Safety and Control Act, Section 3, 6, 7 and 15 of the General Nuclear Safety and Control Regulations, and Section 3 of the Class I Nuclear Facilities Regulations is provided in Attachment A. This information describes how Canadian Nuclear Laboratories (CNL) are meeting the requirements as per the compliance verification criteria prescribed by the CNSC listed in the Licence Conditions Handbook [4].

Please contact me directly if you require further information or clarification of this letter.

Yours sincerely,



Kurt Kehler
Vice-President, Decommissioning and Waste Management
Canadian Nuclear Laboratories Ltd.
Phone: 613-584-8811, Ext. 42218
Email: kurtis.kehler@cnl.ca

KK/kgs

References:

- [1] *Waste Facility Decommissioning Licence for Prototype Waste Facilities*, WFDL-W4-332.01/2034. Expiry Date: 2034 December 31.
- [2] *2016-2026 10-Year Integrated Plan Summary*, CRL-502000-PLA-001, Revision 0, 2017 April.
- [3] S. Karivelil, Email to J. LeClair, *Submission of CNL 2016-2026 10-Year Integrated Plan Summary*, CRL-CNNO-17-0004-E, 2017 April 21.
- [4] *Licence Conditions Handbook for Prototype Waste Facilities (DP, Gentilly-1 & NPD)*, 3640-508760-HBK-001, Revision 0, 2014 August 14.

cc

E. Fortier (CNSC)
K. Glenn (CNSC)
J. Thelen (CNSC)
I. Bainbridge
S. Brewer

S. Cotnam
D. Cox
K. Daniels
S. Karivelil
H. Khartabil

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M. Vickard
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>DWM Correspondence

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Attachment A
Compliance Verification for Licence Amendment

Clause	Requirement	CNL Response
Nuclear Safety and Control Act		
24(2)	The Commission may issue, renew, suspend in whole or in part, amend, revoke, or replace a licence, or authorize its transfer on receipt of an application (a) in the prescribed form;	This attachment with the cover letter provides the information required by the Nuclear Safety and Control Act (the Act) and the Regulations made pursuant to the Act, and constitutes an application by CNL to amend the current waste facilities licence [A-1].
24(2)	(b) containing the prescribed information and undertakings and accompanied by the prescribed documents; and	See response above under Clause 24 (2)(a).
24(2)	(c) accompanied by the prescribed fee.	CNL is in good standing with respect to the provision of CNSC licensing fees and will provide any additional fees, as and when required.
24(4)	No licence may be issued, renewed, amended or replaced – and no authorization to transfer one given – unless, in the opinion of the Commission, the applicant (a) is qualified to carry on the activity that the licence will authorize the licensee to carry on; and	CNL understands the clause and no response is required.
24(4)	(b) will, in carrying on that activity, 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.	CNL understands that adequate provision will be determined through consideration by the Commission of this application and the associated supporting material.

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Clause	Requirement	CNL Response
24(5)	A licence may contain any term or condition that the Commission considers necessary for the purposes of this Act, including a condition that the applicant provide a financial guarantee in a form that is acceptable to the Commission.	CNL understands the requirement for an acceptable financial guarantee. While ownership of CNL has transferred to the Canadian National Energy Alliance, Atomic Energy of Canada Limited retains ownership of the lands, assets and liabilities associated with CNL’s licences. These liabilities have been officially recognized by the Minister of Natural Resources in a letter dated 2015 July 31 to comply with Licence Condition 2.2 of the current LCH for Prototype Waste Facilities [A-2].
25	The Commission may, on its own motion, renew, suspend in whole or in part, amend, revoke or replace a licence under the prescribed conditions.	CNL understands the clause and no response is required.
26	Subject to regulations, no person shall, except in accordance with a licence, (e) prepare a site for, construct, operate, modify, decommission or abandon a nuclear facility.	CNL understands the clause and no response is required.

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Clause	Requirement	CNL Response
General Nuclear Safety and Control Regulations		
3(1)	An application for a licence shall contain the following information: (a) the applicant’s name and business address;	Applicant’s Name: Canadian Nuclear Laboratories Ltd. Business Address: Canadian Nuclear Laboratories Ltd. Chalk River Laboratories 286 Plant Road Chalk River, Ontario K0J 1J0 Official Language: English Contact Person, Signing Authority and Licence Holder: Kurt Kehler Vice President, Decommissioning and Waste Management Site Licence Holder Canadian Nuclear Laboratories Ltd. Telephone: 613-584-8811, extension 42218
3(1)	(b) the activity to be licensed and its purpose;	This information is provided in [A-3], [A-4] and [A-5].
3(1)	(c) the name, maximum quantity and form of any nuclear substance to be encompassed by the licence;	This information is provided in [A-3], [A-4] and [A-5].
3(1)	(d) a description of any nuclear facility, prescribed equipment or prescribed information to be encompassed by the licence;	References [A-3], [A-4] and [A-5] provide information about the current configuration.

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Clause	Requirement	CNL Response
3(1)	(e) the proposed measures to ensure compliance with the Radiation Protection Regulations, the Nuclear Security Regulations and the Packaging and Transport of Nuclear Substances Regulations, 2015;	Compliance with the Radiation Protection Regulations, the Nuclear Security Regulations and the Packaging and Transport of Nuclear Substances Regulations is ensured through the implementation of the CNL Radiation Protection Program, the Physical Security Program and the Transportation of Dangerous Goods Program as part of CNL's Management System [A-6] and as per Licence Conditions 9.1, 14.1 and 16.1 of the current LCH [A-2].
3(1)	(f) any proposed action level for the purpose of Section 6 of the Radiation Protection Regulations;	Action levels for the prototype waste facilities are defined in Licence Condition 9.2 of the LCH [A-2].
3(1)	(g) the proposed measures to control access to the site of the activity to be licensed and the nuclear substance, prescribed equipment or prescribed information;	Compliance with this requirement is ensured through implementation of the Physical Security Program as part of CNL's Management System [A-6] and as per Licence Condition 14.1 of the current LCH [A-2].
3(1)	(h) the proposed measures to prevent loss or illegal use, possession or removal of the nuclear substance, prescribed equipment or prescribed information;	Compliance with this requirement is ensured through implementation of the Physical Security Program as part of CNL's Management System [A-6] and as per Licence Condition 14.1 of the current LCH [A-2].
3(1)	(i) a description and the results of any test, analysis or calculation performed to substantiate the information included in the application;	Substantiation of the information included with this application is demonstrated through the implementation of annual reporting requirements as defined in Licence Condition 5.1 of the current LCH [A-2].

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Clause	Requirement	CNL Response
3(1)	(j) the name, quantity, form, origin and volume of any radioactive waste or hazardous waste that may result from the activity to be licensed, including waste that may be stored, managed, processed, or disposed of at the site of the activity to be licensed, and the proposed method for managing and disposing of that waste;	Specific information on radioactive waste and hazardous waste is presented in [A-3], [A-4], [A-5], and annual compliance reports as per Licence Condition 5.1 of the current LCH [A-2].
3(1)	(k) the applicant's organizational management structure insofar as it may bear on the applicant's compliance with the Act and the Regulations made under the Act, including the internal allocation of functions, responsibilities and authority;	CNL's senior management organizational structure is documented in the Management System Manual [A-6].
3(1)	(l) a description of any proposed financial guarantee relating to the activity to be licensed; and;	While ownership of CNL has transferred to Canadian National Energy Alliance, Atomic Energy of Canada Limited retains ownership of the lands, assets and liabilities associated with CNL's licences. These liabilities have been officially recognized by the Minister of Natural Resources in a letter dated 2015 July 31 to comply with Part E, Licence Condition 2.2 of the current LCH [A-2].
3(1)	(m) any other information required by the Act or the Regulations made under the Act for the activity to be licensed and the nuclear substance, nuclear facility, prescribed equipment or prescribed information to be encompassed by the licence.;	Substantiation of the information included with this application is demonstrated through the implementation of annual reporting requirements as defined in Licence Condition 5.1 of the current LCH [A-2].

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Clause	Requirement	CNL Response
3(1.1)	The Commission or a designated officer authorized under paragraph 37(2)(c) of the Act, may require any other information that is necessary to enable the Commission or the designated officer to determine whether the applicant (a) is qualified to carry on the activity to be licensed; or	The framework for CNL to carry out licensed activities is covered through the Management System Manual [A-6]. The system describes the relevant statutory, regulatory, contractual, and corporate frameworks within which CNL exists and operates.
3(1.1)	(b) will, in carrying on that activity, 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.	The framework for CNL to carry out licensed activities is covered through the Management System Manual [A-6]. The system describes the relevant statutory, regulatory, contractual, and corporate frameworks within which CNL exists and operates.
3(2)	Subsection (1) does not apply in respect of an application for a licence to import or export for which the information requirements are prescribed by the Nuclear Non-Proliferation Import and Export Control Regulations, or in respect of an application for a licence to transport while in transit for which the information requirements are prescribed by the Packaging and Transport of Nuclear Substances Regulations, 2015.	Compliance is ensured through implementation of the Nuclear Materials and Safeguards Management Program as part of CNL’s Management System Manual [A-6].
6	An application for the amendment, revocation or replacement of a licence shall contain the following information: (a) a description of the amendment, revocation or replacement and of the measures that will be taken and the methods and procedures that will be used to implement it;	CNL is applying for a licence amendment to divide the licence [A-1].

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Clause	Requirement	CNL Response
6	(b) a statement identifying the changes in the information contained in the most recent application for the licence;	This information is provided in [A-3], [A-4] and [A-5].
6	(c) a description of the nuclear substances, land, areas, buildings, structures, components, equipment and systems that will be affected by the amendment, revocation or replacement and of the manner in which they will be affected; and	References [A-3], [A-4] and [A-5] provide information about current configuration.
6	(d) the proposed starting date and the expected completion date of any modification encompassed by the application.	This is an administrative change only reflecting the splitting of the licence [A-2] into three licences, and will not trigger any modification to the licensed activities. No change is requested for the licence expiry date of December 31, 2034.
7	An application for a licence or for the renewal, suspension in whole or in part, amendment, revocation or replacement of a licence may incorporate by reference any information that is included in a valid, expired or revoked licence.	This attachment with its cover letter constitutes an application by CNL to amend the Prototype Waste Facilities Licence [A-1]. This application is also supported by CNL's Management System framework [A-6].
15	Every applicant for a licence and every licensee shall notify the Commission of (a) the persons who have authority to act for them in their dealings with the Commission;	CNL's senior management organizational structure for the operation of all CNL sites including DP, G-1 and NPD waste facilities is documented in the Management System Manual [A-6].

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Clause	Requirement	CNL Response
15	(b) the names and position titles of the persons who are responsible for the management and control of the licensed activity and the nuclear substance, nuclear facility, prescribed equipment or prescribed information encompassed by the licence; and	<p>CNL’s senior management organizational structure for the operation of all CNL sites including DP, G-1 and NPD waste facilities is documented in the Functional Authorities [A-7].</p> <p>Further relevant information regarding the position titles for those responsible for the management and control of licensed activities at these waste facilities is provided in lower tier Management System Documents.</p>
15	(c) any change in the information referred to in paragraphs (a) and (b), within 15 days after the change occurs.	CNL will comply with the 15-day notification requirement.
Class I Nuclear Facilities Regulations		
3	(c) evidence that the applicant is the owner of the site or has the authority from the owner of the site to carry on the activity to be licensed.	Atomic Energy of Canada Limited maintains the ownership of the DP, G-1 and NPD properties and authorizes CNL to conduct activities subject to CNSC licence [A-8].

References:

- [A-1] *Waste Facility Decommissioning Licence for Prototype Waste Facilities*, WFDL-W4-332.01/2034. Expiry Date: 2034 December 31.
- [A-2] *Licence Conditions Handbook for Prototype Waste Facilities (DP, Gentilly-1 & NPD)*, 3640-508760-HBK-001, Revision 0, 2014 August 14.
- [A-3] *Douglas Point Waste Facility Storage with Surveillance Plan*, 22-00960-SWS-001, Revision 2, 2015 March.
- [A-4] *Gentilly-1 Waste Facility Decommissioning Storage with Surveillance Plan*, 61-508330-SWS-001, Revision 1, 2015 March.
- [A-5] *Nuclear Power Demonstration Waste Facility Storage with Surveillance Plan*, 64-508330-SWS-001, Revision 2, 2016 August.
- [A-6] *Management System Manual*, 900-514100-MAN-001, Revision 0, 2017 January.
- [A-7] *Functional Authorities*, 900-514100-LST-001, Revision 1, 2018 January.
- [A-8] R.S. Walker, Letter to M. Leblanc, *Atomic Energy of Canada Limited Transfer of Commission Licences to the Canadian Nuclear Laboratories Limited, and Associated Applications for Exemption from Regulations*, 145-ACNO-14-0021-L, 2014 July 29.