



# Summary Record of Decision

DEC 25-H101

In the Matter of

Applicant Ontario Power Generation Inc.

Subject      Application to Amend the Pickering Waste  
Management Facility (PWMF) Licence to  
Authorize Construction and Operation of the  
Pickering Component Storage Structure

Summary  
Record of  
Decision  
Date      July 24, 2025

**SUMMARY RECORD OF DECISION – DEC 25-H101**

Applicant: Ontario Power Generation Inc.

Address/Location: 700 University Avenue, Toronto, Ontario, M5G 1X6

Purpose: Application to Amend the Pickering Waste Management Facility (PWMF) Licence to Authorize Construction and Operation of the Pickering Component Storage Structure

Application received: May 31, 2024

Hearing: *Notice of Hearing in Writing and Participant Funding*  
published on September 18, 2024  
*Revised Notice of Hearing in Writing and Participant Funding*  
published on February 17, 2025

Summary Record of Decision Date: July 24, 2025

Panel of Commission: P. Tremblay

**Licence:** Amended

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## 1.0 INTRODUCTION

1. On [May 31, 2024](#), Ontario Power Generation Inc. (OPG) applied to the Canadian Nuclear Safety Commission<sup>1</sup> (CNSC) to amend the licence for the [Pickering Waste Management Facility](#) (PWMF) Waste Facility Operating Licence (WFOL) in order to authorize the construction and operation of a new structure to be known as the Pickering Component Storage Structure (PCSS).<sup>2</sup> This structure is intended for the interim storage of low and intermediate level waste resulting from potential refurbishment<sup>3</sup> activities for [Pickering Nuclear Generating Station](#) (NGS) Units 5-8, as well as future Pickering NGS Units 1-4 decommissioning activities.
2. The PWMF is a Class IB nuclear facility located on the site of the Pickering NGS, in the city of Pickering, Ontario, and within the traditional lands and waters of the Michi Saagiig Anishinaabeg, the Gunshot Treaty (1877-88), the Williams Treaties (1923), and the Williams Treaties Settlement Agreement (2018). The current licence, WFOL-W4-350.00/2028, expires on August 31, 2028.
3. This *Summary Record of Decision* reflects the Commission's decision with respect to the licence amendment application. The detailed reasons for the Commission's decision will be provided in a detailed *Record of Decision*, to be published at a later date.

### Issues

4. In considering OPG's licence amendment application, the Commission must determine whether and what requirements the [Impact Assessment Act](#)<sup>4</sup> (IAA) imposes in relation to the activities sought to be authorized.
5. Pursuant to paragraphs 24(4)(a) and (b) of the [Nuclear Safety and Control Act](#)<sup>5</sup> (NSCA), in order to amend the licence, the Commission must be satisfied that:
  - a) OPG is qualified to carry on the activity that the amended licence would authorize; and
  - b) in carrying on that activity, OPG would make adequate provision for the protection of the environment, the health and safety of persons and the maintenance of national security and measures required to implement international obligations to which Canada has agreed.

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<sup>1</sup> The *Canadian Nuclear Safety Commission* is referred to as the "CNSC" when referring to the organization and its staff in general, and as the "Commission" when referring to the tribunal component.

<sup>2</sup> The construction and operation of the proposed PCSS is not within the current licensing basis for the PWMF, nor does it fall under existing conditions of the PWMF licence for construction of additional waste storage buildings.

<sup>3</sup> OPG must submit a separate application requesting authorization from the Commission to perform refurbishment activities.

<sup>4</sup> S.C. 2019, c. 28, s. 1.

<sup>5</sup> S.C. 1997, c. 9.

6. As an agent of the Crown, the Commission recognizes its role in fulfilling the Crown's constitutional obligations, along with advancing reconciliation with Canada's Indigenous peoples. The Commission's responsibilities include the duty to consult and, where appropriate, accommodate Indigenous interests where the Crown contemplates conduct which may adversely impact potential or established Aboriginal<sup>6</sup> or treaty rights.<sup>7</sup> As such, the Commission must determine what engagement and consultation steps and accommodation measures are called for, respecting Indigenous interests.

#### Public Hearing in Writing

7. On September 18, 2024, the Commission published [\*Notice of Hearing in Writing and Participant Funding\*](#)<sup>8</sup> for this matter, which invited requests to intervene by February 28, 2025. On February 17, 2025, the Commission published a [\*Revised Notice of Hearing in Writing and Participant Funding\*](#)<sup>9</sup> to announce an extension to the dates for filing submissions.
8. The President of the Commission established himself as a Panel of the Commission to consider the application.<sup>10</sup> The Commission, in conducting a public hearing based on written materials, considered written submissions from OPG ([\*Application, CMD 25-H101.1\*](#)) and CNSC staff ([\*CMD 25-H101\*](#)). The Commission also considered written submissions from 9 intervenors (see Appendix A for a list of interventions).

#### Confidentiality Request

9. OPG submitted a [\*request for confidentiality\*](#)<sup>11</sup> with respect to the *Pickering Component Storage Structure Safety Assessment*<sup>12</sup> (Enclosure 1 of OPG's application). Applying subrules 12(3)(b) and 12(3)(c) of the Rules, the Commission orders that the publication and disclosure of *Pickering Component Storage Structure Safety Assessment* be prohibited.

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<sup>6</sup> "Aboriginal" is the term used in this document when referring to the Crown's duty to consult as that is the term used in s. 35 of the *Constitution Act, 1982*. In all other cases, "Indigenous" is the preferred terminology and used accordingly.

<sup>7</sup> *Haida Nation v. British Columbia (Minister of Forests)*, 2004 SCC 73; *Taku River Tlingit First Nation v. British Columbia (Project Assessment Director)*, 2004 SCC 74.

<sup>8</sup> *Notice of Hearing in Writing and Participant Funding*, CNSC, September 18, 2024.

<sup>9</sup> *Revised Notice of Hearing in Writing and Participant Funding*, CNSC, February 17, 2025.

<sup>10</sup> Pursuant to section 22 of the NSCA.

<sup>11</sup> Pursuant to subrule 12(1) of the [\*Canadian Nuclear Safety Commission Rules of Procedure\*](#).

<sup>12</sup> *Pickering Component Storage Structure Safety Assessment*, 92896-REP-01320-00019 R002.

### CNSC Participant Funding Program

10. The Commission has established a Participant Funding Program (PFP) to facilitate the participation of Indigenous Nations and communities, members of the public and interested parties in Commission proceedings.<sup>13</sup> In September 2024, up to \$75,000 in funding to participate in this hearing process was made available through the CNSC's PFP. A Funding Review Committee (FRC), independent of the CNSC, reviewed the funding applications received and made recommendations on the allocation of funds. Based on the recommendations from the FRC, the CNSC [awarded a total of \\$51,920.00 to 3 applicants.](#)

## **2.0 DECISION**

11. The Commission amends<sup>14</sup> the waste facility operating licence WFOL-W4-350.00/2028 issued to Ontario Power Generation for its Pickering Waste Management Facility located in Pickering, Ontario. The amended licence, WFOL-W4-350.01/2028, remains valid until August 31, 2028.
12. The Commission includes in the licence the conditions recommended by CNSC staff.<sup>15</sup> Specifically, the Commission:
  - Amends licence WFOL-W4-350.00/2028, paragraph (iv) of Part IV for Licensed Activities to:

*“(iv) carry out the site preparation, construction, or construction modifications at the facility associated with the authorized low & intermediate level waste storage building, and authorized additional used fuel processing and storage buildings, when completion will result in a total of no more than 1 low & intermediate-level waste storage building, 1 dry storage container processing building, and 6 used fuel dry storage buildings;”*
  - Amends WFOL-W4-350.00/2028 licence condition 15.1 to:

*“The licensee shall not carry out the activities referred to in paragraph (iv) of Part IV of this licence without the submission of an environmental management plan, a construction verification plan, and the project design requirements, and without prior written acceptance from the Commission or a person authorized by the Commission.”*

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<sup>13</sup> Pursuant to paragraph 21(1) (b.1) of the NSCA.

<sup>14</sup> Pursuant to section 24 of the NSCA.

<sup>15</sup> See CMD 25-H101, “Proposed Licence Changes.”

13. The Commission delegates authority for administration of licence condition 15.1 to the following CNSC staff:
  - Director, Wastes and Decommissioning Division
  - Director General, Directorate of Nuclear Cycle and Facilities Regulation
  - Executive Vice-President and Chief Regulatory Operations Officer, Regulatory Operations Branch
14. With this decision, the Commission directs CNSC staff to update the licence conditions handbook for the PWMF as described in Part 2 of CMD 25-H101.
15. Details of the Commission's rationale, and its consideration of information submitted in relation to this matter, will be presented in a detailed *Record of Decision*, to be published at a later date.

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Pierre F. Tremblay  
President  
Canadian Nuclear Safety Commission

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July 24, 2025

Date

## Appendix A – Intervenors

<b>Intervenors</b>	<b>Document Number</b>
North American Young Generation in Nuclear – Durham Chapter	<a href="#"><u>CMD 25-H101.2</u></a>
Kinectrics Inc.	<a href="#"><u>CMD 25-H101.3</u></a>
City of Pickering and the Canadian Association of Nuclear Host Communities	<a href="#"><u>CMD 25-H101.4</u></a>
Mississaugas of Scugog Island First Nation	<a href="#"><u>CMD 25-H101.5</u></a>
Coalition for Responsible Energy Development in New Brunswick	<a href="#"><u>CMD 25-H101.6</u></a>
Juan Pedro Unger	<a href="#"><u>CMD 25-H101.7</u></a>
Curve Lake First Nation	<a href="#"><u>CMD 25-H101.8</u></a>
Christine Drimmie	<a href="#"><u>CMD 25-H101.9</u></a>
Northwatch	<a href="#"><u>CMD 25-H101.10</u></a>