Canada's Nuclear Regulator

Guide to the Requirements for Public Information and Disclosure

GD-99.3

November 2010

DRAFT

Canadian Nuclear Safety Commission
Commission canadienne de sûreté nucléaire

Canada

Guide to the Requirements for Public Information and Disclosure
Draft Guidance Document GD-99.3

© Minister of Public Works and Government Services Canada 20XX
Catalogue number XXXXX
ISBN XXXXX

Published by the Canadian Nuclear Safety Commission (CNSC)
Catalogue number: INFO-XXXX

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Également publié en français sous le titre de : Guide des exigences relatives à l'information et à la divulgation publiques

Document availability
This document is available in English and French on the CNSC Web site at nuclearsafety.gc.ca
A paper copy of the document in either official language can be ordered from:

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Publishing history:
November 2010 Edition 1.0
Draft edition for public consultation

Preface

A public information and disclosure program is a regulatory requirement for licensees and licence applicants of Class I and Class II nuclear facilities, and uranium mines and mills for all phases of the lifecycle. GD-99.3, *Guide to the Requirements for Public Information and Disclosure* serves as a companion to RD-99.3, *Requirements for Public Information and Disclosure*, which defines the requirements for a public information and disclosure program.

GD-99.3 contains guidance, explanatory information and principles to assist users in meeting the requirements of RD-99.3, such as the level of detail required for each public information and disclosure program element and the types of information or report to be made public. It is intended that the public be informed in a timely and appropriate manner. Guidance is also provided on the type of information that licensees and licence applicants are to disclose to the public and target audiences.

GD-99.3 is intended to assist Canadian Nuclear Safety Commission (CNSC) licensees and licence applicants in documenting and implementing their public information and disclosure programs in a manner that will satisfy the applicable CNSC regulations.

This guidance document and RD-99.3 are also intended to be used by CNSC staff in assessing documentation submitted as part of an application for a new CNSC licence, licence renewal and compliance verification.

This document is a part of a suite of regulatory documents providing event and routine compliance monitoring reporting requirements, and the public information and disclosure requirements for nuclear facilities. Each regulatory document is accompanied by a complementary guidance document.

Together, RD-99.3 and GD-99.3 replace Regulatory Guide G-217, *Licensee Public Information Programs*.

Table of Contents

1. Introduction ... 3

1.1 Purpose ... 3

1.2 Scope ... 3

1.3 Relevant legislation and regulations ... 3

2. Public Information Programs ... 4

2.1 Overview ... 4

2.2 Program elements ... 4

2.2.1 Objectives ... 4

2.2.2 Target audience ... 4

2.2.3 Public and media opinion ... 5

2.2.4 Public information strategy and products ... 5

2.2.5 Public disclosure protocol ... 6

2.2.6 Program evaluation and improvement process ... 6

2.2.7 Contact information ... 7

2.2.8 Reports to the CNSC ... 7

2.3 Public disclosure protocol requirements ... 7

2.3.1 Requirements of a public disclosure protocol ... 7

2.3.2 Public disclosure notification ... 8

2.4 Documents and records ... 8

Appendix A ... 9

Additional Information ... 10

Guide to the Requirements for Public Information and Disclosure

1. Introduction

1.1 Purpose

This guidance document provides guidance on the development and implementation of the Canadian Nuclear Safety Commission (CNSC) requirements for public information and disclosure programs set out in RD-99.3, *Requirements for Public Information and Disclosure.* It is intended to help licensees and licence applicants to document and implement their public information and disclosure programs in a manner that will satisfy the applicable regulatory requirements. It also provides details on the types of information that nuclear facility licensees and licence applicants are to disclose to the public.

This document is also intended to assist CNSC staff in assessing the public information and disclosure program for a new CNSC licence, a licence renewal or continuing compliance verification.

1.2 Scope

This guidance document applies to Class I and Class II nuclear facilities, and uranium mines and mills. It provides guidance on how licensees and licence applicants can meet the regulatory requirements contained in RD-99.3, *Requirements for Public Information and Disclosure*, by providing explanatory information, process and procedural guidance and examples of good practice currently in use in the nuclear sector.

1.3 Relevant legislation

A public information and disclosure program is a regulatory requirement for licence applicants and licensed operators of Class I and Class II nuclear facilities, and uranium mines and mills. The requirements for public information and disclosure programs are stated in the following regulations:

- paragraph 3(j) of the *Class I Nuclear Facilities Regulations*: "…the proposed program to inform persons living in the vicinity of the site of the general nature and characteristics of the anticipated effects on the environment and the health and safety of persons that may result from the activity to be licensed."

- paragraph 3(r) of the *Class II Nuclear Facilities and Prescribed Equipment Regulations*: "…the program to inform persons living in the vicinity of the site of the general nature and characteristics of the anticipated effects on the environment and the health and safety of persons that may result from the nuclear facility."

- sub-paragraph 3(c)(i) and paragraph 8(a) of the *Uranium Mines and Mills Regulations*: "…the program to inform persons living in the vicinity of the mine or mill of the general nature and characteristics of the anticipated effects of the activity to be licensed on the environment and the health and safety of persons" and "…the program to inform persons living in the vicinity of the site of the mine or mill of the general nature and characteristics of the anticipated effects of the abandonment on the environment and the health and safety of

persons."

2. Public Information Programs

2.1 Overview

The public information and disclosure program is developed taking into consideration:

- the type of facility and activities being regulated
- the risks to public health and safety and the environment posed by the facility or activity
- the level of public interest or concern

The program should be detailed enough to ensure that target audiences affected by and interested in the licensed facilities and activities are informed on a timely basis about operations, activities, and anticipated effects on the environment and the health and safety of persons.

Licensees and licence applicants of facilities and activities that are determined to be of low risk may not require a complex and detailed public information and disclosure program to inform the surrounding communities of their activities. For example, certain Class II licensees, such as hospital nuclear medicine facilities and cancer treatment centres, by the size and nature of the nuclear materials and activities they engage in, may not need to have a formal public information and disclosure program.

The public information and disclosure program should be managed to ensure that it continues to meet its corporate, policy, social and legal objectives. Where a licensee has a management system, the program should be managed as part of that system.

2.2 Program elements

The following guidance is provided to assist licensees and licence applicants to fulfill the program requirements set out in RD-99.3, *Requirements for Public Information and Disclosure*.

An outline for public information and disclosure program submissions to the CNSC can be found in Appendix A.

2.2.1 Objectives

Licensees and licence applicants should establish the objectives of the public information and disclosure program in broad terms. Objectives should be measurable and are often best explained within the context of an overall corporate objective. For example, a corporate vision, mandate or mission statement, or a specific communications policy, may help describe the objectives of the public information and disclosure program.

2.2.2 Target audience

Licensees and licence applicants should clearly define the target audiences for the public information and disclosure program. Target audiences include the general population of the local community and other communities impacted by the licensee's nuclear facility and related activities. This should include key opinion and political leaders, community and media groups, interveners, and any identified (and possibly impacted) Aboriginal groups. The size and variety of

these audiences depends on the type and location of the facility and activities, and the geographic vicinity of the community population.

While those persons who live in close proximity to a nuclear facility usually comprise the primary target audience, the CNSC encourages licensees and licence applicants to employ a broad and inclusive interpretation of "persons living in the vicinity" to ensure that information reaches all interested parties. For example, although they are not permanent residents of the community, faculty members and students living and working on a campus where there is a research reactor would be a potential audience for information about the anticipated effects of a licensed activity.

2.2.3 Public and media opinion

Licensees and licence applicants should also clearly identify and describe community and public views, opinions and concerns. This information can be obtained through public opinion polling, surveys or analysis of media coverage. In addition, letters from the public or stakeholders received directly by licensees and licence applicants may also identify community and stakeholder perceptions and opinions.

The media may reflect and influence public opinion. Therefore, the media analysis should describe the amount and nature of any media coverage related to the facility or activity, and the media involved (e.g., television, print, blogs and other social media). In addition, this section should describe the support or concern that has been expressed with relation to the licence application, licensed facility or activity.

The views of the public and media regarding the facility and related activities may influence the communications tools and information utilized by licensees to deliver an effective public information and disclosure program.

Efforts taken by licensees and licence applicants to obtain public and media views should be commensurate with the complexity of the design, construction and operation of the nuclear facility and activities being licensed, the risks to the health and safety of persons and the environment associated with the facility and activities, and the level of public interest they generate.

2.2.4 Public information strategy and products

The public information and disclosure program should provide open and transparent means and access for the public to obtain operational, environmental and safety information about the licensed facility or activities.

The public information strategy and related products should include the following:

- information products that will be developed
- samples of the information products (if available)
- methods used to distribute the information
- how the information will address the anticipated effects of the licensed activity on health, safety and the environment
- how specific target audiences will be reached

- how licensees and licence applicants will respond to and record comments, questions or concerns expressed by the target audiences
- timelines for releasing information, in accordance with the public disclosure protocol

In developing the program's communication strategies and products, licensees and licence applicants may consider the following methods to ensure that the message received by the public is as intended:

- communicating information using modern electronic means, such as the Internet or social media, where possible, but also using printed material where necessary or applicable
- ensuring information is presented in a manner that is understandable to the public, preferably using plain, non-technical language, e.g., radiation exposure relative to natural background levels or single chest x-ray exposure
- providing the public with easy access to licensee and licence applicant contact names so they can communicate verbally, electronically or in writing for additional information

Information related to the public information and disclosure program of the licensee or applicant should be readily accessible to the public. Licensees and licence applicants are encouraged to employ multiple communications vehicles to enhance public understanding of the information (e.g., Web site, social networking, press releases, internal newsletters/intranets, posters or other print material). Where applicable, the preferred option is to post the information on the licensee's and licence applicant's Web site.

2.2.5 Public disclosure protocol

The public disclosure protocol describes the information and the medium of disclosure in regards to information and reports of interest to the public for routine and non-routine situations, events and activities.

Guidance on the reporting requirements under the public disclosure protocol is provided in section 2.3.

2.2.6 Program evaluation and improvement process

Describe the proposed method and the timelines for:

- evaluating the success of the public information and disclosure program in meeting the stated objectives
- the measures implemented to improve its effectiveness

The evaluation method may include, but is not limited to, surveys of the surrounding communities to gauge changes in public interest in, and perceptions of, the facility or activities, including Web site traffic trending, frequency of Web site hits, benchmarking against similar licensees and licence applicants, and volume trending of calls, emails and letters.

Samples of information materials produced and disseminated, with a detailed description of public information and disclosure activities undertaken, should be provided when reporting on public information and disclosure activities. These samples are essential components of program reviews, improvement planning and compliance verification.

2.2.7 Contact information

Provide contact information for the person(s) responsible for the public information and disclosure program.

2.2.8 Reports to the CNSC

Information contained in reports and other documents submitted to the CNSC are accessible to the public in accordance with the *Access to Information Act* and the *Privacy Act* with the exception of any information exempt from public release, such as commercially confidential, prescribed or personal information. The CNSC's practice is to make such information available upon request, after consultation with the licensees and licence applicants.

Licensees and licence applicants should provide copies of reports listed in section 2.3 upon request, within a reasonable timeframe. A 30-day period for providing copies of reports would be considered reasonable for shorter, less complex reports not containing sensitive information. For larger, more complex reports, including those containing sensitive information, more time may be needed. However, such information should be provided no later than 60 days after receipt of the request.

An outline for public information and disclosure program submissions to the CNSC can be found in Appendix A.

2.3 Public disclosure protocol requirements

2.3.1 Requirements of a public disclosure protocol

Licensees and licence applicants should strive to be open and transparent in their relations with community representatives, target audiences and the public. They should seek to gain an understanding of what information the public wishes to know.

In developing the protocol, licensees and licence applicants should adhere to the communication strategies and products documented in the public information and disclosure program.

The public disclosure protocol should be readily accessible to the public and, where applicable, the preference is for it to be posted on the licensee's or licence applicant's Web site.

The disclosure protocol should explain what information will be released, how it will be released and the target timeframe for its release.

Depending on the type of facilities/activities and interests of the target audience, the information to be disclosed may include (but is not limited to):

- significant operational developments such as labour disputes and expansion or changes in facility design
- extended facility outages and reasons for the outage
- quarterly performance reports
- emergencies

- events with offsite effects or which could result in public interest and concern or media attention
- fires
- impact of natural events such as earthquakes, floods, lightning
- serious vehicle or industrial accidents
- planned and unplanned significant interruptions to facility operations, such as interruptions of power generation for nuclear power plants and isotope production for radioisotope production facilities

2.3.2 Public disclosure notification

Licensees and licence applicants are expected to keep the CNSC informed about public disclosures made under their protocol. However, this is not intended as a further reporting requirement under RD-99.1, *Reporting Requirements for Operating Nuclear Power Plants: Events.*

Copies of public information disclosed that are sent to the CNSC should be sent to the appropriate point of contact with the subject title: PUBLIC DISCLOSURE – [facility name, date of disclosure and any planned follow-up, if required].

2.4 Documents and records

Documents and records provide an organization with a means to manage and meet its corporate, business, social, legal, regulatory, and other objectives and requirements.

Documents and records describing the public information and disclosure program are maintained for continuing management controls, independent review, submission with a licence application, and for subsequent compliance verification.

Documents and records on public information and disclosure activities should be readily available upon request. Reporting to the CNSC on these activities should be aligned with the licence conditions on reporting requirements for the licensee.

Appendix A
Outline for Public information and disclosure program Submissions

The following outline is intended to assist licence applicants in documenting their public information and disclosure programs for submission to the CNSC. In order for the CNSC to make a full evaluation, this documentation should include the following elements of the program:

- objectives
- target audience(s)
- public and media opinion
- public information strategy and products
  a) information products that will be developed and the status of their development
  b) samples of the information products
  c) methods used to distribute the information
  d) how the information will address the anticipated effects of the licensed activity on the environment
  e) how the information will address the anticipated effects of the licensed activity on health and safety
  f) how specific target audiences will be reached
  g) how the applicant will respond to comments, questions or concerns expressed by the target audiences
- public disclosure protocol
- program evaluation and improvement process
- contact information
- reports to the CNSC

Additional Information

The following legislation and regulations are relevant to this guidance document:

- *Nuclear Safety and Control Act*, S.C., 1997, c.9
- *Class I Nuclear Facilities Regulations*, SOR/2000-204
- *Privacy Act*, 1980-81-82-83, c. 111
- *Access to Information Act*, R.S., 1985, c. A-1

The following document contains additional information that may be of interest to persons involved in public information and disclosure programs:

- RD-99.3, *Requirements for Public Information and Disclosure*, 2011