

Status of the Designated Officer Program: 2016

CMD 18-M10.A



March 15, 2018

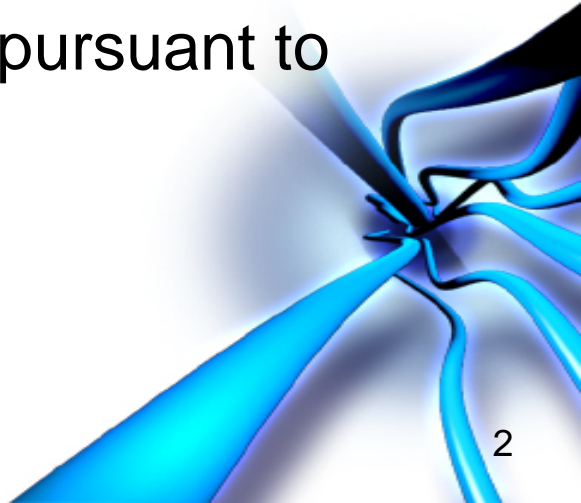
e-Docs 5455940 PPTX

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Presentation outline

- Background
- Authorities carried out by Designated Officers (DOs)
- Notices of Violation / Administrative Monetary Penalties (AMPs)
- Decisions reportable to the Commission pursuant to subsection 37(5) of the NSCA
- DO Program updates and initiatives
- Conclusions

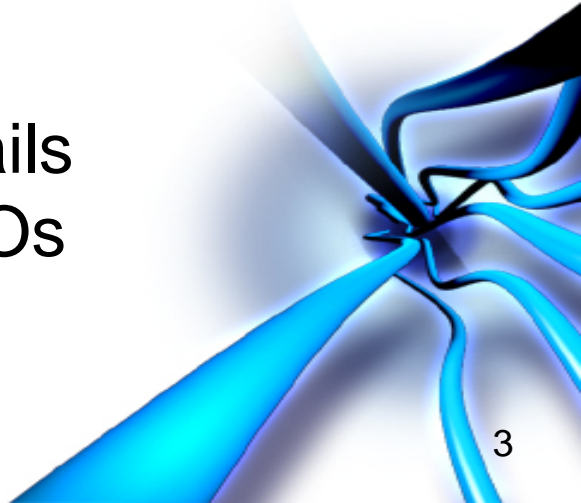




Commission action from 2015 DO Report

- During the presentation of the 2015 DO Report, the Commission requested that

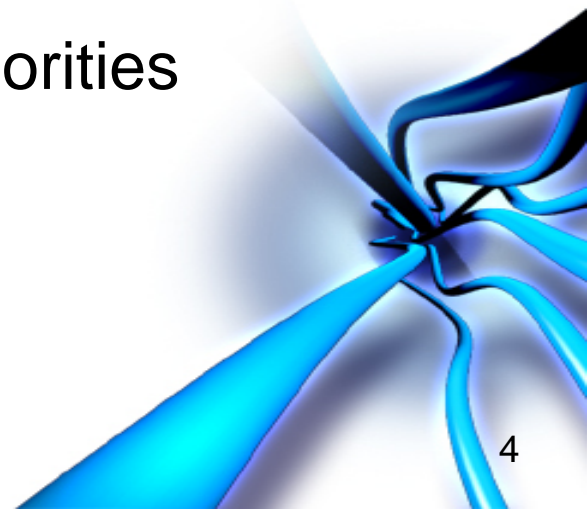
“The statistical data in the DO Report needs to include more detailed information and be grouped by specific actions.”
- To address this action, additional details about the authorities carried out by DOs were included in the 2016 DO Report





Background: DO Program

- Key element of the CNSC's licensing and compliance framework
- Established in 2000 with coming into force of NSCA; revised in 2014
 - DOs have been carrying out their authorities since 2000
- Collaboration between multiple CNSC divisions and directorates





Background: DO Program (cont.)

- The Commission designates and authorizes senior CNSC staff in certain positions to have statutory powers and carry out authorities under the NSCA
- Pursuant to the NSCA, DOs have the authority to carry out *lower-risk* licensing decisions, opportunities to be heard, prescribed equipment and personnel certification and other authorities

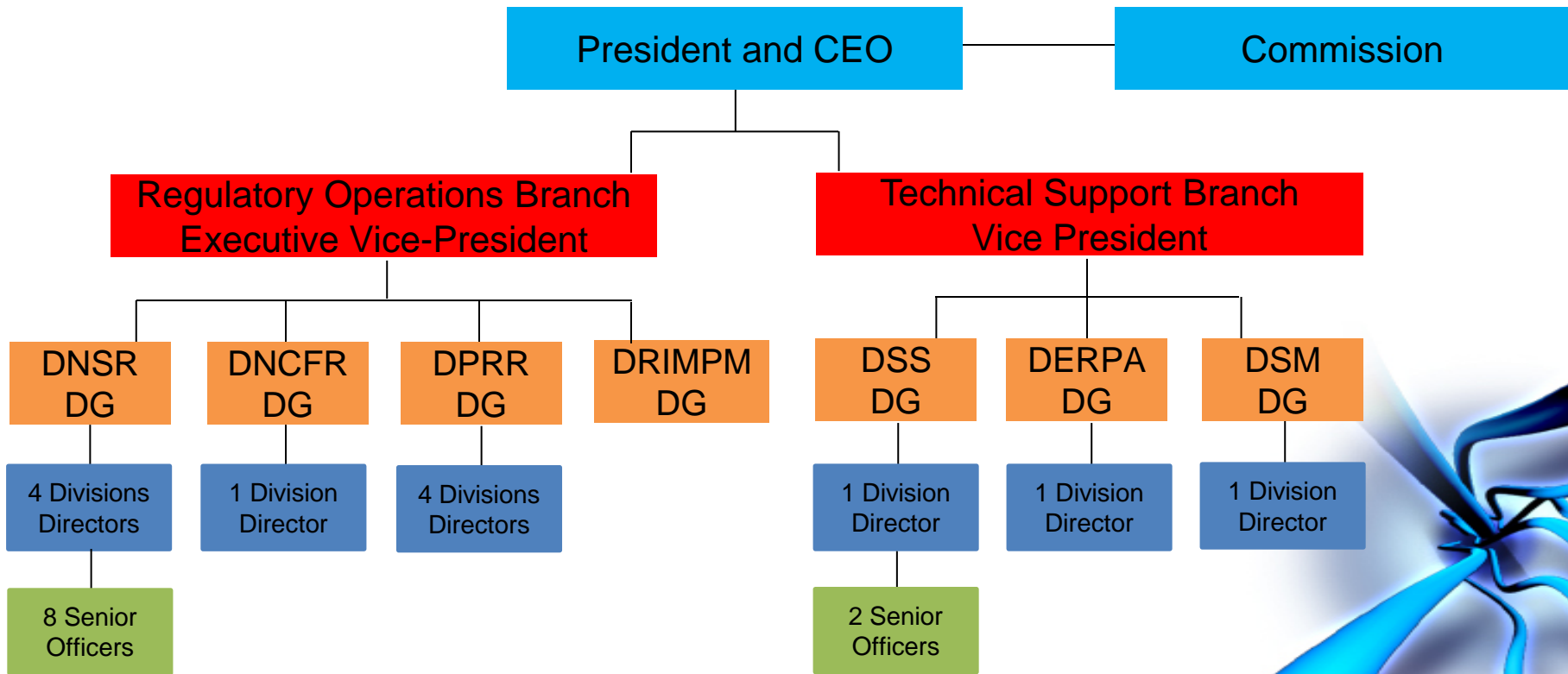
DOs carry out lower-risk authorities



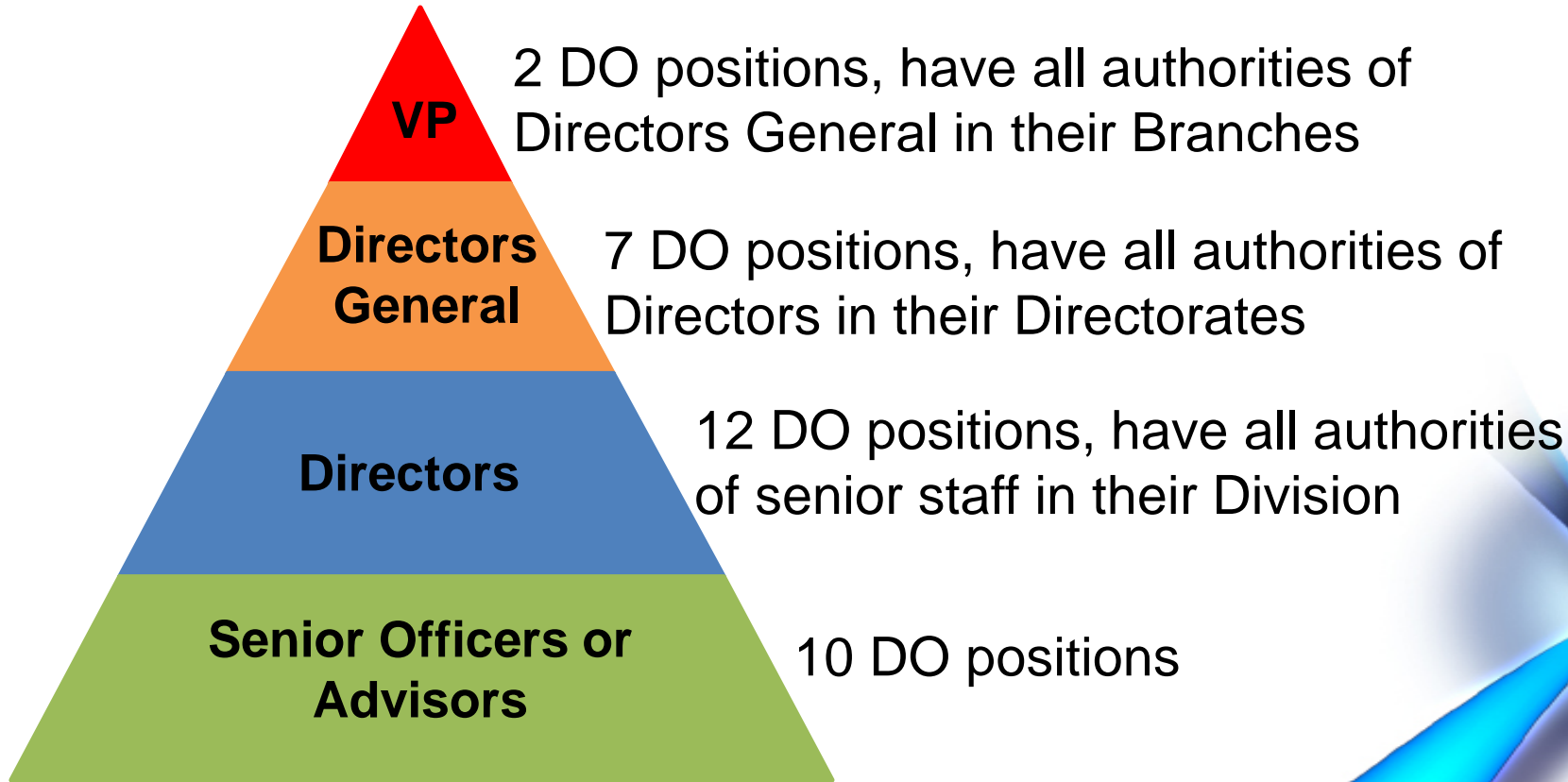
Background: DO Program (cont.)

- A DO decision is a decision of the Commission
 - DOs make lower-risk decisions and carry out opportunities to be heard in respect of these decisions
- Applicants / licensees may appeal a DO decision
 - statutory requirement for certain DO decisions
 - opportunity to be heard must be offered in cases such as licence refusals or revocations

CNSC organization

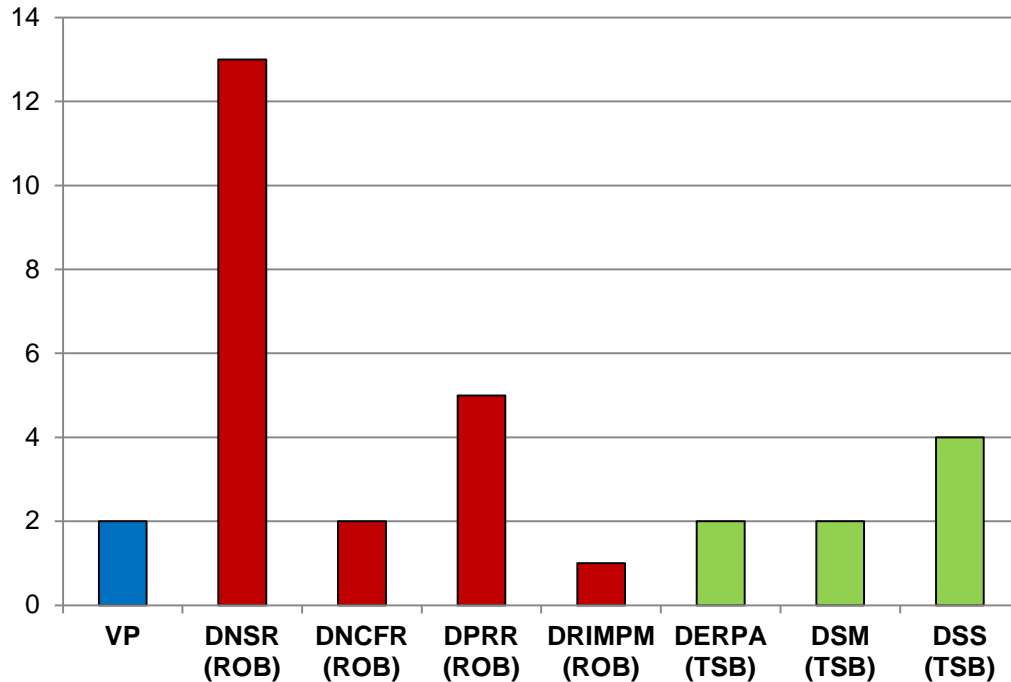


DO positions at the CNSC



DO positions at the CNSC (cont.)

Number of DO Positions by Directorate



- 31 DO positions in the Regulatory Operations Branch (ROB) and the Technical Support Branch (TSB)
 - 7 directorates



DO authorities

- DOs carry out authorities under 37(2) and 65.05 of the NSCA. These include
 - licensing authorities
 - certification authorities
 - compliance authorities

DOs carried out 4,268 authorities in 2016

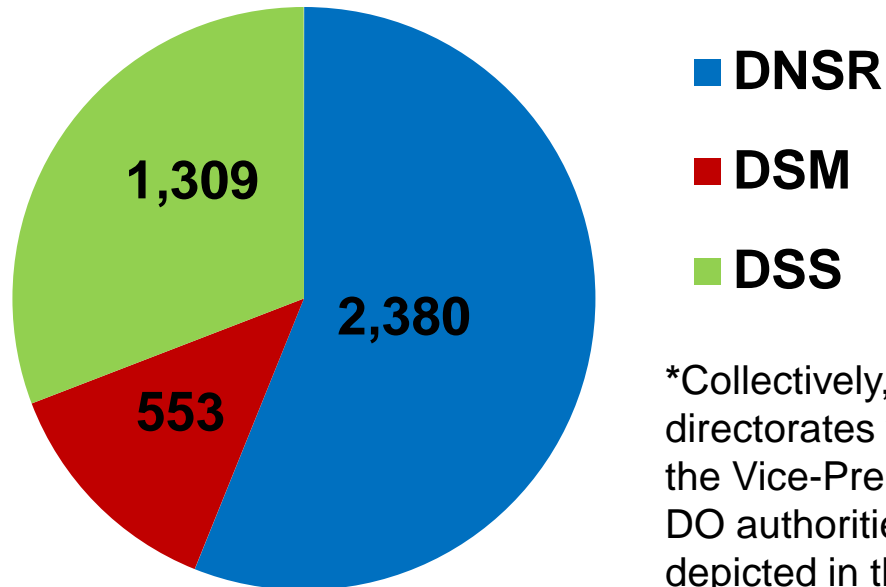


DO authorities (cont.)

- **4,268** authorities carried out
 - **4,221 licensing and certification** authorities including
 - 2,347 licensing authorities by the Directorate of Nuclear Substance Regulation (DNSR)
 - 1,309 licensing authorities by the Directorate of Security and Safeguards (DSS)
 - 553 personnel certifications by the Directorate of Safety Management (DSM)
 - **47 non-licensing authorities** including
 - 15 CNSC inspector designations
 - 6 return to work authorizations

DO authorities (cont.)

Directorates Carrying Out the Largest Number of DO Authorities in 2016*



*Collectively, the other four directorates with DOs, as well as the Vice-Presidents, carried out 26 DO authorities in addition to those depicted in this chart.



Administrative monetary penalties

- DOs issued **9 AMPs**
 - 1 AMP issued by the Directorate of Power Reactor Regulation
 - 8 AMPs issued by the Directorate of Nuclear Substance Regulation

***All AMPs issued in 2016 paid in full;
matters are closed***



DO authorities (cont.)

- DO decisions made pursuant to subsection 37(5) are reportable to the Commission under the NSCA

The annual DO Report fulfills the requirement to report on specific DO decisions for 2016



Decisions reportable to the Commission

- DOs must report to the Commission on
 - licence refusals – 37(5)(a)
 - issuance of a licence with a financial guarantee – 37(5)(b)
 - licence renewals with a change in conditions / suspension, amendment, revocation, or replacement without licensee consent – 37(5)(c)
 - confirmation, amendment, revocation or replacement of an inspector order – 37(5)(d)



Decisions reportable to the Commission

- DOs made **1,170 decisions** that they were required to report to the Commission including
 - 4 licence renewals and 1 licence transfer refusals
 - **1,147** licences issued with financial guarantee requirement
 - 1 licence renewal with amended licence conditions
 - **17** inspector order confirmations or revocations*
*orders that were revoked should have been confirmed

In 2016, DOs made 1,170 decisions reportable to the Commission



DO Program updates and initiatives

- 15 DO position staffing changes in 2016
 - DO briefings with Commission Secretary and Legal Services (LS), self-directed and on-the-job learning undertaken by all new DOs
- Continuous improvement of DO resources
 - clarified role of LS supporting DOs
 - CNSC Intranet DO bulletin board and community page



DO Program updates and initiatives

- Other DO Program initiatives
 - development of work instructions, templates, guidance documents and additional training materials for DO with the authority to make orders
 - first annual DO Forum in April 2018
 - lessons learned, experience sharing and DO refresher training

Continuous improvement is key to a successful DO Program



Licensing process self-assessment

- DO licensing process self-assessment completed in December 2016 showed that the CNSC has a well-established DO licensing process
- Seven key recommendations identified and accepted
 - completion of the Training and Assistance Program by all DOs
 - additional assistance to DOs from LS
 - self-assessments every five years

DO licensing process is well established



Conclusions

- DOs carried out **4,268 authorities** in 2016
 - **1,170** of these authorities were decisions reportable to the Commission
 - **9 AMPs** issued, all paid in full
 - all matters closed; no requests for review

The DO Program has a solid foundation and is effective





Next steps...

- Next DO Report will provide
 - detailed reporting on DO authorities for 2017
 - fulfillment of the requirement to report on DO decisions
 - an update on continuous improvement initiatives including the DO Community Forum, scheduled for April 17, 2018
- DO documentation and related initiatives will continue to be updated and improved



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Merci!
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