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CMD : 21-H104.A

Date signed/Signé le : AUGUST 27, 2021

Reference CMD(s)/CMD(s) de référence : 21-H104

A Licence Revocation

Une révocation de permis

**Saskatchewan Research
Council**

**Saskatchewan Research
Council**

SLOWPOKE-2 Reactor

Réacteur SLOWPOKE-2

Hearing in writing based solely on
written submissions

Audience par écrit fondée
uniquement sur des mémoires

Scheduled for:

August 2021

Prévue le :

août 2021

Submitted by:

CNSC Staff

Soumise par :

Le personnel de la CCSN

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Summary

This supplemental Commission Member Document (CMD) provides CNSC staff's response to questions raised by the Commission panel members in CMD 21-H104Q.

Résumé

Ce document à l'intention des commissaires (CMD) supplémentaire apporte les réponses du personnel de la CCSN aux questions posées par les membres de la formation de la Commission dans le CMD 21-H104Q.

Signed/signé le

27 August 2021

Kavita Murthy

Director General

Directorate of Nuclear Cycle and Facilities Regulation

Directrice générale

Direction de la réglementation du cycle et des installations nucléaires

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EXECUTIVE SUMMARY

The panel of the Commission, in conducting the hearing in writing respecting CMD 21-H104 to consider Saskatchewan Research Council's application for a licence to abandon the SLOWPOKE-2 Reactor Facility, has reviewed the written submissions provided by CNSC staff and Saskatchewan Research Council.

This hearing in writing considers whether to revoke the current Saskatchewan Research Council licence NPROL-19.01/2023, issue a Licence to Abandon and release the Financial Guarantee held for the decommissioning of the SLOWPOKE-2 Reactor Facility.

The panel of the Commission requested additional information with respect to CMD 21-H104. CMD 21-H104Q provides 4 questions requesting responses, all from CNSC staff. This supplemental submission provides CNSC staff's responses to these questions.

1 OVERVIEW

The panel of the Commission, in conducting the hearing in writing respecting CMD 21-H-104 [1] to consider Saskatchewan Research Council's application for a licence to abandon the SLOWPOKE-2 Reactor Facility, has reviewed the written submissions provided by CNSC staff and Saskatchewan Research Council.

This hearing in writing considers whether to revoke the current Saskatchewan Research Council licence NPROL-19.01/2023, issue a Licence to Abandon and release the Financial Guarantee held for the decommissioning of the SLOWPOKE-2 Reactor Facility.

In conducting the hearing in writing, the panel of the Commission requested responses to 4 questions via CMD 21-H104Q [2]. All 4 questions were directed to CNSC staff in respect of CMD 21-H104.

2 CNSC STAFF'S RESPONSES TO THE PANEL OF THE COMMISSION'S QUESTIONS IN CMD 21-H104

Via CMD 21-H104Q, the panel of the Commission requested CNSC staff (Table 1) respond to several questions.

CNSC staff's responses to the panel's 4 questions are in the table below. For ease of understanding, the panel's numbering system for the questions in Table 1 in CMD 21-H104Q was maintained.

CNSC staff responses to questions submitted by a panel of the Commission via Table 1 – CMD 21-H104Q Questions for CNSC Staff

#	Commission Panel Questions	CNSC Staff's Response
1.	According to SRC's application it plans to terminate its long-term lease agreement and return possession to Saskatchewan Property Management after the "completion of decommissioning work and the issuance of a licence to abandon" (allowing for unrestricted use of the space). Is it known what the space will be used for once the site has been abandoned by SRC?	The Saskatchewan Research Council (SRC) SLOWPOKE-2 Reactor Facility (SRCSF) is being returned to the landlord (Ministry of Central Services, what was previously Saskatchewan Property Management) after the issuance of the licence to abandon. The landlord does not have specific plans yet for the future use of the space occupied by the SRCSF.

#	Commission Panel Questions	CNSC Staff's Response
2.	<p>CNSC inspectors and, if required, IAEA inspectors will have access to the site for a period of 10 years following the expiry of the licence to abandon. Is this limited to the inspection of records to ensure compliance with subsection 14(4) of the Class I Nuclear Facilities Regulations or does it also include any necessary or anticipated follow up monitoring activities? If SRC no longer occupies the space/site how does subsection 14(4) of the <i>Class I Nuclear Facilities Regulations</i> apply, assuming that Saskatchewan Property Management will have full possession of the space/site?</p>	<p>Ministry of Central Services will have full possession of the facility after the licence to abandon is issued. SRC communicated to the CNSC staff, in writing [3], that the Government of Saskatchewan, Property Management, SaskBuilds and Procurement (under Ministry of Central Services), has approved CNSC Inspectors and IAEA accessing the location occupied by SRCSF (422 Downey Road Saskatoon, Saskatchewan).</p> <p>In addition, CNSC inspectors have the authority to inspect locations under section 30 of the Nuclear Safety and Control Act (NSCA). This includes a vehicle or place in which the inspector believes, on reasonable grounds, there is a nuclear substance, prescribed equipment, prescribed information or a record that is required by the NSCA, its associated Regulations, an order or a decision made under the NSCA, or a condition of a licence.</p> <p>Finally, section 33 of the NSCA which states: <i>While exercising any authority under this Act, an inspector may be accompanied by any other person chosen by the inspector</i> will enable IAEA inspectors access to the SRCSF site</p>

#	Commission Panel Questions	CNSC Staff's Response
3.	<p>CNSC staff conclude that there is no duty to consult because there will be no impact on Indigenous or Treaty rights. What engagement activities, if any, have been carried out by the proponent and CNSC staff and SRC in relation to the application and related activities, specifically decommissioning, with Indigenous groups/communities?</p>	<p>SRCSF is situated on Treaty 6 Territory and the Homeland of the Metis. SRC shared information about the project as well as an invite to attend the public meeting (December 2018) with the Metis Nation of Saskatchewan (MNS), Saskatoon Tribal Council, Muskeg Lake Cree Nation, and the Prince Albert Grand Council (PAGC). SRC has an active working relationship with the MNS and PAGC through other projects that SRC is involved in, such as Project Cleanup of Abandoned Northern Sites (CLEANS). However, no representatives of the Indigenous community attended the event or contacted SRC.</p> <p>CNSC staff issued the notice of hearing in writing on May 5 2020, and promoted this notice via its web site, social media and its general email to its subscriber list that includes Indigenous groups and communities. CNSC staff received no specific requests or expressions of interest from any Indigenous groups.</p> <p>In addition, no Indigenous group has previously expressed interest in the SRCSF during its operations or decommissioning, to CNSC staff. There were no interventions from the Indigenous groups during the hearing to authorize the decommissioning of SRCSF, on September 26, 2019.</p>

#	Commission Panel Questions	CNSC Staff's Response
4.	In terms of the waste that was shipped to the Savannah River in the US, does SRC still have ownership of and liability for the waste?	<p>The ownership of the waste material (used High-enriched Uranium (HEU) fuel) shipped to the Savannah River Site (SRS) transferred to the US Department of Energy (the reception of the used fuel by SRS confirmed on September 11, 2019). Once it cleared the international border, SRC has no ongoing liability or ownership of the above waste material in accordance with the Canada-US agreement on minimization of HEU inventories and Global Threat Reduction Initiative.</p> <p>This is a highly regulated activity that must meet the stringent requirements of both Transport Canada and CNSC before being approved. The spent HEU fuel is sent back to its country of origin (repatriation) as part of a broad international effort to consolidate HEU inventories in fewer locations around the world.</p>

3 CONCLUSIONS

In this CMD, CNSC staff provided responses to questions from a panel of the Commission (CMD 21-H104Q) in respect of the hearing in writing CMD 21-H104.

This hearing in writing considers whether to revoke the current Saskatchewan Research Council licence NPROL-19.01/2023, issue a Licence to Abandon and release the Financial Guarantee held for the decommissioning of Saskatchewan Research Council SLOWPOKE-2 Reactor Facility.

CNSC staff's conclusion remains unchanged and recommend that the Commission take the following actions:

1. Revoke the current Saskatchewan Research Council Licence, NPROL-19.01/2023.
2. Issue a licence to abandon the SLOWPOKE-2 Reactor Facility.
3. Release the financial guarantee held for decommissioning of Saskatchewan Research Council SLOWPOKE-2 Reactor Facility.

REFERENCES

1. CMD 21-H104 *Submission from CNSC staff on Saskatchewan Research Council SLOWPOKE-2 Reactor Licence Revocation*, e-Doc 6544042, July 2021.
2. CMD 21-104Q *Questions from Commission Panel Members*, e-Doc 6624553, August 2021.
3. Correspondence, P. Rees to I. Erdebil, *Availability of SLOWPOKE-2 Reactor Facility Site – 422 Downey Rd*, e-Doc 6629376, August 2021.