



# Update on the CNSC Staff Review of the Regulatory Oversight Report Process



Staff Presentation to the Commission  
January 27, 2022  
CMD 22-M5





# Purpose of this Presentation

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This presentation will share the:

- Results of the CNSC staff review of the ROR process
- Feedback received
- Improvements implemented

It seeks the Commission's endorsement of the path forward



# Objective of the Review

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## CURRENT RORs

- Main reporting tool since 2015
- Evolved to become complex and comprehensive reports
- Scope expanded based on feedback from the Commission, the public, Indigenous Nations and communities, and stakeholders
- First comprehensive review since inception

## OBJECTIVE OF THE REVIEW

- To examine current practices
- Review value for effort
- Identify potential efficiencies for future reporting of RORs to the Commission
- To review and address comments received from intervenors and the Commission on the ROR
- To determine target audience of the ROR

CNSC is committed to meaningful engagement



## Background of ROR



# Current Communication Strategies

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ROR

Engagement with  
Indigenous Nations  
and Communities

Community  
Outreach:  
Meet the Nuclear  
Regulator /  
Webinars

Non-Governmental  
Organizations  
(NGO) Forum

CNSC Public  
Website /  
Updated Facility  
Web Pages

Open Government  
Initiatives

Social Media:  
Facebook  
Twitter  
LinkedIn

Public Consultation  
on REGDOCS and  
Regulations



# What is a ROR?

A ROR is an information report prepared for the Commission, presenting:

- CNSC's compliance activities
- Comprehensive staff review of licensee performance:
  - Licensing
  - Compliance verification
  - Certification
  - Enforcement activities

Intended to provide a summary of CNSC regulatory oversight for a given year

More appropriate tools are available for outreach and engagement



# Benchmarking Engagement Activities

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The CNSC is world leader in reporting, transparency, and openness



## Review of Canadian practices against international counterparts:

- A longer licence period with increased emphasis on licensee performance was consistent
- Only country that offers a **Participant Funding Program**
- Indigenous Nations and communities and public concerns can be raised to the CNSC at any time
- Only country that reports across the entire fuel cycle

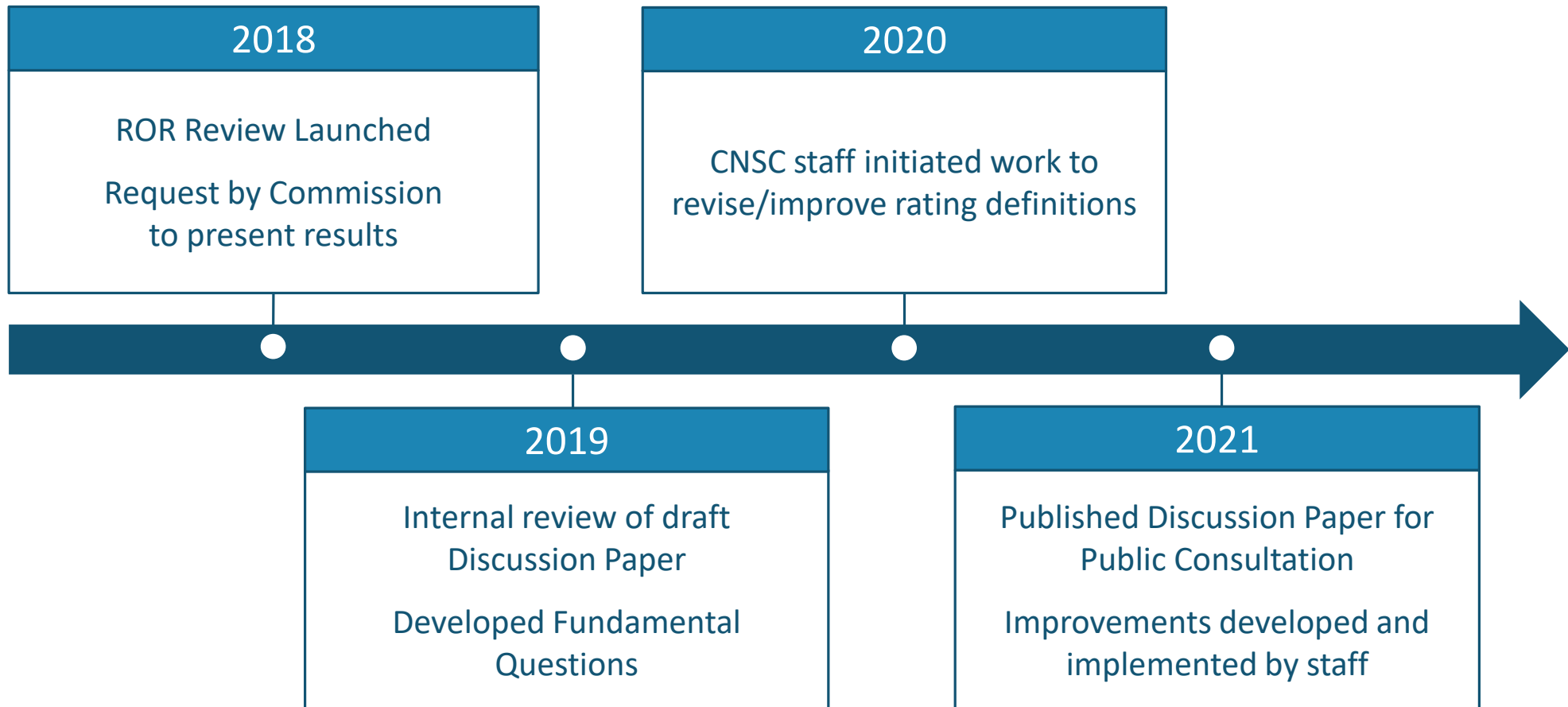


# Review Process and Results





# Overview of Timelines





# Internal Review and Staff Feedback

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## Launched January 2018

- Collaborative effort involving representatives across the entire organization
- Review current practices and identified efficiencies for future reporting

History of reporting  
to the Commission

Changes to scope and  
frequency of RORs

Benchmarking

Indigenous Nations and communities  
and public interest



# Summary of Internal Comments

AUDIENCE	PURPOSE	FREQUENCY	PUBLIC CONSULTATION
<p>Prepared for the Commission, with the opportunity for the public to participate</p>	<p>Summary of CNSC staff compliance verification activities and the performance results associated with those activities</p>	<p>High Risk – Annual Med Risk – Every 2 years Low Risk – Every 3 years</p>	<p>Ensuring trust of Indigenous Nations and communities and the public</p>



# ROR Discussion Paper

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April 2021

ROR Discussion Paper published  
(April 8<sup>th</sup>)

June 2021

**Feedback on feedback**  
(June 8<sup>th</sup> to 23<sup>rd</sup>)  
No comments received

April to June 2021

**First Round - 98 comments received** (April 8<sup>th</sup> to June 7<sup>th</sup>)

- Canadian Environmental Law Association (CELA) requested CNSC refer to its previous comments on RORs
- Reviewed comments from CELA on the 2018 and 2019 RORs, resulting in 32 additional comments



# External Commenters

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## Industry

- Canadian Radiation Protection Association (CRPA)
- Canadian Nuclear Association (CAN)
- Bruce Power
- New Brunswick Power
- Ontario Power Generation (OPG)
- Nordion Inc.
- Canadian Nuclear Laboratories (CNL)
- Hydro Québec
- Cameco
- Canadian Nuclear Workers' Council (CNWC)

## Non-Governmental Organizations

- G. Dalzell, Citizens Coalition for Clean Air (CCCA)
- Canadian Environmental Law Association (CELA)

## Indigenous Nations and communities

- Manitoba Métis Federation (MMF)

## Other

- Kevin Scissons (former CNSC staff)
- Anne Gent; Senior Environmental Scientist, Cameco



# Summary of External Comments (1/2)

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## Positive Themes

- The ROR provides a good overview of the performance of the licensee with enough detail to make the reports useful
- Industry appreciates the recent efforts CNSC staff have made to streamline the reports and make them more reader-friendly and accessible to members of the public
- The frequency of RORs is appropriate. High-risk events or issues can be reported using notification and other tools



### Opportunities for Improvement

- Time-consuming to produce and should be written clearly and concisely
- Additional outreach would help the public better understand technical aspects of RORs
- Provide the public with more science-based information
- The annual RORs could be enhanced with improved access to status reports



# Changes Implemented

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- Plain Language Executive Summaries
- Greater use of hyperlinks for readily available online content
- Data to include error bars on graphs, explanation on sampling and analytical techniques, and sources of equations
- Clarification of rating definitions and removal of 'Fully Satisfactory'
- Acknowledgement of Indigenous Nations and communities

Improvements  
continue to be  
implemented and  
will be reflected  
in 2021 RORs





# Forward Strategy



# Publishing RORs

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**Requires 6-12 months to develop a ROR and up to 6 months to publish.**

For example:



*Regulatory Oversight Report on Nuclear Generating Sites*

English Editing: ~41 days

French Translation: ~103 days

French-to-English Comparison: ~61 days

Coding for Accessibility: ~10 days



# ROR Website Traffic

<b>Regulatory Oversight Report</b>	<b>Average Unique Views per Year</b>	<b>Average Time on Page (minutes)</b>
Nuclear Generating Stations	750	2:52
Uranium Mines and Mills	467	2:58
Use of Nuclear Substances	537	3:02
Uranium and Nuclear Substance Processing Facilities	283	2:42
Research Reactors	77	2:36
Canadian Nuclear Laboratories sites	51	2:01

Statistics provided are applicable to RORs since 2017



# Pilot Project

## **RORs provide useful information but:**

- Long written documents are not ideal public communication tools
- Are a significant resource burden to produce
- Information is repeated from year to year and between RORs
- Duplicate other engagement efforts

## **A lean, easily digestible dashboard could:**

- Be accompanied by a short, written document
- Be updated to provide general information on facilities and activities
- Relocate the information provided in the RORs to the public website, enhancing transparency and public trust
- Leverage other communication and engagement mechanisms

# Sample and Approach

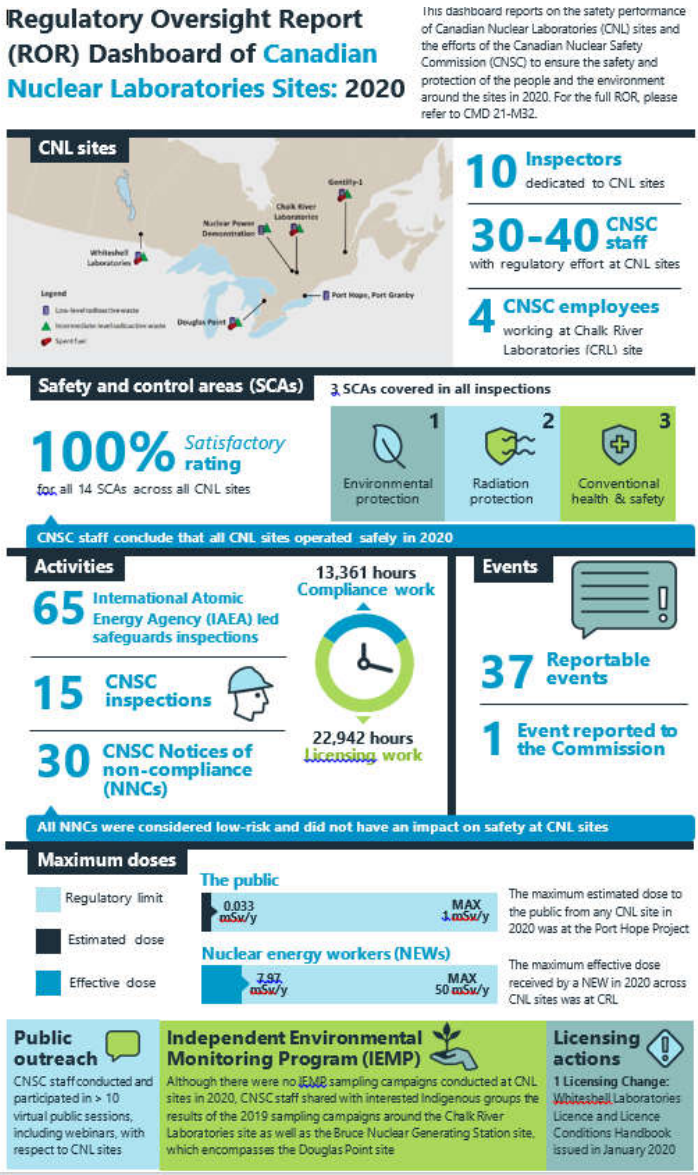
Prepared to provide key information and data during outreach on the 2020 Canadian Nuclear Laboratories sites ROR.

## Feedback from the audience:

- Helpful and clear
- Some questions about content of the dashboard
- Suggestions on information that could be provided

## PATH FORWARD

- Feedback from the Commission tribunal
- Specific contents should be customized for each ROR
- Accessibility factors must be considered





# Path Forward

## NEW APPROACH

- Build dashboards for all the RORs, accompanied with short companion reports
- Increased use of other tools and mechanisms to expand our outreach and engagement with Indigenous Nations and communities, the public and stakeholders

### Benefits

- Provides timely, focused, relevant information
- Clear and digestible information
- Spreads out / reduces resource burden
- Streamlines the ROR process

### RISKS

- Successful implementation requires:
  - Development of supporting tools
  - Maintenance of dashboard and data on the external website
- Continued low readership (status quo)



# Strategic Priorities for Outreach and Engagement

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- Greater use of the Open Government Portal
- Enhance access to updated information, data and reports through the public website to disseminate information that's easier to understand
- Greater use of in-person and virtual forums such as “Meet the Nuclear Regulator” and open houses
- Creation of a CNSC Indigenous Advisory Committee
- Exploring mechanisms to bring Indigenous and stakeholder engagement updates to the Commission such as Terms of Reference with Indigenous Nations and communities and NGO forums, and not wait for the annual ROR

Promote the use of other mechanisms for outreach and engagement



# For Commission Endorsement

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## For 2022 RORs (presented in 2023)

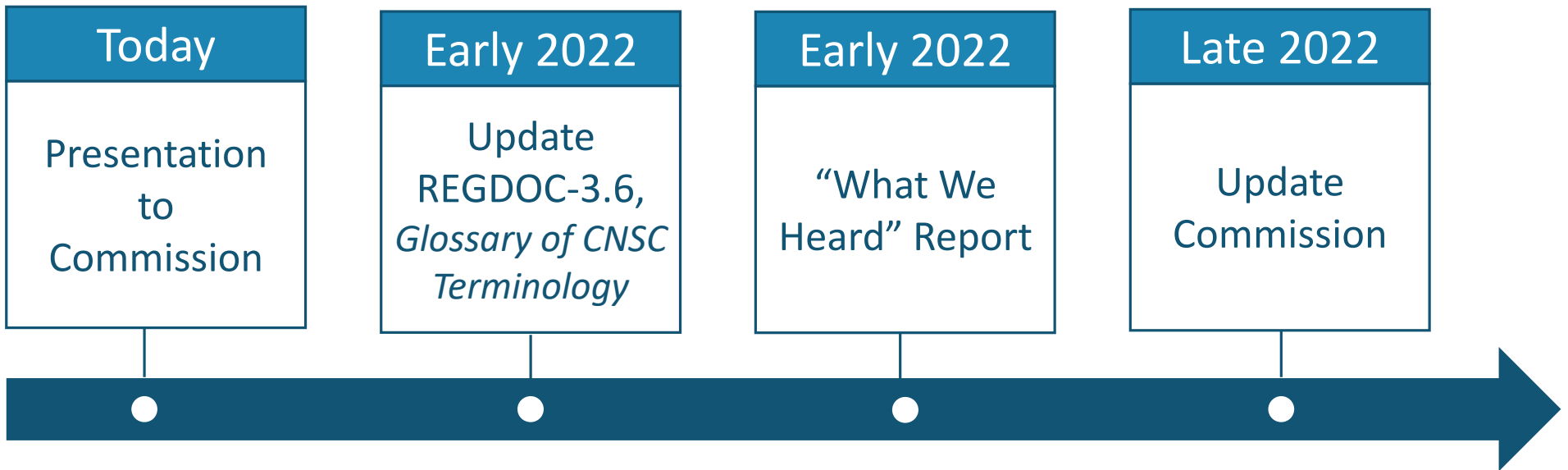
- Shorter, more focused ROR
- Implementation of dashboards
- Leverage other engagement tools or mechanisms
- Frequency of reporting to remain status quo

The scope of the RORs **will not** be changed until other mechanisms are implemented





# Next Steps





# Conclusion

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- RORs were developed as a reporting mechanism to the Commission on licensee performance and regulatory oversight
- RORs are not the most appropriate approach to providing information to the public, Indigenous Nations and communities and stakeholders
- CNSC staff recommend a modernized approach to provide timelier, focused, and more relevant information
  - CNSC will seek **other fora and mechanisms** for engagement, trust building and disseminating information
  - CNSC is clarifying performance rating definitions
- Staff will provide the Commission with a progress update by the end of 2022



# Discussion



# Appendix A

## Amended Safety Performance Rating Categories and Definitions

## Appendix A

### Amended Safety Performance Rating Categories and Definitions

CNSC staff ratings of licensees at the safety and control area (SCA) level have been used in Commission Member Documents (CMDs) for many years. The ratings are communication tools, meant to summarize licensee compliance and/or performance (e.g. during a calendar year). Although they typically appear in Regulatory Oversight Reports (RORs), CNSC staff have also presented them to the Commission in support of recommendations for licensing decisions.

The previous definitions of four rating categories - Fully Satisfactory, Satisfactory, Below Expectations, and Unacceptable - were provided in CNSC REGDOC-3.6, Glossary of CNSC Terminology.

The previous definitions conveyed general ideas of what the four rating categories entail, but their language was unclear, and concepts were inconsistently applied across the four definitions. For example, the definition of Unacceptable appeared to refer to risk to the health of persons and the environment, etc., but the definitions of Satisfactory and Below Expectations referred to risk to the licensee's compliance record. Further, it was unclear if all the criteria described in each definition needed to be met to warrant that rating, or just some of them, or just one of them.

While preparing the 2019 RORs, CNSC staff eliminated one of the categories – Fully Satisfactory - to simplify its work. This was received positively by the Commission and the Commission also suggested the possibility of using only two categories – Satisfactory and Below Expectations. CNSC staff subsequently undertook a review of the rating definitions in parallel with the internal and external reviews related to the discussion paper. Besides considering the number of categories that were needed, staff also proposed improved definitions with clearer and more consistent language, while retaining the criteria used in the existing definitions but structuring them more logically. Specifically, the improved definitions stipulate that the:

- Satisfactory rating can only be awarded when all criteria are met
- Below Expectations and Unacceptable ratings can be awarded when just one of the respective criteria are met

Although CNSC staff considered the possibility of only using two rating categories, in the end, it decided to retain the Unacceptable rating, in order to provide a greater range to summarize licensee performance and also to align with some existing practices in CNSC compliance verification activities.

The objective of these changes is to facilitate a more efficient process to rate licensee performance and to promote a better understanding of the ratings by the public, Indigenous Nations and communities and stakeholders. Some generalization of the language in the definitions is key, since brief definitions cannot capture all of the detailed rating criteria for different facility types and different safety control areas (SCAs).

The following categories and definitions were approved by CNSC Management; CNSC staff plans to publish them in REGDOC-3.6 in April 2022.

<b>Fully Satisfactory (FS)</b>	
<b>Previous Definition</b>	<b>Amended Definition</b>
Safety and control measures implemented by the licensee are highly effective. In addition, compliance with regulatory requirements is fully satisfactory, and compliance within the safety and control area (SCA) or specific area exceeds requirements and CNSC expectations. Overall, compliance is stable or improving, and any problems or issues that arise are promptly addressed.	<b>N/A – Rating removed</b>

<b>Satisfactory</b>	
<b>Previous Definition</b>	<b>Amended Definition</b>
Safety and control measures implemented by the licensee are sufficiently effective. In addition, compliance with regulatory requirements is satisfactory. Compliance within the SCA meets requirements and CNSC expectations. Any deviation is minor and any issues are considered to pose a low risk to the achievement of regulatory objectives and CNSC expectations. Appropriate improvements are planned.	<p><b>Licensee meets all of the following criteria:</b></p> <ul style="list-style-type: none"> <li>• Performance meets CNSC staff expectations</li> <li>• Licensee non-compliances or performance issues, if any, are not risk-significant</li> <li>• Any non-compliances or performance issues have been, or are being, adequately corrected</li> </ul>

<b>Below Expectations (BE)</b>	
<b>Previous Definition</b>	<b>Amended Definition</b>
Safety and control measures implemented by the licensee are marginally ineffective. In addition, compliance with regulatory requirements falls below expectations. Compliance within the SCA deviates from requirements or CNSC expectations to the extent that there is a moderate risk of ultimate failure to comply. Improvements are required to address identified weaknesses. The licensee is taking appropriate corrective action.	<p><b>One or more of the following criteria apply:</b></p> <ul style="list-style-type: none"> <li>• Performance does not meet CNSC staff expectations</li> <li>• Licensee has risk-significant non-compliance(s) or performance issue(s)</li> <li>• Non-compliances or performance issues are not being adequately corrected</li> </ul>

<b>Unacceptable Expectations (UA)</b>	
<b>Previous Definition</b>	<b>Amended Definition</b>
Safety and control measures implemented by the licensee are marginally ineffective. In addition, compliance with regulatory requirements falls below expectations. Compliance within the SCA deviates from requirements or CNSC expectations to the extent that there is a moderate risk of ultimate failure to comply. Improvements are required to address identified weaknesses. The licensee is taking appropriate corrective action.	<p><b>One or more of the following criteria apply:</b></p> <ul style="list-style-type: none"> <li>• Performance does not meet CNSC staff expectations</li> <li>• Licensee has risk-significant non-compliance(s) or performance issue(s)</li> <li>• Non-compliances or performance issues are not being adequately corrected</li> </ul>



## Appendix B

Comments received from: Discussion Paper DIS-21-01, The Canadian Nuclear Safety Commission:  
Regulatory Oversight Report Review

# Public Consultation

## Discussion Paper DIS-21-01, The Canadian Nuclear Safety Commission: Regulatory Oversight Report Review

April 8, 2021 – June 23, 2021

### Comments received from public consultation

**Link to: [Discussion Paper DIS-21-01, The Canadian Nuclear Safety Commission: Regulatory Oversight Report Review](#)**

Comments received:

- during first round (April 8, 2021 to June 7, 2021): 98 comments from fourteen (15) reviewers
- during feedback period (June 8, 2021 to June 23, 2021): no comments were received

Note: CELA did not submit specific comments. Rather they asked that all their comments from previous interventions be addressed. See comments 98-130.

**Table A:** Comments received on the discussion paper

	Reviewer	Section or Para. #	Reviewer's Comment and Proposed Change	Response
<b>General comment on the overall purpose of the Regulatory Oversight Reports</b>				
1.	G. Dalzell, Citizens Coalition for Clean Air; Community Member		Over the last few years, it's been nuclear power plants that I have focused on. It is not that I am not interested in the other RORs, it was a matter of time restraints to delve into those RORs at the same time as my primary area of interest. Perhaps some of the other RORs could be posted and public reviewed at a different time or spaced better.	CNSC staff will consider this recommendation.
<b>Question 1. Are RORs a good way to communicate licensee performance to you?</b>				
2.	Kevin Scissons	Q1.	Yes, they are effective. Annual is reasonable for the major licensees. If there are any urgent or emerging issues that require immediate notification to the Commission or the public, there are avenues for that - like a Commission Meeting, and their event reporting	Noted
3.	Canadian Radiation Protection Association	Q1.	Yes absolutely, and it is a clear commitment of transparency from CNSC. It is a good way as we can reproduce or use part of the graphs and table for training purposes.  The ROR is probably not the best way to communicate licensee performance to the general public though as the report requires the reader to have some understanding of the regulatory process, compliance and framework on order to fully understand the content. order to fully understand the content.	Noted, to help fill the communication gap, CNSC staff is committed to hosting webinars to help the general public better understand the contents of the Regulatory Oversight Reports (RORs).
4.	Canadian Nuclear	Q1.	Industry shares the CNSC's view that RORs are important public information tools and	Noted



# Public Consultation

## Discussion Paper DIS-21-01, The Canadian Nuclear Safety Commission: Regulatory Oversight Report Review

April 8, 2021 – June 23, 2021

	Reviewer	Section or Para. #	Reviewer's Comment and Proposed Change	Response
	Association (CNA), Bruce Power and New Brunswick Power, Ontario Power Generation (OPG), Nordion, and Canadian Nuclear Laboratories (CNL), Hydro Québec		useful summaries of annual reports and other performance updates industry provides the CNSC on an ongoing basis.	
5.	Canadian Nuclear Workers' Council	Q1.	Yes, the Canadian Nuclear Workers' Council believes the annual RORs are a good communication tool. The RORs give a good overview of the performance of the Licensee at each site with enough detail to make the reports useful.	Noted
6.	G. Dalzell, Citizens Coalition for Clean Air; Community Member	Q1.	<p>Absolutely without question they are. This writer has had a long-time interest in the Nuclear Power Plants RORs. The comprehensive safety-based information on regulatory safety information from all the Canadian Nuclear Plants is just what I would expect to read and be informed on.</p> <p>This writer recognizes that this annual report covering the key safety CNSC criteria for all these facilities, is quite detailed with technical information on the licensed activities provided to the Commission Tribunal.</p> <p>For this writer, it did take a good amount of time to get through the ROR while my concerns, issues, and questions as evidenced in my past submissions (see reference from last year). This ROR despite being technical and detailed may be considered tough going and time consuming for the average community member; however, for those Commission Tribunal members with their high level of expertise in the nuclear fields, it provides them with the kind of information they require to perform their oversight roles. They or the public do not need a "reader's digest version" of such a key safety report.</p> <p>For the general public, the report has an excellent Executive Summary. Additionally for those Canadians who live in the area of a nuclear power plant such as this writer</p>	Noted. CNSC staff agree that the executive summaries should be written in plain language and accessible to a broad audience and details should be elaborated in the report itself.

## Public Consultation

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			<p>(Point Lepreau Nuclear Power Generating Station), I have the option to just focus on the chapter on PLNGS about 30 pages, if that all I wanted to do. This writer prefers to read all the chapters on all the Nuclear Power Plants.</p> <p>The intervenors are often interested parties, Indigenous groups and communities, civil society organizations, ENGO's etc. For the most part, they expect comprehensive information. As the old expression goes, "The devil is found in the details", providing a dumb down Readers Digest version of the ROR just would not be satisfactory. The Executive Summary could be enhanced to make it easier for those who do not have the time to drill down into the details like this writer likes to do.</p> <p>Please do not overhaul this safety report that will exclude of water down the information currently covered in this report. Basically, I like it the way it is.</p>	
7.	Manitoba Métis Federation	Q1.	<p>The CNSC, as a representative of the Crown, must require and ensure engagement, consultation, and accommodation processes, and deliverables such as plans, applications, and assessments, are developed in collaboration with the MMF, and revised to reflect the MMF's input. The CNSC should use a distinctions-based approach for consultation and accommodation, an approach that explicitly recognizes and accounts for the distinct rights, claims, and interests of the Manitoba Métis Community, as well as its significant history with the WL site and connection to the land. The CNSC must consult MMF, as the democratically elected self-government representative of Métis Citizens in Manitoba, on how they would like to be engaged in these processes on an ongoing basis to ensure the rights, claims, and interests of the Manitoba Métis Community are adequately considered and, where required, accommodated. In cases where impacts to the rights, claims and interests of the Manitoba Métis Community cannot be avoided or mitigated, accommodations must be provided. The MMF must be consulted regarding the development of accommodation measures, where required, as part of fulfilling the duty to consult and accommodate. Such impacts to rights and interests could include, but are not limited to, instances such as a reduced ability to use or access the land in restricted-access areas in and around the WL site, timing of decommissioning activities that result in disruption to Métis harvesting practices or seasons, and decisions related to</p>	<p>CNSC staff are committed to continuing to work and collaborate with the Manitoba Métis Federation (MMF) with regards to the areas of interest and concern in relation to the Whiteshell Laboratories (WL) facility and WR-1 in-situ decommissioning project. The CNSC is actively consulting the MMF on the WR-1 project and signed a consultation agreement with the MMF in 2021 in order to help guide the consultation process including collaborative drafting of sections of the CNSC's environmental assessment report, including MMF traditional knowledge and land use data, as well as the completion of a Rights Impact Assessment report.</p> <p>In addition, the CNSC and MMF are actively negotiating a Terms of Reference for long-term engagement that can include a communications protocol, regular meetings and updates, further collaboration on monitoring activities, an engagement work-plan, collaborative reporting to the Commission on progress on engagement activities, and funding support for these activities. CNSC staff appreciates the MMF's ongoing participation and engagement in CNSC regulatory processes including ROR Commission meetings and the ROR discussion paper. The CNSC will continue to work with the MMF to address</p>

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			remediation or reclamation that affect whether native species or plants relied on by Métis harvesters are reintroduced into the area. Additionally, accommodations must be provided if wildlife or plant materials are found to be contaminated, impacting the ability of the Manitoba Métis Community to exercise their rights to harvest and consume wild and traditional foods and medicines that are below thresholds considered safe for human consumption at a frequency that is appropriate for citizens to exercise their rights.	their concerns and requests on an ongoing basis through these different mechanisms.
8.	Manitoba Métis Federation	Q1.	We recommend the following measures be implemented to ensure more meaningful consideration of the rights, claims, and interests of the Manitoba Métis Community in the Manitoba Métis Homeland: 1. Establish a Communication Protocol for informing the MMF of any regulatory oversight activities happening within the Manitoba Métis Homeland. Such a protocol should include clear timelines and processes that not only inform the MMF but solicit our feedback and allow for modification to the planned activities in light of information and concerns raised by the MMF. Joint decision-making opportunities should be built into this process wherever possible.	The CNSC and MMF are actively negotiating a Terms of Reference for long-term engagement that can include a communications protocol, regular meetings and updates, further collaboration on monitoring activities, an engagement work-plan, collaborative reporting to the Commission on progress on engagement activities, and funding support for these activities. CNSC staff appreciates the MMF's ongoing participation and engagement in CNSC regulatory processes including ROR Commission meetings and the ROR discussion paper. The CNSC will continue to work with the MMF to address their concerns and requests on an ongoing basis through these different mechanisms.
9.	Manitoba Métis Federation	Q1.	We recommend the following measures be implemented to ensure more meaningful consideration of the rights, claims, and interests of the Manitoba Métis Community in the Manitoba Métis Homeland: 2. Provide adequate capacity support for the MMF to meaningfully participate in regulatory oversight programs, for example, by funding a Métis Liaison position within the MMF or an Indigenous oversight committee.	The CNSC and MMF are actively negotiating a Terms of Reference for long-term engagement that can include a communications protocol, regular meetings and updates, further collaboration on monitoring activities, an engagement work-plan, collaborative reporting to the Commission on progress on engagement activities, and funding support for these activities. CNSC staff are also encourage MMF to continue working with the Canadian Nuclear Laboratories (CNL) and Atomic Energy of Canada Ltd. (AECL) to develop a long-term relationship agreement that includes a MMF Liaison position with regards to engagement and activities at the WL site.
10.	Manitoba Métis Federation	Q1.	We recommend the following measures be implemented to ensure more meaningful consideration of the rights, claims, and interests of the Manitoba Métis Community in the Manitoba Métis Homeland: 3. Develop policy guidance collaboratively with the MMF around the integration of Métis Traditional Knowledge, land, and resource use into the CNSC's regulatory	The CNSC is actively consulting the MMF on the WR-1 project and signed a consultation agreement with the MMF in 2021 in order to help guide the consultation process including collaborative drafting of sections of the CNSC's environmental assessment report, including MMF traditional knowledge and land use data, as well as the

# Public Consultation

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April 8, 2021 – June 23, 2021

	Reviewer	Section or Para. #	Reviewer's Comment and Proposed Change	Response
			oversight programs, and AECL's site ownership and decision-making roles, including licensing requirements. This should include how Métis Traditional Knowledge will be used to inform ongoing monitoring, environmental protection and remediation or reclamation activities in institutional and post-institutional control periods.	completion of a Rights Impact Assessment report.
11.	Manitoba Métis Federation	Q1.	<p>We recommend the following measures be implemented to ensure more meaningful consideration of the rights, claims, and interests of the Manitoba Métis Community in the Manitoba Métis Homeland:</p> <p>4. Provide the MMF with the opportunity to be involved in all aspects of regulatory oversight, and safety and control framework activities, including, but not limited to, the following:</p> <ul style="list-style-type: none"> <li>a. environmental protection programs</li> <li>b. emergency planning and response</li> <li>c. transportation route planning</li> </ul>	The CNSC and MMF are actively negotiating a Terms of Reference for long-term engagement that can include a communications protocol, regular meetings and updates, further collaboration on monitoring activities, an engagement work-plan, collaborative reporting to the Commission on progress on engagement activities, and funding support for these activities.
12.	Manitoba Métis Federation	Q1.	<p>We recommend the following measures be implemented to ensure more meaningful consideration of the rights, claims, and interests of the Manitoba Métis Community in the Manitoba Métis Homeland:</p> <p>5. Set out requirements within the Safety and Control Framework that compel facility operators to meaningfully involve the MMF in all aspects of the management system.</p>	<p>The CNSC requires licensees of Class 1, Class 1B and uranium mine and mill facilities to have a Public Information and Disclosure Program, which includes sharing information about their performance, reportable events, and other activities at their facilities with their key target audience which includes local Indigenous Nations and communities.</p> <p>In addition, the CNSC is aiming to initiate the review and update process for <a href="#">REGDOC 3.2.2: Indigenous Engagement, Version 1.1</a> in the next year and as part of that process will be consulting with Indigenous Nations and communities, including the MMF, regarding potential improvements to the CNSC's requirements and guidance to licensees with regards to engagement, communication, collaboration and outreach with Indigenous Nations and Communities with interests in their facilities and activities.</p>
13.	Manitoba Métis Federation	Q1.	<p>We recommend the following measures be implemented to ensure more meaningful consideration of the rights, claims, and interests of the Manitoba Métis Community in the Manitoba Métis Homeland:</p> <p>6. CNL and AECL must engage the MMF to establish a decision-making process and</p>	The CNSC and MMF are actively negotiating a Terms of Reference for long-term engagement that can include a communications protocol, regular meetings and updates, further collaboration on monitoring activities, an engagement work-plan, collaborative reporting to the

**Public Consultation**  
**Discussion Paper DIS-21-01, The Canadian Nuclear Safety Commission: Regulatory Oversight Report Review**

April 8, 2021 – June 23, 2021

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			framework that enables the MMF, to be meaningfully involved in the determination of the future plans for the WL site alongside CNL and AECL.	Commission on progress on engagement activities, and funding support for these activities.
<b>Question 2. In which ROR(s) do you have an interest?</b>				
14.	Kevin Scissons	Q2.	UMMs, and NPPs. Including the emerging interest in SMRs!	Noted, if Small Modular Reactors (SMRs) become licenced activities, they will be subject to RORs. In addition, SMR updates are provided to the Commission at Commission Meetings.
15.	Canadian Radiation Protection Association	Q2.	Use of Nuclear Substances	Noted
16.	Canadian Nuclear Association (CNA), Bruce Power and NB Power, Ontario Power Generation (OPG), Nordion, and Canadian Nuclear Laboratories (CNL), Hydro Quebec	Q2.	CNA has an interest primarily in those related to licensed facilities for which a licence has been issued by the CNSC (Nuclear Power Plants, Canadian Nuclear Laboratories, Uranium Mines and Mills, etc.).	Noted
17.	Canadian Nuclear Workers' Council	Q2.	All RORs. Our Members work across Canada's nuclear industry so we have an interest in all of the RORs.	Noted
18.	G. Dalzell, Citizens Coalition for Clean Air; Community Member	Q2.	Over the last few years, it's been nuclear power plants that I have focused on. It is not that I am not interested in the other RORs, it was a matter of time restraints to delve into those RORs at the same time as my primary area of interest. Perhaps some of the other RORs could be posted and public reviewed at a different time or spaced better.	CNSC staff will consider this recommendation.
<b>Question 3. How do you use the RORs?</b>				
19.	Canadian	Q3.	For RSO training purposes, reproducing tables and charts, reproducing and	Noted. Staff understand the role ROR play in Radiation

# Public Consultation

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April 8, 2021 – June 23, 2021

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	Radiation Protection Association		commenting certain noncompliance cases, extracting radiation safety trends from the tables etc. We use them as a validated reference for RSO training regarding compliance and program performance, to illustrate what can go wrong and to use some of the report as potential training scenarios for emergencies. We use them as a source of dosimetry reporting.	Safety Officer (RSO) training and will continue to provide information in the RORs that allow for the continuation of such use.
20.	Canadian Nuclear Association, Ontario Power Generation (OPG), Nordion, and Canadian Nuclear Laboratories (CNL), Hydro-Québec	Q3.	Most licensees use RORs to augment existing communication materials since they are useful summaries of the various annual reports and performance updates licensees provide to the CNSC staff and interested stakeholders on a regular basis. It is useful for the licensees during their licence renewals, amendments, and other Commission meetings to emphasize their safe operational performance. Externally, RORs have been used during community outreach activities as an independent view of our operations. Internally, RORs have been used to communicate regulatory performance to employees. Overall, industry finds CNSC staff's annual presentation of RORs to be an effective, transparent way to answer questions Commissioners and members of the public may have regarding our compliance and improvement activities.	Noted
21.	G. Dalzell, Citizens Coalition for Clean Air; Community Member	Q3.	I use them to be fully informed on how these nuclear power plants are being operated from a safety perspective. For me the ROR is a nuclear power plant report card. I take considerable time as this writer has the available time to drill down into the details of their safety performance areas. I do this to serve the public interest. All my family members, sons, daughter, grandchildren all live within a 100-km radius of a Canadian nuclear facility. I want to know we and all our communities are safe. By preparing a comprehensive submission, I use the opportunity to ensure the licensees and regulator is accountable to ensure they are carrying out their safety requirements, expectations, my submission is posted on the public hearing site that allows the public to see there are "watch dogs" out there keeping a close eye on the safety aspects of those nuclear power plants in Canada. The writer sees it has a civic duty to help protect the public interest.	Noted
22.	Manitoba Métis Federation	Q3.	The CNSC, as a representative of the Crown, must require and ensure engagement, consultation, and accommodation processes, and deliverables such as plans, applications, and assessments, are developed in collaboration with the MMF, and revised to reflect the MMF's input. Our recommendations regarding specific measures that would ensure more meaningful consideration of the rights, claims, and interests of the Manitoba Métis Community in the Manitoba Métis Homeland are described in detail in response to Question 1 above.	The CNSC and MMF are actively negotiating a Terms of Reference for long-term engagement that can include a communications protocol, regular meetings and updates, further collaboration on monitoring activities, an engagement work-plan, collaborative reporting to the Commission on progress on engagement activities, and funding support for these activities. CNSC staff appreciates the MMF's ongoing participation and

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				engagement in CNSC regulatory processes including ROR Commission meetings and the ROR discussion paper. The CNSC will continue to work with the MMF to address their concerns and requests on an ongoing basis through these different mechanisms.
<b>Question 4. Which parts of the RORs provide meaningful information to you? Why?</b>				
23.	Kevin Scissons	Q4.	The summary Presentations presented at the Meeting have the most value to most people. They are focused, on target, and easy to understand. The real question is do we need the detailed ROR, vs the Presentation or a modified easy to read in "simple terms" report? Recommend any detailed ROR be kept in house, and let's focus the message on the key facts. If people want details, just ask for them. Keep in mind, the regulator and operator will report on any significant event immediately and again speak to it in the ROR, and we don't need to wait until an annual report to hear of an event for the first time. There is a process for significant event reporting. The ROR should be an easy to understand annual review or summary - clear and concise. Thanks!	In the interest of transparency, detailed RORs will continue to be made available to the public. Staff will continue to work towards making the presentations easy to read by using plain language.
24.	Canadian Radiation Protection Association	Q4.	Dose to workers, inspection performance, enforcement actions in the four sectors. Also note that the ROR is useful IF the same info is reported year after year. Some tables were change between 2017 and 2018 and in 2019, 2 case studies were brought. "We would appreciate more transportation data if available."	Noted. Staff agrees that data should be comparable across years. Some changes in tables were made as a result of feedback from the Commission and the public, but staff will make efforts to ensure that where data is available, it will be referenced.
25.	Canadian Nuclear Association (CNA), Bruce Power and New Brunswick Power, Ontario Power Generation (OPG), Nordion, and Canadian Nuclear Laboratories (CNL), Hydro Québec	Q4.	The whole report is helpful to industry. As part of our commitment to continuous improvement, industry looks at the report's observations of its peers to ensure alignment and confirm the findings of ongoing benchmarking efforts. RORs also help industry further understand CNSC staff's perspective of licensee's performance and continual improvement initiatives.	Noted
26.	Canadian Nuclear Workers' Council	Q4.	The entire report is useful.	Noted

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27.	G. Dalzell, Citizens Coalition for Clean Air; Community Member	Q4.	<p>Basically, I like the format, organization and content provided in the RORs specifically in Regulatory Oversight Report for Canadian Nuclear Power Plants Generating sites. All the information is meaningful to this writer. The section titled: General and Supporting Information is meaningful to this writer as it identifies and provides information organized by SCA section which serves as a background for the assessment in Section 3. Section 2 (2-1-2.15) lists the important safety related topics. It serves as an important backdrop required to more fully understand Section 3 titled Nuclear Power Plant and Waste Management Facility Safety Performance and Regulatory Developments. This Section is key information as the safety areas identified in Section 2 are applied to all the existing Nuclear Power Generating Station and their Waste Management Facilities. I like the format and organization of this information.</p> <p>The most meaningful information for this writer is the Section that covers each specific licensed facility as I live within the region of one of these sites, my interest of high importance for the Point Lepreau facility.</p>	Noted
28.	Manitoba Métis Federation	Q4.	We recommend that future RORs provide appendices with additional reporting on any unintended releases, incidents, or areas that are not deemed satisfactory by CNSC. It is important that the MMF receive an adequate level of detail on these events and their magnitude and impacts, in order to properly discern any potential impacts to the rights and interests of the Manitoba Métis Community	The CNSC is actively consulting the MMF on the WR-1 project and signed a consultation agreement with the MMF in 2021 in order to help guide the consultation process including collaborative drafting of sections of the CNSC's environmental assessment report, including MMF traditional knowledge and land use data, as well as the completion of a Rights Impact Assessment report.
<b>Question 5. Have you previously intervened on RORs, and if so, which ones?</b>				
29.	Canadian Radiation Protection Association	Q5.	CRPA has intervened for several years with regard to the Nuclear Substances ROR.	Noted
30.	Canadian Nuclear Association (CNA), Bruce Power and New Brunswick Power, Ontario Power Generation (OPG), Nordion,	Q5.	Not applicable. Industry participates as a licensee, not as an intervenor.	Noted



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	and Canadian Nuclear Laboratories (CNL), Hydro Québec			
31.	Canadian Nuclear Workers' Council	Q5.	Yes, routinely. Nuclear Generating Sites, Canadian Nuclear Laboratories Sites, Uranium Mines and Mills, Uranium and Nuclear Substance Processing Facilities.	Noted
32.	G. Dalzell, Citizens Coalition for Clean Air; Community Member	Q5.	Yes, I have previously intervened on past RORs for the 2018 and 2019 on the Nuclear Power Generating Sites. Please refer to my past submissions that reinforce why this writer values these RORs. Even though I have not intervened in any of the other RORs, I took special care to attend the online public meetings that covered these RORs. I found the submissions, witnesses, presenters, and questions from the Tribunal members and staff very informative. I regret I did not follow this practice of sitting in for the full 3 -day sessions in past years.	Noted
<b>Question 6. Are the facilities and activities addressed by each ROR organized in a logical and meaningful grouping to you? If not, explain why.</b>				
33.	Canadian Radiation Protection Association	Q6.	As long as we present a steady comparison between categories of licensees year after year, regarding exposure, compliance performance, specific issues, it is presented in a meaningful way to me.	Noted
34.	Canadian Nuclear Association (CNA), Bruce Power and New Brunswick Power, Ontario Power Generation (OPG), Nordion, and Canadian Nuclear Laboratories (CNL), Hydro	Q6.	Yes. The report is logically organized by Safety and Control Areas which align generally with the layouts of our operating licences and Licence Conditions Handbooks. Industry also appreciates the recent efforts CNSC staff have made to streamline the reports and make them more reader-friendly and accessible to members of the public.	Noted

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	Québec			
35.	Canadian Nuclear Workers' Council	Q6.	Yes, the RORs are organized in a way that is understandable and easy to follow.	Noted
36.	G. Dalzell, Citizens Coalition for Clean Air; Community Member	Q6	Yes, very much so, the facilities and activities addressed by each ROR organized in a logical and meaningful group. I would not want to see any changes. My comments particularly applies to the ROR on the Nuclear Power Generating Sites as this is the ROR, I am most interested in and followed over the years.	Noted
<b>Question 7. What additional information or topics would be useful to you?</b>				
37.	Canadian Radiation Protection Association	Q7.	Some of the cases lack technical data. Exposure is reported but not degree of contamination (area contaminated and Bq/cm <sup>2</sup> ), no activity number involved (so is it Bq, kBq, MBq, etc ?). Perhaps the ROR may not be the place to be specific but there does not seem to be another location for this type of event reporting.	<p>The nuclear substances ROR provides a summary of every event reported to the CNSC related to nuclear substances. This report is meant as a summary and not a full detailing of each event.</p> <p>Details of all events are managed in our event information tracking system and additional details are available upon request.</p>
38.	Canadian Nuclear Association (CNA), Bruce Power and New Brunswick Power, Ontario Power Generation (OPG), Nordion, and Canadian Nuclear Laboratories (CNL), Hydro Québec	Q7.	<p>The current format of the RORs is comprehensive and well presented. Since the public is the primary audience for these reports, CNSC staff may want to consider:</p> <ul style="list-style-type: none"> <li>• Highlighting topics of interest based on media or community interest at the onset of the documents.</li> <li>• Reviewing historic feedback/recommendations from intervenors or other stakeholders. The report could highlight specific or recurring topics of interest to them (i.e. identify previous recommendations and how they were addressed).</li> <li>• Providing links to stakeholders after its issuance.</li> </ul>	<p>The primary audience of the RORs is the Commission although others are also interested in the RORs.</p> <p>Further highlighting specific or recurring topics of interest as identified in previous recommendations by the public and Indigenous peoples and how they were addressed will be considered by staff.</p>
39.	Canadian Nuclear Workers' Council	Q7.	A bit more detail or reference to detailed information on the topics covered would be helpful in some cases. A look at changes year over year, i.e. are you observing improving performance? A forward look at any expected/anticipated changes. A deeper discussion on Safety Culture. Comments from CNSC Staff on current issues heard from Members of the Public or media.	Noted. Please see comments# 38 and 40

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40.	G. Dalzell, Citizens Coalition for Clean Air; Community Member	Q7.	<p>In the 2019 ROR, the update on Darlington was part of the ROR, I welcomed the update. With the refurbishments, and eventual future decommissioning to the follow at Pickering, I would like to see those links to updates included in the future RORs. I would like to see an additional information or topics that covers myths, misinformation on nuclear safety subsection to these RORs. There is so much misinformation and myths out there by those opposed to nuclear energy that the public need factual evidenced based information. Based information on the vary topics covered in these sections. The information contained in the RORs are factual, science based. I would like to see a concluding section titled summary of important information. Such an example would be in the area of airborne emissions or exposure levels where being exposed to X-Rays, over ones lifetime exposes one to more radiation compared to living near a nuclear plant. These kinds of factual versus myths information needs more highlighting either in summary section or highlighted in bolder / black lettering. I would like to see more public information with an educational objective to help Canadians get good accurate factual scienced based information not the fear mongering type of misinformation perpetuated by those opposed to nuclear energy use to sway public opinion.</p>	<p>Noted. The information contained in the RORs will continue to be factual and science-based.</p> <p>The ROR is to report on past performance. CNSC staff does not report on conjecture, it is the responsibility of licensees' to propose future operations be and for the Commission to decide.</p> <p>Noted. In regards to myth busting, the CNSC has other vehicles to disseminate technical and scientific information such as webinars, the CNSC website and in-person meeting when permitted.</p>
41.	Manitoba Métis Federation	Q7.	<p>As noted in other MMF reports regarding the 2018 and 2019 RORs for Canadian Nuclear Laboratories Sites, we have previously made the recommendations related to the WL site, including:</p> <ul style="list-style-type: none"> <li>• Recommendation 1a: CNL, and AECL and the CNSC representing the Crown, must engage the MMF in developing a mutually agreeable Communication Strategy for the current site decommissioning activities. This Communication Strategy should include a process to inform the MMF on an ongoing basis about decommissioning and demolition activities and potential adverse effects, as well as a process for soliciting feedback and making revisions to the planned activities in light of MMF's feedback and concerns. The Communications Strategy should also include a process for proactive communication with the MMF regarding proposed activities, including shared decision making regarding the timing of such activities to minimize impacts on Métis harvesters access to the WL site and area. It should also follow a distinctions-based approach that recognizes the unique governance structure of the MMF and processes for communication with Manitoba Métis Citizens. This will allow for clearer, more meaningful communication and engagement between CNL, AECL, CNSC and the MMF</li> </ul>	<p>CNSC staff are committed to continuing to work and collaborate with the MMF with regards to the areas of interest and concern in relation to the Whiteshell Labs facility and WR-1 in-situ decommissioning project. The CNSC is actively consulting the MMF on the WR-1 project and signed a consultation agreement with the MMF in 2021 in order to help guide the consultation process including collaborative drafting of sections of the CNSC's environmental assessment report, including MMF traditional knowledge and land use data, as well as the completion of a Rights Impact Assessment report.</p> <p>In addition, the CNSC and MMF are actively negotiating a Terms of Reference for long-term engagement that can include a communications protocol, regular meetings and updates, further collaboration on monitoring activities, an engagement work-plan, collaborative reporting to the Commission on progress on engagement activities, and funding support for these activities. CNSC staff appreciates the MMF's ongoing participation and</p>

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			throughout the full decommissioning process at the WL site.	engagement in CNSC regulatory processes including ROR Commission meetings and the ROR discussion paper. The CNSC will continue to work with the MMF to address their concerns and requests on an ongoing basis through these different mechanisms.
42.	Manitoba Métis Federation	Q7.	<p>Recommendation 1b:            CNL and AECL must engage the MMF to establish a decision-making process and framework that enables the MMF, as the democratically elected, self-government representative of the Manitoba Métis Community, to be meaningfully involved in the determination of the future plans for the WL site alongside CNL and AECL.</p> <p>This would include, among other things, requiring the consideration and integration of Métis traditional knowledge, land use, and occupancy information at and around the site in the monitoring and mitigation measures and plans, including during closure and post-closure periods. This decision-making process and framework should also explicitly include a role for the MMF in collaboratively determining the future plans, use, and access to the site post-closure. The mechanism for this engagement should be mutually agreed on between CNL, AECL, and the MMF, but may include the creation of a Métis Liaison role, Indigenous oversight committee, and CNSC regulatory involvement.</p>	<p>The CNSC is actively consulting the MMF on the WR-1 project and signed a consultation agreement with the MMF in 2021 in order to help guide the consultation process including collaborative drafting of sections of the CNSC's environmental assessment report, including MMF traditional knowledge and land use data, as well as the completion of a Rights Impact Assessment report.</p> <p>In addition, the CNSC and MMF are actively negotiating a Terms of Reference for long-term engagement that can include a communications protocol, regular meetings and updates, further collaboration on monitoring activities, an engagement work-plan, collaborative reporting to the Commission on progress on engagement activities, and funding support for these activities.</p>
43.	Manitoba Métis Federation	Q7.	<ul style="list-style-type: none"> <li>Recommendation 2:            The CNSC must provide additional information regarding the suitability of CNL's plans to transport and store low- and intermediate-level waste at Chalk River Laboratories in Ontario. The feasibility of these transport and long-term storage plans are of the utmost importance in decision making and management of the WL site and will impact the ability of the Manitoba Métis Community to utilize the site in the future.</li> </ul>	<p>The transport of radioactive materials, including waste, must be completed in accordance with all requirements of CNSC's <a href="#">Packaging and Transport of Nuclear Substances Regulations</a> and Transport Canada's <a href="#">Transportation of Dangerous Goods Regulations</a>.</p> <p>Radioactive materials must be transported in standardized packaging, of which there are different types - the basic premise of transport is that safety relies heavily on the design of the package. The design requirements for the package are commensurate with the risk posed by the material being transported, with higher risk material requiring more robust packaging. For the higher risk material, packages must meet very stringent performance criteria for shielding, containment, ability to withstand impacts, ability to withstand heat, and more. The design of these packages is certified by the CNSC.</p>

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				<p>Package designs are combined with additional regulatory controls, including labelling, placarding, quality assurance and maintenance records, allowing radioactive materials to be carried safely in all modes of transport. CNSC regulations are based on the International Atomic Energy Agency (IAEA) regulations. The <a href="#">Packaging and Transport of Nuclear Substances Regulations</a> incorporate by reference the IAEA Regulations.</p> <p>CNL does have in place a packaging and transport program that ensures that the transport of radioactive materials is completed in a manner that is compliant will all regulatory requirements.</p>
44.	Manitoba Métis Federation	Q7.	<ul style="list-style-type: none"> <li>• Recommendation 3: The MMF requests that CNSC, CNL, and AECL thoroughly review the issues and recommendations that have been brought forward by the MMF to date regarding the decommissioning of the WL site with the perspective of what is required in order to comply with the Crown's duty to consult an accommodate, advance reconciliation, and uphold the honour of the Crown related to these activities occurring within the Manitoba Métis Community's Traditional Territory and Homeland. The MMF acknowledges that the CNSC, CNL, and AECL have already communicated and engaged with the MMF to some degree on these matters. However, there are unaddressed issues remaining that the CNSC, CNL, and AECL must address in future planning and decision making regarding the WL site.</li> </ul>	<p>CNSC staff are working with the MMF, CNL and AECL to track and action all requests and recommendations that the MMF has submitted as interventions to the CNSC as part of RORs, renewals and other regulatory processes. The CNSC is committed to addressing any CNSC specific actions and recommendations as part of a CNSC-MMF Terms of Reference for Long-Term Engagement that is currently under development.</p>
45.	Manitoba Métis Federation	Q7.	<ul style="list-style-type: none"> <li>• Recommendation 4: CNL, AECL, and the CNSC must keep the MMF informed about all enforcement actions and orders at the WL site. This should be done through and based on a Communication Protocol that honours and abides by MMF Resolution No. 8, as described in response to Question 1 above and further elaborated in response to Question 8 below.</li> </ul>	<p>The CNSC and MMF are actively negotiating a Terms of Reference for long-term engagement that can include a communications protocol, regular meetings and updates, further collaboration on monitoring activities, an engagement work-plan, collaborative reporting to the Commission on progress on engagement activities, and funding support for these activities. CNSC staff appreciates the MMF's ongoing participation and engagement in CNSC regulatory processes including ROR Commission meetings and the ROR discussion paper. The CNSC will continue to work with the MMF to address their concerns and requests on an ongoing basis through</p>

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46.	Manitoba Métis Federation	Q7.	<p>• Recommendation 5: The CNSC must provide more information regarding the source of the radionuclides, particularly the plutonium, alpha, and beta in the wastewater at the WL site, to provide greater clarity on the sources contributing to certain levels of radionuclides being reached, despite the current stage of activity of the WL site. Where additional information is not available, further monitoring and investigation are required in order to identify the sources. In light of the limited monitoring data available, additional monitoring as part of the decommissioning and post-decommissioning phases may also be required in order to verify that measures remain below acceptable levels over time. We recommend that a fulsome update to the 2001 Comprehensive Study report be completed, that adequately examines the potential risks associated with the site as a whole (including WR-1, the waste management area, the landfill, and the lagoon). It is imperative that the MMF has a full account of the environmental status and potential risks associated with the entire site as a whole, not just the immediate area associated with WR-1. Also refer to recommendations provided in response to Question 9 regarding the sufficiency of information provided on the level of safety performance.</p>	<p>these different mechanisms.</p> <p>CNSC staff are committed to continuing to consult MMF on the WR-1 in-situ decommissioning project through the environmental assessment and regulatory processes.</p> <p>CNSC staff are also committed to providing information and engaging MMF with regards to the CNSC's regulatory oversight of the Whiteshell Labs site, including the environmental performance of the WR-1 facility and environmental monitoring data and radionuclide inventories.</p>
47.	Manitoba Métis Federation	Q7.	<p>We recommend that future RORs provide appendices with additional information reporting on any unintended releases, incidents, or areas that are not deemed satisfactory by CNSC. It is important that the MMF receive an adequate level of detail on these events and their magnitude and impacts, in order to properly discern any potential impacts to the rights and interests of the Manitoba Métis Community</p>	<p>The ROR itself is a summary of all inspections conducted rather than a line-by-line description of work carried out by CNSC staff over a given time period. Where inspections yield significant outcomes, they are highlighted and discussed in the RORs. In every case where an inspection is announced, it is the judgement of CNSC staff that announcing the inspection would have no impact on the outcome of the inspection.</p> <p>Staff continue to explore possible mechanisms to make inspection reports more transparent/available.</p> <p>In addition, the CNSC requires licensees of Class 1, Class 1B and uranium mine and mill facilities to have a Public Information and Disclosure Program, which includes sharing information about their performance, reportable events, incidents, and other activities at their facilities with their key target audience which includes local</p>

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				Indigenous Nations and communities.
<b>Question 8. Is the frequency of the RORs appropriate? If not what changes do you suggest?</b>				
48.	Anne Gent; Senior Environmental Scientist, Cameco	Q8.	These seem to be a bit too frequent right now. There are often comments about not having enough time to review submissions. Perhaps every 2 or 3 years would be more appropriate.	CNSC staff will consider modifying the frequency using a risk-informed approach.
49.	Canadian Radiation Protection Association	Q8.	Considering the amount of work and the fact that major elements are covered by CNSC Bulletins, we believe that annual reporting is best.	CNSC staff will consider modifying the frequency using a risk-informed approach.
50.	Canadian Nuclear Association (CNA), Bruce Power and New Brunswick Power, Ontario Power Generation (OPG), Nordion, and Canadian Nuclear Laboratories (CNL), Hydro Québec	Q8.	<p>For operating nuclear power plants, the ROR is appropriate as an annual report and supported by quarterly status updates that keep Commissioners informed throughout the year. However, a two-year frequency may be more appropriate for Canadian Nuclear Laboratories, uranium mines and mills, health sciences facilities and research reactors since the information in their RORs includes data and activities that do not change substantially from year-to-year.</p> <p>For example, environmental data is usually provided for five-year periods in which data remains within a consistent range. A two-year cycle would extend the preparation and review period for each report and provide the public with more useful information and more time to review RORs and prepare interventions. Similarly, it may be more appropriate and informative to have a ROR every two years for decommissioned facilities such as Hydro Quebec's Gentilly-2 since CNSC inspection activities are less frequent at those facilities.</p> <p>In those circumstances, a report every second year would provide the public with more fulsome information on each of the Safety and Control Areas.</p>	CNSC staff will consider modifying the frequency using a risk-informed approach.
51.	Canadian Nuclear Workers' Council	Q8.	Annual Reports are appropriate. The annual ROR was a response, in part, to concerns raised about longer licence periods. The CNSC get regular status reports, The annual RORs could be enhanced with improved access to those status reports. It would be best to receive those reports as close to the beginning of the year as possible.	CNSC staff will consider modifying the frequency using a risk-informed approach.
52.	G. Dalzell, Citizens Coalition for Clean Air;	Q8.	The frequency of the RORs is appropriate. If there are high risk events or issues, then CNSC as the capacity to issue special oversight reports / notifications and other tools to get this information out in the public domain.	Noted

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53.	Cameco	Q8.	Cameco believes that the risk-informed approach supports reducing the frequency of RORs for uranium mines and mill facilities. These facilities do not carry the same risk as power plants and processing facilities and, in our view, a two-year review cycle would be more consistent with the risks associated with the activities at these facilities.	CNSC staff will consider modifying the frequency based on a risk-informed basis.
<b>Question 9. Does the current rating system give you sufficient information on the level of safety performance? Are the ratings useful to you? If not, why?</b>				
54.	Anne Gent; Senior Environmental Scientist, Cameco	Q9.	I worry that the difference between the satisfactory rating and the fully satisfactory rating will cause people concern. If a site goes above and beyond, this could perhaps be a separate comment stating that they utilize industry best practices, but the rating system is not the place for this.	Noted. Staff is in the process of assessing the use of the "Fully Satisfactory (FS)" rating. However, if there is an industry best practice it will be highlighted in the body of the report and not so much in the rating.
55.	Kevin Scissons	Q9.	<p>Nuclear facilities in Canada are a high reliability industry, and the public and regulators expect nothing but high performance. To say an operator has satisfactorily met this "high bar" is important, and maybe the rating should be clear in what satisfactorily actually means in nuclear. In comparison to other industries, (where routine injuries unfortunately occur, or emissions above license limits occur occasionally), then nuclear is a high performer - and Canada has the data to support that!</p> <p>Thus, the terms could be more like:- Meets High Performance Expectations- Good Performance, with some opportunities for improvement- Performance unsatisfactory in some areas, and compliance enforcement measures are in place. (operations restricted, etc.)</p> <p>In addition, to encourage and recognize the best performers or an operator who has achieved a Best Practice, this should be specifically highlighted by the CNSC staff - whether in an ROR, or even in an Inspection Report. It will benefit the public, and it encourages others to raise their bar as well. Excellence breeds excellence! Thank you.</p>	Noted. If there is an industry best practice, it will be highlighted in the body of the report and in the rating.
56.	Canadian Radiation Protection Association	Q9.	<p>Yes and no. We can see a trend, but for the details, CNSC might want to use a target or a factor for each category. "FS" may be practical if we want to set an example, (best practices) but then, what makes it "FS" instead of "SA" ? And the same could apply with "BE" and "UA". "Remove "FS".</p> <p>We do not understand how you can "exceed expectations" in this context. A licensee is either compliant or not complaint with regulatory criteria, although there can be</p>	<p>Noted. Staff is in the process of assessing the use of the Moving forward the ratings for the RORs will no longer include the "Fully Satisfactory (FS)" rating.</p> <p>CNSC staff is in the process of assessing the use of the Unacceptable (UA) rating. In noting industry best practices, the CNSC will in turn also report on subpar</p>



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			<p>varying degrees of non-compliance. Recommend keeping 4 rating levels for compliance going from full compliance at level 1, to unacceptable performance at level 4.</p> <p>Actual ratings used are probably not very important and just a matter of becoming familiar with them. However, we do find the "FS, SA, BE, UA" not as intuitive as "A, B, C, D" previously used.</p>	performance.
57.	Canadian Nuclear Association (CNA), Bruce Power and New Brunswick Power, Ontario Power Generation (OPG), Nordion, and Canadian Nuclear Laboratories (CNL), Hydro Québec	Q9.	<p>We understand the CNSC's role is to assess compliance of licensees to regulatory requirements. As such, we support the idea of simply rating compliance as "satisfactory" or "not" in all future RORs and eliminating the "fully satisfactory" rating.</p> <p>When included in previous RORs, "fully satisfactory" ratings were an overly subjective measure which led to misunderstanding among licensees and the public.</p>	Noted moving forward the ratings for the RORs will no longer include the "Fully Satisfactory (FS)" rating.
58.	Canadian Nuclear Workers' Council	Q9.	The ratings are useful but when it looks like there is potential for a rating of 'fully satisfactory', a rating of 'satisfactory' doesn't appear to be the high level of performance we expect at a nuclear facility. Maybe it would be better to have a rating of 'satisfactory' with specific mention of anything noteworthy that is above and beyond 'satisfactory'.	Noted. If there is an industry best practice, it will be highlighted in the body of the report and not in the rating. In noting industry best practices, the CNSC will in turn also report on subpar performance.
59.	G. Dalzell, Citizens Coalition for Clean Air; Community Member	Q9.	<p>The actual ratings if by themselves or with limited information to back them up, would not be all that useful. What is useful are the well-established safety and control (SCA) framework, that reports on and evaluates each licensee's safety performance.</p> <p>These evaluations based on comprehensive review of the CNSC's licensing certification, compliance verification, monitoring and enforcement activities. This writer preferred the past safety performance rating description found in the discussion paper for better than 2020 simplification by removing the "Fully Satisfactory" safety and control measures were highly effective.</p> <p>The public find the FS rating along with the other ones a useful easy to understand description of how licensees are managing their safety requirement. It is like a mark on a report card that the public are familiar with just because the FS rating is used does not mean the discussion can still focus these resources on additional compliances verification activities. The latter should be their focus anyway."</p>	Noted. However, moving forward the ratings for the RORs will no longer include the "Fully Satisfactory (FS)" rating.

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60.	Cameco	Q9.	Cameco supports the use of the simplified grading system used in 2020 for some 2019 RORs. Adopting this system more closely aligns with what assessing compliance with regulatory requirements means and would eliminate the misunderstanding and confusion numerous intervenors have expressed related to the four-category rating system used in previous RORs.	Noted. Moving forward the ratings for the RORs will no longer include the "Fully Satisfactory (FS)" rating.
61.	Manitoba Métis Federation	Q9.	<p>1) The CNSC must provide greater detail on what a below expectations score means for the Security SCA and what measures it requires CNL to take at the site to improve the security performance at the site. Additional information is required in order to determine if Métis rights and interests were considered in the security enforcement order and what impacts on the Manitoba Métis Community may result that require additional or responding actions to address. This information would be facilitated by having a Communication Protocol in place, that could be used if there are any implications or risks for the Manitoba Métis Community to be aware of, especially to alert citizens who are active harvesters in the area about changes in access or other security measure they should be aware of.</p> <p>2) We recommend that the current rating system be enhanced to provide more transparent information on the criteria and decision-making process for the SCA ratings. The current definitions for the SCA ratings are vague at best (e.g., satisfactory performance correlates to "compliance within the safety and control area or specific area meets requirements and CNSC's expectations." For each of the SCA ratings at a site, it should be clearly outlined how specifically each site has rated for each SCA, and what it constitutes to "meet CNSC's expectations".</p> <p>3) Additionally, it would be ideal to also consider the MMF's evaluation of performance for SCA ratings based on Métis Liaison observations (once a position has been established and funded) and on the MMF's perspectives of performance over the past year. Such a process would allow for a more robust and impartial evaluation process.</p> <p>4a) As stated above, CNL, AECL and the CNSC must keep the MMF informed regarding enforcement actions and orders at the WL site to ensure any incidents that may have an impact on the rights, interests, and claims of the Manitoba Métis Community are communicated to the MMF in a timely manner so that the MMF and the Manitoba Métis Community can respond accordingly to minimize risks or impacts on Métis Citizens. The MMF recognizes that there may be emergency situations that require an</p>	<p>Comment 1) The Security Program at the Whiteshell Laboratories site was rated "Below Expectations" (BE) in 2018. In June 2019, the Commission was briefed in an in-camera session on CNSC staff's evaluation of the security program as well as the events that led to the BE rating. Details of CNSC staff's assessment, conclusions, and recommendations to the Commission on the Security Safety and Control Area (SCA) are found in CMD 19-H4.A. This CMD contains prescribed information and is not publicly available. However, when renewing the WL decommissioning licence in December 2019, the Commission added a facility-specific licence condition to the licence related to the implementation of all security arrangements as outlined in CNL's corrective action plan submitted to the CNSC to address identified deficiencies. In July 2019, CNL submitted its corrective action plan to CNSC staff. CNSC staff have assessed and can confirm that CNL has adequately completed all actions in the corrective action plan. Due to the prescribed nature of this information, details of CNL's corrective action plan cannot be shared publicly. In November 2020, the order was closed with the Designated Officer decision that CNL has met all the terms and conditions of the order. This information is also presented in <a href="#">CMD 20-M22.C</a> - Regulatory Oversight Report for Canadian Nuclear Laboratories Sites: 2019. Please refer to the response to 4a) below for details on CNSC staff's commitment to MMF regarding ongoing information sharing and engagement with regards to regulatory oversight activities and processes at the WL site.</p> <p>Comment 2) – For the Nuclear Power Generating Site ROR (and the other RORs), numerous criteria are used for</p>

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			<p>immediate response from the CNSC, however, in other circumstances advance communication with the MMF regarding enforcement actions and orders that could potentially impact Métis Citizens and s. 35 Métis rights is required. 4b) This could include sharing the results of inspections with the MMF and providing draft enforcement action orders to the MMF for review and comment regarding how the proposed action or order may affect Métis rights-holders.</p>	<p>ratings and the assessments are documented. The documentation is not actively made available, as it involves a large amount of detailed documentation, and the critical parts are, in fact, captured in the RORs themselves, as well as the resulting ratings. Making more of that information more readily available could be considered after the revised rating definitions are used in future RORs, although that practice may be of little practical value, since the RORs are typically developed well after issues have been identified and addressed by licensees and CNSC.</p> <p>Comment 3) – Ratings are the summary of staff's opinion. The Commission takes into consideration the opinions of staff, Indigenous groups, and other stakeholders.</p> <p>Comment 4a) CNSC staff are committed to ongoing engagement and consultation with the MMF. We continue to be open to adjusting our communication strategy with the MMF to ensure it is mutually agreeable, including the development of a long-term engagement Terms of Reference, should MMF be interested. CNSC staff encourage CNL and AECL to work with MMF to develop an appropriate and mutually acceptable communication strategy and to continue engaging MMF in relation to ongoing activities and future incidents at the Whiteshell Laboratories site.</p> <p>Comment 4b) –Inspections reports are multi-keyed and signed and sent to licensees. The CNSC is considering the possibility of posting them on an open government portal. The CNSC and MMF are actively negotiating a Terms of Reference for long-term engagement that can include a communications protocol, regular meetings and updates, including updates and discussions regarding inspection reports and compliance activities of potential interest, where appropriate.</p>

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<b>Question 10. How would you like the ROR information to be conveyed?</b>				
62.	Canadian Radiation Protection Association	Q10.	<p>The information is OK with us as is. Perhaps present them (the RORs) like you present the regulation comment process: Draft for comment with a link and date then commission meeting minutes on them, and finally the final document. Not all radiation safety professionals have the time to review Commission Meeting CMDs to find the ROR or RORs of interest to them.</p> <p>"In other words, return to posting the report on the CNSC website as a standalone document that is easy to search and find."</p>	Noted. Staff will consider the possibility of posting the RORs as a standalone document.
63.	Canadian Nuclear Association (CNA), Bruce Power and New Brunswick Power, Ontario Power Generation (OPG), Nordion, and Canadian Nuclear Laboratories (CNL), Hydro Québec	Q10.	Industry believes the CNSC's current methods are effective for a public audience and the information is generally presented in a manner which supports transparency and continuous improvement. There is value in ensuring information conveyed is succinct and at a high level. Staff may want to consider some additional outreach in host communities to stakeholders who desire more detailed information. This may identify improvements to help the public better understand some technical aspects of the reports.	Noted, to help fill this gap, CNSC staff is committed to hosting webinars to help the public better understand the contents of the RORs. In areas where interest is high staff will also consider in person sessions to augment the webinars, once COVID restrictions permit.
64.	Canadian Nuclear Workers' Council	Q10.	The information appears to be well conveyed now. If the CNSC is aware of interested groups the availability of the RORs could be highlighted to them.	Noted
65.	G. Dalzell, Citizens Coalition for Clean Air; Community Member	Q10.	The current posting on the CNSC webpage with advance media release to advise that such a report is now available. The CNSC and licensees could organize public meeting post-covid or webinar, to present the report within the regional locations of the nuclear power plants and notification through social media. Targeting those interested parties, communities whose existing nuclear facilities are located. NRCan website links. Various nuclear societies, associations could do their part in promoting and encouraging the wider community use of these RORs.	See comment # 63.
66.	Cameco	Q10.	Cameco believes that the information in the ROR CMDs and slide presentations adequately summarizes the information necessary to update the Commissions on licensee performance in a well organized, clear and concise manner. The documents provide the public with information in advance and ensure that the public can review the materials to understand the context for Commissioner questions and CNSC and licensee responses.	Noted

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			<p>Many intervenors have criticized the level of detail in RORs along a fewer details-greater details spectrum. Cameco believes that the level of information and detail in recent RORs strikes the right balance for the purpose of the ROR and does not need to be changed.</p>	
<p><b>Question 11. Is the level of information provided in the RORs adequate? If not, what areas need more detail? What areas need less?</b></p>				
67.	Kevin Scissons	Q11.	<p>In reply to an earlier question, I provided feedback on level of information too. So will repeat it again to align it with Q 11:"The summary Presentations presented at the Meeting have the most value to most people. They are focused, on target, and easy to understand. The real question is do we need the detailed ROR, vs the Presentation or a modified easy to read in "simple terms" report? Recommend any detailed ROR be kept in house, and let's focus the message on the key facts. If people want details, just ask for them.</p> <p>Keep in mind, the regulator and operator will report on any significant event immediately and again speak to it in the ROR, and we don't need to wait until an annual report to hear of an event for the first time. There is a process for significant event reporting. The ROR should be an easy to understand annual review or summary - clear and concise.</p> <p>To put this another way, how do the Compliance staff at the CNSC wish to summarize their (annual) review of the operation? The front line staff see and talk to the operators, and likely to the public. So what feedback do they get on what should be provided, and what is the best level of detail? A lot of staff time goes into generating a detailed ROR - but is that really necessary and time/money/fees best spent?? Clearly all SCA's have to be covered, and the Other key areas, so the topical areas I believe are already set. Could maybe also highlight any "Best Practices", if you want encourage better performance! Thanks</p>	<p>In regards to any detailed ROR being kept in house, in the interest of transparency, CNSC staff believe both documents should be in the public domain as the ROR itself contains detailed information that is of value as a reporting mechanism to the Commission. Staff will continue to work towards making the presentations easy to read using simple language. Further, CNSC staff is working towards implementing plain language summaries for the RORs.</p> <p>Noted. If there is an industry best practice, it will be highlighted in the body of the report and not in the rating. In noting industry best practices, the CNSC will in turn also report on subpar performance.</p>
68.	Canadian Radiation Protection Association	Q11.	<p>Enough for the interested Radiation Safety professionals. More Class 7 TDG please. Follow up (year after year) on certain trends, low compliance in Nuclear Medicine and the correction seen on Portable Gauges, skin contamination events etc. "Perhaps, the four primary SCAs of the report should remain as standing items, but other SCAs should be included when the compliance rate trends downward for more than 2 years or the compliance rate drops below 80%. Areas such as 'human performance management' and 'packaging and transport' can be significant areas of compliance for some of the nuclear substance sectors. They should be discussed when performance drops to a certain level. Class 7 TDG has been a concern to us for some time.</p>	<p>While CNSC staff review and assess performance in each SCA (if applicable), only those that are most useful and applicable in providing a good overall indication of the safety performance of the licensees are covered in the ROR. These are: management system, operating performance, radiation protection, and security. If there are notable findings in other SCAs, they would be discussed in more detail. In the past, stakeholders have requested that the packaging and transport SCA be included in this ROR. CNSC staff acknowledge that this is</p>

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				<p>an important SCA, given the high volume of transportation activities associated with nuclear substance licensees. However, since the packaging and transport SCA does not apply universally to all nuclear substance licensees, it would be challenging to present performance data in a meaningful way in the ROR. Instead, a review of the reported events related to packaging and transport provides a more meaningful indicator for this SCA and is discussed in the upcoming ROR.</p> <p>Staff has met with the Canadian Radiation Protection Association (CRPA) about the inclusion of the transport SCA in the ROR. At this meeting, staff responded to their questions regarding the transport SCA and specifically discussed the types of non-compliances related to transport.</p>
69.	Canadian Nuclear Association (CNA), Bruce Power and New Brunswick Power, Ontario Power Generation (OPG), Nordion, and Canadian Nuclear Laboratories (CNL), Hydro Québec	Q11.	From a licensee's perspective, the information in most RORs is generally presented in a manner which supports transparency and continuous improvement. To improve readability, the RORs do not need to duplicate any licensing information that has already been addressed during other existing Commission proceedings with public participation.	As the ROR's are a summary of a given period of time, it may be necessary at times to repeat information available elsewhere or previously addressed by the Commission.
70.	Canadian Nuclear Workers' Council	Q11.	The level of information is generally adequate.	Noted
71.	G. Dalzell, Citizens Coalition for Clean Air; Community Member	Q11.	The level of information provided in the RORs, especially the one on Nuclear Generating Sites is more than adequate. Yes, going through the report can take quite an effort, times but the information contained provides this writer with a comprehensive understanding of each licensees' s safety performance. The evaluation is based on comprehensive reviews by CNSC itself helping the public be well informed and the licensee's accountable to the public and regulator itself As far as I am concerned, the current classification found in Section 2 and all-important safety	Noted, staff will consider adding items of interest that have been raised by Indigenous peoples and the public during the course of time covered by the ROR.

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			perspective, I would suggest other matters of regulatory interest section has provided far less information than would be expected. This section needs more details.	
72.	Cameco	Q11.	<p>Cameco believes that the information in the ROR CMDs and slide presentations adequately summarizes the information necessary to update the Commissions on licensee performance in a well organized, clear and concise manner. The documents provide the public with information in advance and ensure that the public can review the materials to understand the context for Commissioner questions and CNSC and licensee responses.</p> <p>Many intervenors have criticized the level of detail in RORs along a fewer details-greater details spectrum. Cameco believes that the level of information and detail in recent RORs strikes the right balance for the purpose of the ROR and does not need to be changed.</p>	Noted
<b>Question 12. Can any of the RORs be combined and if so which ones and why?</b>				
73.	Canadian Radiation Protection Association	Q12.	No. We do not recommend combining Nuclear Substances and Class IB Accelerators in the same report. These sufficiently separate groups should have individual reporting. Combining the two groups makes for a very long and tedious report (even if they are organized separately within the document)."	Noted
74.	Canadian Nuclear Association (CNA), Bruce Power and New Brunswick Power, Ontario Power Generation (OPG), Nordion, and Canadian Nuclear Laboratories (CNL), Hydro Québec	Q 12	The current approach is appropriate.	Noted
75.	Canadian Nuclear Workers' Council	Q12.	The current RORs are appropriate.	Noted
76.	G. Dalzell, Citizens Coalition for Clean Air; Community Member	Q12.	I would prefer a separate ROR for the Canadian Nuclear Power Generating Sites. I am concerned that if you combined some or all of the other RORs, important information will be left out in the interest of consolidating the important information in these current RORs. If you were to combine any it could be the last two listed on page 2/10 of the Discussion Paper specifically "Use of Nuclear Substance and Uranium and	Noted, staff will take under consideration the idea of combining like RORs.

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			Nuclear Substance Processing Facilities.	
77.	Cameco	Q12.	Cameco supports continuing the current approach and does not believe that any of the current RORs should be combined.	Noted
78.	Manitoba Métis Federation	Q12.	Provide RORs for each specific site/project.	CNSC staff appreciate MMF's recommendations and have considered it. CNSC staff feel the most efficient method to report information on regulatory oversight activities and facility performance to the Commission and public, is based on each sector of the nuclear industry, including all CNL sites in one single ROR report. However, CNSC staff do post facility specific information on its website and ensure that any consultation process with regards to any particular project are site and project specific. CNSC staff are committed to engaging with the MMF on the Whiteshell Labs site, the WR-1 Decommissioning project, and other CNSC regulated facilities and activities of interest
<b>Question 13. Is there other information you would like to see from the CNSC? What is this information and why is it necessary?</b>				
79.	Canadian Radiation Protection Association	Q13.	"No. As much as reasonable possible, we would like to see comments and assessment by CNSC staff on current trends and reasons for the trend when presenting compliance performance. Providing information on items such as "most common non-compliance issues" provides useful context to the compliance statistics and whether drops in compliance are a serious impact on health and safety, or largely administrative.	Noted, Staff will take under consideration including trending information and including Best Practices in future.
80.	Canadian Nuclear Association (CNA), Bruce Power and New Brunswick Power, Ontario Power Generation (OPG), Nordion, and Canadian Nuclear Laboratories (CNL), Hydro Québec	Q13.	CNA members, as a licensees, believe the information presented is generally adequate and conveys annual reporting and improvement initiatives in a manner which supports transparency and continuous improvement. Industry encourages CNSC staff to continue to focus the RORs on compliance activities by CNSC staff and licensee performance in the core areas of safety, radiation protection, environment and public information and disclosure. This will continue to inform the Commission that adequate measures remain in place for these areas, upon which our licenses were granted.	Noted
81.	G. Dalzell, Citizens Coalition for	Q13.	The writer observed that in the 2019 ROR and Nuclear Power Generating Sites, there was much more attention given to Other Matters of Regulatory Interest by some	Noted and CNSC is committed to increasing the outreach done in support of the RORs. As well, with webinars



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	Clean Air; Community Member		licensee's compared to 2018 Report. This is positive especially in the areas of general public engagement, indigenous consultation, and engagement. The writer would like to see more emphasis on CNSC staff engagement outreach activities. Need to get out into the public outreach once this pandemic is behind us. For now, virtual engagement needs to be strengthened. "The writer would like to see in future RORs much more on radioactive waste management activities, health impacts as well as critically important, information pertaining to these small modular reactors (SMRs) in relation to their current development where vendors here in New Brunswick identify reusing spent nuclear fuel in their technology At this point, the SMR research and development is centered by two vendors here in New Brunswick associated with NB Power and their Nuclear Power Generating Facility (PLNGS). These future RORs will need to report on what is occurring with SMR developments and the Point Lepreau facility with updates at a minimum to keep the public well informed."	through the Meet the Nuclear Regulator (MTNR) program, the CNSC has established capacity for virtual outreach.  As the RORs report on past performance, CNSC staff do not speculate on technologies not yet under licensing, such as SMRs. However, the CNSC is putting effort into other outreach activities on these subjects (Waste and SMR) through MTNR sessions on these topics and information on the CNSC website. Once SMR are under the CNSC licensing regime, they will of course be reported on.
82.	Cameco	Q13.	Cameco believes that the current RORs provide adequate information to inform the Commission on licensee performance in the core areas of safety.	Noted
<b>Question 14. Do you have any other suggestions for improving the CNSC's RORs?</b>				
83.	Canadian Radiation Protection Association	Q14.	Our previous interventions over several years contained this level of detail. CNSC's staff work on the RORs is a great effort of transparency. To further transparent and open engagement, stakeholders ought to have the opportunity to present orally to the Commission and not just be restricted to written submissions. We used to have this ability but it was dropped by the Commission or Commission Secretariat without explanation.  Additional information is required on incidents identified in the ROR and that ought to be addressed in an appendix. The discussion of incidents for Class II licences in the most recent ROR was an adequate format. As already stated, publication of draft Regulatory Oversight Reports should be done explicitly on the CNSC website as was done previously, not just tucked into the "meeting submissions" documents for a particular Commission meeting as has been the case in the past few years.  For the Nuclear Substances ROR, additional Safety and Control Areas (SCAs) ought to be considered – particularly the Transport SCA. "The ROR for Use of Nuclear Substances should remain as a stand-alone document."	Noted. Staff will continue to engage with the CRPA to ensure that their comments are considered in future RORs.
84.	Canadian Nuclear Association (CNA), Bruce	Q14	Licensees support the ROR process as part of our commitment to open communications and offer the following thoughts and suggestions for CNSC staff to consider for future reports:	Noted and the concept of a "freeze" date will be considered by staff.

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	Power and New Brunswick Power, Ontario Power Generation (OPG), Nordion, and Canadian Nuclear Laboratories (CNL), Hydro Québec		<ul style="list-style-type: none"> <li>• Licensees strongly support the continued use of written interventions as the best way to ensure intervenors receive full and information to questions they have with RORs. To help that process, it may be useful to set a freeze date for the contents of the report and provide adequate time for licensees and CNSC staff to review interventions. This would ensure intervenor questions can be answered thoroughly and contextually. In turn, this would reduce the chance of duplicate written and oral interventions and promote meaningful, focused discussion during the ROR Commission meetings. Conducting outreach with the public may be useful to identify ways to improve readability of the RORs for people of all technical levels and further educate intervenors on the purpose and scope of RORs to guide them in their written interventions.</li> <li>• Industry supports the efforts of CNSC staff to streamline RORs to make them more safety-focused, accessible, and useable to members of the public. With that in mind, industry suggest staff move the boilerplate section of the RORs to either a separate document or provide a link to facility and commission information on the CNSC's website.</li> </ul>	Noted and the CNSC is increasing its outreach activities around the RORs.
85.	G. Dalzell, Citizens Coalition for Clean Air; Community Member	Q14.	As noted in the executive summary, the CNSC staff provide technical information on licensed activities to the Commission Tribunal through annual regulatory oversight reports (ROR). These RORs inform the CNSC Commission on the safety performance of Canadian licensees' nuclear related activities and use of nuclear substances. "This commentator recognized and values the important role these RORs play in publicly reporting the evaluations of licensees' activities based on the critically important aspect of safety performance and adherence to the commission's regulatory expectations." In my view, these RORs identify issues and emerging changes in regulations that are also highlighted. The fact that these RORs are presented at public commission meetings provides a high level of public transparency. The public, including this writer, have an opportunity to submit written interventions. Over the last few years, this writer has applied and been approved in the Participant Funding Program that assists eligible interveners with costs associated with intervening provided they meet the criteria of that program. "Without that PFP, this writer would not have been able to prepare a written submission. This writer values the program and would not want to see it eliminated or changed to any degree.	Noted
86.	G. Dalzell, Citizens Coalition for Clean Air; Community Member	Q14.	This commentator certainly welcomes the openness of CNSC to continue to seek ways to improve the openness and transparency of its regulatory process."This writer; however, is concerned that in developing changes to these RORs in content, that these important reports will be watered down or otherwise could be weekend. Currently the information contained is through and comprehensive despite being detailed and somewhat cumbersome, and time consuming to read and analyze but the end result is a detailed analysis of the safety performance of these facilities."	Noted and staff are also of the opinion that the content of the RORs should not be watered down, though attempts are being made to streamline through making better use of web links to relevant publicly posted sources of information.

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			These RORs as present a wealth of valuable information on safety performance criteria that serve the public's interest.	
87.	G. Dalzell, Citizens Coalition for Clean Air; Community Member	Q14.	<p>These Regulatory Oversight Reports play a critically important role in providing the CNSC Tribunal and the public on the safety performance of the Canadian licensees' nuclear related activities. Staff use RORs to publicly report their evaluation of licensee's activities based on safety performance and adherence to the Commission's Regulatory expectations and rules. Additionally, these RORs play an important role in providing the public and opportunity to review such reports from CNSC staff evaluation of licensees' activities and operations. Such a role and information based on safe operations of the various nuclear facilities are increasingly more relevant now with the emergence of small modular reactors and NR Can's current policy review of radioactive nuclear waste management in addition to aging nuclear power plants, with some undergoing refurbishment and decommissioning identified (Pickering). "Nuclear Safety has always been on the minds of Canadians especially for the millions of people who live in the regions of these nuclear plants." It is my view that Canadian have confidence in the role and work of the CNSC to ensure we are well kept safe and consequently value and respect the role of this federal regulator." These RORs will continue to be critically important now and in the future with an increase awareness and interest in nuclear energy and other future developing applications." This writer has welcomed those RORs and has taken an opportunity to carefully review the nuclear Power Plants sections. I have submitted written interventions in 2018, 2019 and there was no opportunity for this intervenor to make an oral presentation. In the discussion it indicates that only licensees, indigenous groups and communities are permitted to make oral presentations. In my written intervention where issues, questions were raised, there was no face to face direct dialogue with this writer. The writer is suggesting that at the minimum answers be provided to the issues and question raised by the intervenor- which would become part of the public record. In most hearings, all the intervenors have an opportunity to make their presentations and be available to have their issues addressed, questions answered during the public meeting. In my past submissions, there was only limited response or reactions from the Commission members from all the hard work this writer made to carefully review the ROR with comments and questions. "After considerable efforts and delay this intervenor discovered that there was a CNSC staff report/responding to</p>	<p>There appear to be two main comments here:</p> <ol style="list-style-type: none"> <li>1) opportunities for oral presentations and</li> <li>2) benefits of publishing Staff's internal questions and answers (Q&amp;A) table developed in preparation for responding to Commission member questions.</li> </ol> <p>1) Currently only written interventions are accepted for Commission meetings with the exception of Indigenous Organizations/representatives. The latter are provided the opportunity for oral presentations in the spirit of reconciliation and in recognition of the Indigenous oral tradition for sharing knowledge. The inclusion of oral presentations significantly increases the administrative/organizational demands as well the actual time requirements for a Commission meeting. As the RORs are for information purposes and do not involve the Commission making licensing decisions this extra demand is not considered to be warranted. Oral interventions are included in Commission hearings to ensure the Commission hears a range of diverse opinions when actually exercising their decision-making authority with respect to licensing.</p> <p>2) Staff's internal Q&amp;A tables are completed to ensure staff are prepared to provide factual and informative oral responses to any question that they feel may arise as a result of interventions or other factors that may invoke questions from the Commission. This activity is an exercise in mental preparation rather than a formal response to specific requests as Staff cannot predict what the Commission may query them on. Due to the strict timelines and multiple RORs within a year these are rapidly prepared with no formal editing or</p>

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			<p>my issues / questions. This was prepared by CNSC staff to be available in the event that one of the Commissions wanted to pursue and issue that this writer may have raised. I requested a copy of this document, and was reassured to see many of my issues, questions were identified by CNSC staff with responses. However, I do not believe this staff report was part of the public record attached to my main submission which in part of the public record. I must admit that I was disappointed that this staff report did not get posted on the CNSC submission lists. Such a practice could have served the public interest.</p>	<p>otherwise necessary preparation required for public release of documents including translation. Hence, these are treated as internal documents.</p>
88.	G. Dalzell, Citizens Coalition for Clean Air; Community Member	Q14.	<p>This writer would not want to see future RORs to be perceived as a report written by CNSC staff for CNSC staff and licensee who are very familiar with the terminology. It needs to be written in a language that external public and community members could understand without affecting the high quality technical safety performance information of the licensees (user friendly).</p>	<p>Staff are committed to an Executive Summary that is written in plain language.</p>
89.	Cameco	Q14.	<ol style="list-style-type: none"> <li>1. The virtual ROR meetings held during 2020 were a very efficient and effective forum and Cameco recommends that ROR meetings continue to be held virtually going forward.</li> <li>2. As the Paper points out, the RORs includes boilerplate information that rarely changes. Cameco supports using a dedicated document for this information that would be available for intervenors to review in advance of the publication of the ROR. This would shorten and simplify the information subject to review within the ROR timelines and would lessen the burden for intervenors who struggle with meeting these timelines.</li> <li>3. In licensing hearings, oral interventions are an important mechanism to provide information and perspectives to the Commission that maybe better articulated orally, but we do not believe the same holds true when the purpose of the process is for CNSC staff to provide information to the Commission and the public on licensee performance. In this forum, Cameco strongly supports the continued use of written interventions as the mechanism for non-Indigenous interventions because we believe that this is the most effective way for CNSC staff and licensees to ensure that intervenor questions or concerns can be fully addressed during the ROR meeting."</li> </ol>	<ol style="list-style-type: none"> <li>1. Noted</li> <li>2. Noted and staff will consider this suggestion for implementation.</li> <li>3. Noted</li> </ol>

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90.	Manitoba Métis Federation	Q14.	The CNSC should engage the MMF in having a more active role in the IEMP at the WL site, similar to what has been carried out between the CSNC and AOO at the NPD site. This would facilitate a process to consider and address the MMF's stated concerns regarding outstanding impacts on the Manitoba Métis Community, exercise of Métis stewardship rights and obligations, and the need to incorporate Métis traditional knowledge into monitoring and decommissioning plans and activities. This could include collaboratively developing sampling plans for the WL site with the MMF, integrating MMF sites of importance into the sampling program, and having MMF harvesters accompany the CNSC in the sample collection around the WL site.	The CNSC and MMF are actively negotiating a Terms of Reference for long-term engagement that can include a communications protocol, regular meetings and updates, further collaboration on monitoring activities, an engagement work-plan, collaborative reporting to the Commission on progress on engagement activities, and funding support for these activities. In addition, the CNSC and MMF have already held multiple meetings and discussions in 2021 regarding the MMF's involvement in Independent Environmental Monitoring Program (IEMP) sampling. The next IEMP sampling campaign for Whiteshell Laboratories is scheduled in 2022 and the CNSC is committed to collaborating with the MMF on this upcoming sampling campaign, including the development of the sampling plan.
91.	Manitoba Métis Federation	Q14.	In addition, CNSC and CNL should be required to provide safety reports to the MMF so that the MMF can monitor them and consider implications for the Manitoba Métis Community and harvesters who will access and use the site to exercise their harvesting and other rights following decommissioning activities. This would increase transparency regarding the decommissioning activities and exposure doses, and allow the MMF to provide information and feedback from the perspective of the use of the land by Manitoba Métis Community and their rights and interests that can be considered in these reports	<p>The CNSC requires licensees of Class 1, Class 1B and uranium mine and mill facilities to have a Public Information and Disclosure Program, which includes sharing information about their performance, reportable events and other activities at their facilities with their key target audience which includes local Indigenous Nations and communities.</p> <p>In addition, the CNSC is aiming to initiate the review and update process for <a href="#">REGDOC 3.2.2: Indigenous Engagement, Version 1.1</a> in the next year and as part of that process will be consulting with Indigenous Nations and communities, including the MMF, regarding potential improvements to the CNSC's requirements and guidance to licensees with regards to engagement, communication, collaboration and outreach with Indigenous Nations and Communities with interests in their facilities and activities.</p>

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92.	Manitoba Métis Federation	Q14.	Due to the importance of natural resources for subsistence and cultural use by the Manitoba Métis Community, it is critical that monitoring of relevant country food and medicinal plant tissues for radiological and non-radiological contaminants conducted by CNL, AECL and the CNSC occur in a manner that will detect any potential impacts on the natural resources that are used by the Manitoba Métis Community. Moreover, as the WL site is decommissioned and improved access is permitted, it will be just as important to ensure that ongoing liabilities associated with the site are managed appropriately for the type of use that the Manitoba Métis Community will have. CNL must consult with the MMF regarding the development of the monitoring plans so that the distinct circumstances of the Manitoba Métis Community and Métis harvesters are appropriately being considered and Métis traditional knowledge and stewardship rights are included in the plans.	<p>The CNSC and MMF are actively negotiating a Terms of Reference for long-term engagement that can include a communications protocol, regular meetings and updates, further collaboration on monitoring activities, an engagement work-plan, collaborative reporting to the Commission on progress on engagement activities, and funding support for these activities.</p> <p>In addition, the CNSC and MMF have already held multiple meetings and discussions in 2021 regarding the MMF's involvement in IEMP sampling. The next IEMP sampling campaign for Whiteshell Labs is scheduled in 2022 and the CNSC is committed to collaborating with the MMF on this upcoming sampling campaign, including the development of the sampling plan.</p> <p>It is also CNSC staff's understanding the CNL and MMF have and will continue to collaborate on monitoring activities with regards to the Whiteshell Labs site. CNSC staff encourages CNL and AECL to continue to work with MMF on collaborative monitoring activities, where appropriate.</p>
93.	Manitoba Métis Federation	Q14.	To ensure that monitoring accurately captures the data required (i.e., the locations, species, and parts of plants/animals consumed by the Manitoba Métis Community) and that transparency of results is occurring, it is recommended that CNL and CNSC engage with the MMF to identify a Métis Liaison who can comment on monitoring design, review data, examine reports (e.g., Annual Environmental Monitoring Reports from CNL), then share information back to the MMF and Manitoba Métis Community. This liaison should be involved in the management structure (i.e., committee) for implementation of the IMP and IEMP. This liaison should also be able to participate in field-based data collection or identify Métis Citizens from the surrounding area who would be interested in participating.	<p>The CNSC and MMF are actively negotiating a Terms of Reference for long-term engagement that can include a communications protocol, regular meetings and updates, further collaboration on monitoring activities, an engagement work-plan, collaborative reporting to the Commission on progress on engagement activities, and funding support for these activities.</p> <p>In addition, the CNSC and MMF have already held multiple meetings and discussions in 2021 regarding the MMF's involvement in IEMP sampling. The next IEMP sampling campaign for Whiteshell Labs is scheduled in 2022 and the CNSC is committed to collaborating with the MMF on this upcoming sampling campaign, including the development of the sampling plan. Support for these engagement activities on monitoring will be supported through the CNSC's Participant Funding Program (PFP),</p>

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				<p>where appropriate.</p> <p>It is also CNSC staff's understanding the CNL and MMF have and will continue to collaborate on monitoring activities with regards to the Whiteshell Labs site. CNSC staff encourages CNL and AECL to continue to work with MMF on collaborative monitoring activities, where appropriate. As well, it CNSC staff's understanding the CNL and MMF are actively negotiating a long-term relationship agreement that includes funding for a MMF liaison position to lead and coordinate engagement and collaboration with CNL an AECL.</p>
94.	Manitoba Métis Federation	Q14.	<p>The MMF has limited resources and capacity to undertake the needed oversight of the WL site and supporting long term monitoring and the unique stewardship challenges that are raised by decommissioning of the WL site and nuclear facility.</p> <p>Therefore, the role of the Métis Liaison should be funded by AECL, the CNSC and/or CNL as part of a long-term relationship agreement.</p>	<p>The CNSC and MMF are actively negotiating a Terms of Reference for long-term engagement that can include a communications protocol, regular meetings and updates, further collaboration on monitoring activities, an engagement work-plan, collaborative reporting to the Commission on progress on engagement activities, and funding support for these activities.</p> <p>See response to comment #93 above.</p>
95.	Manitoba Métis Federation	Q14.	<p>As Métis Citizens of the Manitoba Métis Community harvest around the project site, the MMF must be consulted about remediation and specifically revegetation objectives and plan for the site to ensure that native species relied on by the Manitoba Métis Community for harvesting are used in remediation and revegetation plans wherever possible. In addition, traditional Métis knowledge should inform these plans and revegetation processes, including the potential for Métis Citizens to be involved in implementing or carrying out these activities. Furthermore, CNL and AECL should incorporate site revegetation strategies into the closure of the site that are informed by this consultation with the MMF and Manitoba Métis Community.</p>	<p>CNSC staff are committed to working with MMF to include traditional Métis knowledge in the CNSC's monitoring activities and regulatory oversight work. The CNSC, through its PFP, supported the MMF in conducting a traditional Métis knowledge and land use study with regards to the WR-1 project and Whiteshell Labs site. CNSC staff will continue working with MMF to apply and reflect the knowledge and information shared in an appropriate way and encourage CNL and AECL to do the same with regards to their activities at the Whiteshell Labs site, including monitoring.</p>
96.	Manitoba Métis Federation	Q14.	<p>CNL and AECL must engage the MMF for engagement and participation opportunities in any environmental protection, monitoring, awareness training programs in relation to the WL site. This includes the opportunity for the MMF to provide feedback and input into the content of the environmental awareness training programs to ensure</p>	<p>See response to comment 93 above.</p>

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			Métis traditional knowledge is adequately and appropriately integrated into these programs. This could be achieved through an ongoing Issues Resolution and Dialogue Table established between the MMF, CNL and AECL related to the WL site that includes the provision of capacity funding for a liaison staff position within the MMF (i.e., a Métis Liaison) to sit at this Table with CNSC/CNL/AECL.	
97.	Manitoba Métis Federation	Q14.	For the CNSC to truly conduct a comprehensive review of the ROR process, it must consider a formal technical review by an independent third party. Comments accepted from the public and stakeholders, while important, may not be able to adequately capture the detail required to fully address the issues.	The CNSC launched the discussion paper to seek feedback on the ROR process from licensees, Indigenous Nations and communities, public and stakeholders. The intent of the initiative was to review the current suite of RORs and identify opportunities to improve. However, CNSC staff appreciate MMF's recommendations and are committed to continuous improvement. As changes are made to the ROR to better meet its objectives as an information report prepared for the Commission, CNSC staff will continue to seek feedback and engage Indigenous Nations and communities through a variety of mechanisms to ensure that any issues that remain will be addressed.
98.	Canadian Environmental Law Association	Q14.	<p>The Canadian Environmental Law Association has extensively participated in the CNSC's regulatory oversight review (ROR) process. We ask that our comments made in our written and oral submissions since 2016 inform the record before the CNSC in its review of the ROR process.</p> <p>While we recognize that our comments on the ROR Discussion Paper are overdue, the CNSC has previously communicated that they welcome feedback on this topic on an ongoing basis. Further, CELA made detailed comments specific to the ROR process in the most recent ROR reviews in 2020, and the CNSC provided that a discussion paper would be forthcoming and our comments would be addressed at that time. As responses to the procedural concerns and ROR recommendations made by CELA remain open, we respectfully submit they inform this ROR review.</p>	See 99 to 130 below.
99.	Canadian Environmental Law Association		CELA submits that intervenors who provide comments on an ROR should have an opportunity to present orally before the Commission.	Currently only written interventions are accepted for Commission meetings with the exception of Indigenous Organizations/representatives. The latter are provided the opportunity for oral presentations in the spirit of reconciliation and in recognition of the Indigenous oral tradition for sharing knowledge. As the RORs are for



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				information purposes and do not involve the Commission making licensing decisions, currently the Commission does not consider it necessary to allow for oral presentations. The Commission will in the near future hear about the review being conducted by CNSC staff on the ROR process, and will then consider how the process should be moving forward. Oral interventions are included in Commission hearings to ensure the Commission hears a range of diverse opinions when actually exercising their decision-making authority with respect to licensing.
100	Canadian Environmental Law Association		We submit 30 days remains an insufficient amount of time for members of the public and civil society to review the material of the ROR and provide value-added comments to the Commission. The public's ability to weigh-in during the ROR process can be further constrained due to the time lag in requesting and receiving references or supporting material, or, as in this case, other competing CNSC review deadlines. While CELA is not opposed to this ROR being reviewed by the Commission in tandem with other RORs (as will occur during the scheduled December 2020 meeting), the length of time granted for review should be extended in light of the other matters also open for public comment. Should the Commission choose to have multiple comment opportunities with the same closing date, at least 60 days should be provided as recognition of the importance and value of public comments, and to further fairness and respect for adequate procedural rights.	ROR reporting includes data from the previous calendar year. Information from the final quarter and the consolidated annual submission must be analysed and interpreted by staff in the first quarter of the next year in order to meet the ROR deadlines. As such, more than 30 days is difficult to provide for external review.
101	Canadian Environmental Law Association		The 2019 ROR should present updates, where applicable, regarding ongoing federal environmental assessments.	Any ongoing Environmental Assessment (EA) or licensing process for a non-licensed activity is out of scope of the ROR, as the ROR covers the safety performance of existing licensed facilities/activities. EAs and Impact Assessments (IAs) follow a public process with their own requirements. Part of those requirements include posting public information and regulated timelines for the project, hearings, and decisions. A complete list of federal environmental EAs associated with the nuclear fuel cycle is available and maintained on the CNSC "Environmental Protection" <a href="#">web page</a> located under the "resources" tab.
102	Canadian Environmental		The ROR meeting should include submissions from CNL and CNSC Staff on measures	Commission direction was only for the Nuclear Power Generating Stations (NPGS) ROR to include such

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	Law Association		being taken by nuclear facilities to (1) phase out asbestos use in nuclear facilities by December 31, 2022 and (2) pursue technically and economically feasible asbestos-free alternatives.	information. They did not direct staff to include in other RORs.
103	Canadian Environmental Law Association		The ROR should include a description of the current decommissioning plans of full dismantling to provide some context for the proposed changes to in-situ decommissioning.	Currently this is outside the scope of the ROR. as these are ongoing reviews and not yet authorized by the Commission.
104	Canadian Environmental Law Association		To remedy historical oversights, the review of licensees' decommissioning plans should be a required component of RORs.  The ROR should be used as an opportunity to review decommissioning matters as plans are otherwise not accessible nor in the public domain.	Staff disagree, all decommissioning plans are contained or referenced in each licence and such is already publicly available.  Furthermore, approval of decommissioning plans is a licensing issue and addressed via Commission hearings.
105	Canadian Environmental Law Association		The ROR should explain how, in applying the ALARA principle, the CNSC accounts for differential in risk among sites (i.e. the ALARA radiation protection rating for a contaminated site might be different than that of a decommissioned reactor).	The objective of the ROR is to annually update the Commission and public on licensee/sector performance for compliance issues or key events. All licensees are required to meet worker and public dose limits, to have an acceptable radiation protection program (RP) which includes provisions for maintaining doses to persons as low as reasonably achievable, and meeting any specified licence release limits. The complexity of a given licensee's program will be commensurate with the associated risk of the licensed activity. The acceptability of the programs as it relates to the application of the As Low as Reasonably Achievable (ALARA) principle assessed at the licence application stage.  Verifying that a licensee applies the provisions of their programs, which includes the concept of ALARA, is part of Staffs evaluation of the overall acceptability of the RP and radionuclide release program performance. These compliance elements are addressed in the ROR.  The ROR, however, is not the proper instrument for going into the complex details on program requirements and design. Information on ALARA and its application can be found in <a href="#">REGDOC 2.7.1 Radiation Protection</a> and <a href="#">REGDOC 2.9.1 Environmental Protection: Environmental</a>

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				<p><a href="#"><u>Principles, Assessments and Protection Measures, Version 1.2.</u></a></p> <p>The ROR not being a comparison between facilities but rather a reporting of individual licensee performance over time.</p> <p>The ROR is to annually update the Commission and public on licensee/sector performance for compliance issues or key events. All licensees are required to meet worker and public dose limits, have an acceptable.</p>
106	Canadian Environmental Law Association		Information should be included on key changes to the Licence Condition Handbooks, as well as what has prompted these changes.	Notable specific activities are highlighted where they occurred. If nothing is highlighted, it is indicative that nothing notable happened.
107	Canadian Environmental Law Association		<p>Section 2. CANADIAN NUCLEAR LABORATORIES</p> <p>This section provides specific information for each of CNL's sites. Unfortunately, a significant portion of the information found in the 2018 ROR, is no longer included in the 2019 ROR. While the 2018 ROR included a subsection for each CNL site describing 'major activities' at the sites, these subsections have been removed in the 2019 ROR. As such, while the description of CNL and its current activities in Section 2 of the 2018 ROR spanned 13 pages, this section has been reduced to a mere 3 pages in the 2019 ROR. CELA strongly recommends re-introducing these separate subsections in Section 2 as they provided much more information on activities at the various CNL sites than the 2019 ROR now does, and also made it easy to find information on current activities in the ROR. Given what is arguably the main purpose of an ROR – i.e. giving an annual update to the public and the Commission – these subsections are rather essential to the purpose of even producing RORs.</p> <p>Their removal is thus quite disappointing, yet provides a key example of what is wrong with the direction the CNSC has taken with the 2019 ROR.</p>	Staff will consider putting a brief description of CNL activities back into the ROR.
108	Canadian Environmental Law Association		<p>ii. Section 3. THE CNSC'S REGULATORY OVERSIGHT OF CNL</p> <p>CELA regrettably notes that, compared to the 2018 ROR, Section 3 no longer contains separate subsections for each of the facilities covered by the ROR. Instead, the information is provided in one more generalized section, which covers oversight of all CNL's facilities. Furthermore, Section 3 now spans a mere 3.5 pages, compared to 7.5</p>	The purpose is not to duplicate existing information that exists on webpages, so website information is leveraged, and links are included in the ROR to refer to that information. Appendices with data and details specific to each site is also included in the ROR.

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			pages in the 2018 ROR. Given the number of different facilities, and the differences between the activities taking place at each of these facilities, it seems near impossible to provide a meaningful description of the CNSC's oversight, without including specific sections with comments describing the CNSC's oversight activities at each facility. Yet, this is the approach taken in the 2019 ROR. CELA18 recommends reverting to the approach found in the 2018 ROR, which may not have been overly detailed either, but at least provided a greater level of detail for each CNL site	
109	Canadian Environmental Law Association		Section 4. THE CNSC'S ASSESSMENT OF SAFETY AT CNL SITE In Section 4, subsection '4.1.1 Independent Environmental Monitoring Program (IEMP)' has been removed and replaced by a far shorter substitute, now located in subsection 5.5. CELA recommends reverting to the previous approach in the 2018 ROR, which provided a bit more information regarding the IEMP.	IEMP information is found on the website and it is not the purpose of the ROR to duplicate information found elsewhere.
110	Canadian Environmental Law Association		Noted that recent RORs have decreased written content relying instead on providing links to the CNSC web pages containing further information on the specific subject matter. Suggest ROR should be stand-alone and not rely on such links.	<p>Staff disagree as the intent of the ROR is to report on matters of regulatory interest and this will vary from ROR to ROR.</p> <p>The purpose is not to duplicate existing information that exists on webpages, so website information is leveraged, and links are included in the ROR to refer to that information.</p> <p>A longer report does not necessarily mean a better report. Staff provide the information that gives an overview of safety performance.</p>
111	Canadian Environmental Law Association		<p>Appendix A CELA notes that important information in the tables in Appendix A has been removed for no apparent reason. The tables in Appendix A in the 2018 ROR contained two extra columns with key information regarding the outcome of the inspections, namely 'Number of Enforcement Actions Issued', and 'Safety Significance of Enforcement Actions'. This information is no longer included, and the remaining information in the 2019 ROR is now limited to stating the date of the inspection, the general type of inspection carried out and the SCA or SCAs covered by the inspection.</p> <p>The tables in Appendix A have thus become so generic that no information is provided</p>	<p>The intent of the table of inspections is to list the inspections with topics covered rather than discuss the results of the inspections.</p> <p>Safety significant findings from inspections are discussed in the body of the ROR text along with any follow up actions, rather than as a listing in a table.</p>

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			on the results of the inspection and instead the tables resemble checklists, which merely keep track of the inspections that have been carried out in 2019, while ignoring the outcome of these inspections entirely. In essence, the tables are now so close to pointless in terms of informing the public about inspection activities, that they might as well be removed entirely. CELA recommends reintroducing the columns with information on 'Number of Enforcement Actions Issued' and 'Safety Significance of Enforcement Actions' in the tables in Appendix A. Without it, these tables offer no value to members of the public looking for insight into the results of the inspections.	
112	Canadian Environmental Law Association		<p>We also recommend including information in the ROR on the findings of the inspections, what prompted them, and what impact announcing the inspections had on the findings of the inspections.</p> <p>Alternatively, CELA recommends making the individual inspection reports publicly available online in whole or in part, so that the public can find the information in the reports themselves. Taking steps to make this information publicly accessible is even more important, given the significant reductions in the contents of the ROR.</p>	<p>The ROR itself is a summary of all inspections conducted rather than a line-by-line description of work carried out by CNSC staff over a given time period. Where inspections yield significant outcomes, they are highlighted and discussed in the RORs. In every case where an inspection is announced, it is the judgement of CNSC staff that announcing the inspection would have no impact on the outcome of the inspection.</p> <p>Staff continue to explore possible mechanisms to make inspection reports more transparent/available.</p>
113	Canadian Environmental Law Association		Where it previously consisted of the more logical letter grades A, B, C, D, E, the current approach creates a risk of confusion, with SA, or Satisfactory, being a lesser grade which allows for low risk, minor deviations, so long as appropriate improvements are planned. With the removal of the definitions of the SCA rating levels, the muddying of the waters has only been made worse. CELA therefore recommends including the SCA rating levels explanation in the 2019 ROR, or at least providing a link to the part of the CNSC website where this information can be found.	Noted. Moving forward the ratings for the RORs will no longer include the "Fully Satisfactory (FS)" rating.
114	Canadian Environmental Law Association		The ROR would be more effective if the CNSC canvassed a list of issues and topics to inform the scope of the ROR. Given the trend to longer, ten-year licences, soliciting public comment on the scope of issues addressed in ROR would provide a starting point for public engagement.	The primary audience for the ROR is the Commission so we are covering the topics and information that the Commission has directed they want to be informed on.
115	Canadian Environmental Law Association		The Commission should provide an update on the CNSC-NPRI linked site. As this is directly relevant to all nuclear sites and facilities, it is critical this remain a reportable item in subsequent RORs.	The CNSC will report on any significant developments related to improvements and/or modifications to public accessibility with respect to information on releases from nuclear facilities within the relevant sections of the ROR.
116	Canadian		The Commission should direct Staff to expressly consider climate impacts and	As the impacts of climate change are more apparent over

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	Environmental Law Association		vulnerabilities within the scope of the ROR. As climate impacts become more frequent and pronounced, CELA urges the CNSC to discuss climate change in the context of licensee oversight because of the major safety and environmental issues it poses to operations, health and safety	a longer-term timeline, annual reporting of effects of climate change will not provide reliable information. However, if in the year of the ROR, there was new evidence, new understanding, or new knowledge of climate change related external hazards that may have significant impact on the safe operation of a facility, this information would have been reported to, and assessed by, CNSC staff as part of the regular compliance process. The new information and assessment results would be reported in the ROR.
117	Canadian Environmental Law Association		When matters are raised in other Commission proceedings that are directly relevant to an ROR, CNSC Staff should reference to these proceedings, including materials, meeting minutes, and transcripts directly in the ROR.	Staff agree and will reference such material and provide a link but will not reproduce the material in the ROR.
118	Canadian Environmental Law Association		Whenever conclusions are made on the basis of data, key examples of the underlying data (and associated limits) should be included in the ROR.	Data is already included in all RORs as appendices, such as list of inspection reports and number of enforcement actions, public dose, dose to Nuclear Energy Workers (NEWs,) etc. The analysis and supporting calculation as applicable are found in assessment reports, inspection reports and other documentation. Including these into the ROR would make decrease the readability of the document.
119	Canadian Environmental Law Association		The use of maximum values should be expanded to cover the remaining areas of the ROR.	Reporting of maximum values will continue where relevant to demonstrating compliance and/or performance.
120	Canadian Environmental Law Association		The CNSC should use the ROR as an opportunity to synthesize data relevant to an SCA for the year in review, and wherever possible, hyperlinks should be provided to supporting documents.	Relevant data is provided through the assessment of the SCAs and resulting summaries presented in the RORs.
121	Canadian Environmental Law Association		Examples should be included in the ROR of what is meant by low risk in terms of inspection findings.	RORs include in the appendix definitions of safety significance categories.
122	Canadian Environmental Law Association		CNSC should include footnotes referencing the documentation in support of its ROR conclusions and provide references when incorporating findings from external reports, inspections and reviews.	Staff agree and will include references where appropriate.
123	Canadian Environmental Law Association		Changes, omissions and discrepancies in the status of REGDOC implementation in this year's ROR in comparison to last year should be set out at the upcoming ROR meeting. For items which are deferred or no longer required, there is an even greater need for	Implementation of Regulatory Documents (REGDOCS), including changes and deferrals, are discussed in the ROR. The difference in implementation dates is due to independent implementation plans submitted by

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			explanation.	licensees and reviewed by CNSC staff.
124	Canadian Environmental Law Association		Greater detail, including the nature of the regulated sector and its particular use of nuclear substances, should be described in the body of the report. As nuclear substances do not undergo public licensing hearing processes, the ROR is an opportunity to provide the public with information specific to nuclear substance licensees, and the CNSC's oversight actions and findings.	Due to the volume of licensees and the large number of different licensed activities covered by the Use of Nuclear Substances ROR, it unreasonable to describe each type of activity covered in this ROR. In the upcoming 2020 ROR, staff reference a technical briefing given to the Commission which provides an overview of the use of nuclear substances. This presentation is available on the CNSC website.  <a href="#">Technical briefing to the Commission on Nuclear Substances in Canada (CMD 18-M49)</a>
125	Canadian Environmental Law Association		RORs should provide greater trend analysis, such as reporting of inspections spanning a 5-year timeframe, to better explain decreases in inspection levels since 2015.	The purpose of the ROR is to cover the safety performance of licensed facilities/activities in a particular calendar year. It is not to go into trending analysis of previous years. Where a significant difference appears in a given year, the ROR addresses the reasons for the change.
126	Canadian Environmental Law Association		To add credibility to the conclusions reached in the ROR, the report should set out the objectives and scope of inspection criteria, and methods used by CNCS Staff to track and report compliance of nuclear substance licensees.	With regards to nuclear substances, inspections are based on the regulations and licence conditions. Annual compliance report forms and the information required to be submitted are available on the CNSC website. Specific questions about tracking and reporting methodology should be included in interventions on individual RORs.
127	Canadian Environmental Law Association		For matters where CNSC Staff have committed to undertake a review or reform in the coming year, updates of the project's status should be a required component of the subsequent year's ROR	Staff agree to do so in matters where they have been so instructed by the Commission.
128	Canadian Environmental Law Association		The ROR should directly reference the international standards and regulatory basis (ie. regulation or REGDOC) which supports the ROR's conclusion that licensees adequately implemented Canada's international obligations. The ROR should also set out how CNSC Staff sought to review <sup>107</sup> compliance of said obligations.	Through the regulatory framework, the CNSC ensures that licensees provide the information, access, and support required so that the CNSC, on behalf of the Government of Canada, can fulfil Canada's international obligations to the IAEA pursuant to the Canada-IAEA safeguards agreements. Requirements and guidance are specified in <a href="#">REGDOC 2.13.1, Safeguards and Nuclear Material Accountancy</a> and are included in the licensing basis. As part of the ROR process, CNSC staff review the



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				information, access, and support provided by licensees in addition to the findings from CNSC inspections and the results of IAEA verification activities.
129	Canadian Environmental Law Association		The Commission should discuss how the ROR process meets the “public engagement” requirement set out in REGDOC-2.9.1. As drafted, the ROR does not contain a critical review or discussion of licensee environmental protection actions. Thus, without data or findings supporting how conclusions in the ROR specific to environment protection are reached, the public’s ability to engage with such matters is limited.	<p><a href="#">REGDOC-2.9.1, Environmental Protection: Environmental Principles, Assessments and Protection Measures, Version 1.2</a> sets out public engagement activities for CNSC’s environmental reviews and licensing process. It does not set out other public engagement requirements.</p> <p>CNSC public engagement activities extend well beyond those strictly related to the RORs. These include various CNSC outreach activities both generic and licence specific, engagement activities associated with the IEMP, the publication of Environmental Protection Reviews (EPR) reports and extensive engagement activities associated with licence applications and/renewals. In addition, <a href="#">REGDOC 3.2.1 Public Information and Disclosure</a> identifies licensee responsibilities related to public engagement.</p> <p>The ROR provides “critical reviews or discussions” where there are compliance or performance issues. Otherwise, comprehensive multi-year assessments of environmental and health information for a nuclear facility are provided in CNSC EPR reports completed on a minimum of a five-year cycle (linked to the facility’s Environmental Risk Assessment revision cycle). These are posted on the <a href="#">CNSC Open Government Portal</a> for the public review.</p>
130	Canadian Environmental Law Association		Information should be included, which explains the process of setting action levels.	<p>The purpose of the RORs is to provide the Commission with information and updates about the CNSC’s regulatory oversight activities and the performance of the licensee or regulated entity. Thus, the RORs indicate the purpose of action levels and identify whether any have been exceeded and the actions of both the licensee and the CNSC in response to any exceedance.</p> <p>The ROR is not the place to go into the complexities of developing an action level. Such information is provided in <a href="#">REGDOC 2.7.1, Radiation Protection</a>, <a href="#">REGDOC 2.9.1,</a></p>



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				<a href="#"><i>Environmental Protection: Environmental Principles, Assessments and Protection Measures, Version 1.2</i></a> and <a href="#"><i>CSA N288.8</i></a> (Establishing and implementing action levels for releases to the environment from nuclear facilities).

**Table B: "Feedback on comments" (opportunity to provide feedback on the comments received):**

	Reviewer	Section or Para. #	Reviewer's Comment and Proposed Change	Response
a)	None received.			

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## Glossary

- AECL – Atomic Energy of Canada Ltd.
- ALARA – As Low as Reasonably Achievable
- BE – Below Expectations
- Bq - Becquerel
- CAN – Canadian Nuclear Association
- CELA – Canadian Environmental Law Association
- Class 7 TDG – Transport of Dangerous Goods, Class 7 radioactive material
- CMD – Commission Member Document
- CNL – Canadian Nuclear Laboratories
- CNSC – Canadian Nuclear Safety Commission
- CRPA – Canadian Radiation Protection Association
- EA – Environmental Assessment
- ENGO – Environmental Non-Governmental Organization
- EPR - Environmental Protection Review
- FS – Fully Satisfactory
- IA – Impact Assessment
- IAEA – International Atomic Energy Agency
- IEMP – Independent Environmental Monitoring Program
- kBq- Kilobecquerel
- MBq- Megabecquerel
- MMF – Manitoba Métis Federation
- MTNR – Meet the Nuclear Regulator
- NEW – Nuclear Energy Worker
- NGO – Non-Governmental Organization
- NPGS - Nuclear Power Generating Station
- NPP – Nuclear Power Plant
- NRCan – Natural Resources Canada
- OPG – Ontario Power Generation
- PFP – Participant Funding Program
- PLNGS – Point Lepreau Nuclear Power Generating Station
- REGDOC – Regulatory Document
- ROR – Regulatory Oversight Report
- RP – Radiation Protection
- RSO – Radiation Safety Officer
- SA – Satisfactory
- SCA – Safety and Control Area
- SMR – Small Modular Reactor
- UA – Unacceptable
- UMM – Uranium Mines and Mills
- WL – Whiteshell Laboratories