



VIA EMAIL

November 9, 2016

Mr. Brian Torrie  
Director General  
Regulation Policy Directorate  
Canadian Nuclear Safety Commission  
280 Slater Street  
P.O. Box 1046, Station B  
Ottawa, ON K1P 5S9

Dear Mr. Torrie:

**Re: Comments on REGDOC-3.1.2 Reporting Requirements for Non-Power Reactor Class 1 Nuclear Facilities and Uranium Mines and Mills**

AREVA Resources Canada Inc. (AREVA) has reviewed and prepared comments on the draft REGDOC-3.1.2 *Reporting Requirements for Non-Power Reactor Class 1 Nuclear Facilities and Uranium Mines and Mills* (REGDOC). AREVA supports the effort to establish a document that consolidates and clarifies reporting requirements, including the types of events that require reporting, reporting frequencies and applicable timeframes for providing reports to the Canadian Nuclear Safety Commission (CNSC). To assist in achieving the intention of the document AREVA has participated with industry discussions and is providing the following feedback to further improve the REGDOC.

- Risk-Informed Approach: The intention of the REGDOC described in the preface is to establish a modern, risk-informed approach to reporting requirements. AREVA supports this intention but observes that many of the requirements for reporting which unnecessarily heighten the perception of risk in the nuclear industry are codified within the regulations made pursuant to the *Nuclear Safety Control Act* (NSCA), limiting the opportunity in the REGDOC to meet the desired intent, resulting in such unfortunate statements as “Table A of the REGDOC provides a list of situations and events that must be reported regardless of their safety significance”. The REGDOC should take the opportunity where available to risk-inform reporting.

**AREVA Resources Canada Inc.**

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- Annual Compliance Monitoring Report: The REGDOC identifies annual reports “should include all of the information listed in Appendix B, as applicable”. Annual reporting for uranium mines and mills is prepared according to the document *CNSC-Saskatchewan Harmonized Annual Reporting Requirements*, August 2010, issued jointly by the Canadian Nuclear Safety Commission, Saskatchewan Ministry of Environment and Saskatchewan Ministry of Labour Relations and Workplace Safety. AREVA appreciates that the flexibility is allowed for integrated/harmonized reporting and considers the jointly issued requirements as the appropriate vehicle for defining what is applicable for mines and mills annual reporting.
  - AREVA recommends that annual compliance reporting requirements address only previous year’s compliance with regulatory requirements. The CNSC should remove requirements for forward-looking statements related to future improvement plans and significant changes.
  - Table A of the REGDOC has identified various reporting requirements which are anchored in regulations; Appendix B would benefit from similarly identifying the requirements for compliance reporting which are anchored in regulation or licence conditions for the purposes of regulatory compliance.
- Action Level Reporting: Section 4.3 should acknowledge that action level reporting schemes are described in codes of practices established for radiation and environmental protection at uranium mines and mills.
- Duty Officer reporting: AREVA appreciates that flexibility in developing facility-specific reporting schemes has been identified within Section 2 and believes that development of these schemes will better risk-inform reporting to the Commission. We observe in the guidance on page 4 of the draft, the CNSC has identified events which should be considered emergencies. To better risk-inform reporting we recommend the CNSC take the opportunity to better consider emergency situations. We have typically considered events which are immediately dangerous to life or health (IDLH) as emergencies. We observed that the CNSC has broadened the regulatory reporting requirement by perhaps paraphrasing *General Nuclear Safety and Control Regulations* (GNSCR) Section 29(1)(c) and *Nuclear Substances and Radiation Devices Regulations* (NSRDR) Section 38(1)(e), identifying “an unplanned spill or release” as an emergency requiring reporting. Our experience is that, while these events are unfortunate, they seldom constitute an emergency. Reporting many of these events unduly heightens the perception of risk in the nuclear industry when most such events result in no impact to the environment or the health and safety of persons. Similarly, the “activation of a site emergency plan” is rarely the result of an emergency as the threshold for activating emergency personnel on site is very



precautionary. We recommend that the REGDOC take the opportunity to provide additional guidance around the GNSCR Section 29(1)(d) requirement to reduce valueless reporting. Reporting burden is a disincentive to low response thresholds. Subsequent to receiving the expectation that “when an event or incident triggers actions under emergency response programs, even if it is a false alarm, ... licensees are required to report to the CNSC directly through the Duty Officer” (Tadros to Huffman, June 2016) it should be observed that most alarms from our McClean Lake facility which trigger response programs are false alarms.

- Disclosure Protocol: Section 2, page 5 indicates that licensees should use the situation or event reporting according to the REGDOC as an input into their disclosure protocol. AREVA suggests that this paragraph be removed. Licensees should adhere to their Public Information Programs and Disclosure Protocol developed in accordance with ex RD/GC 99.1.
- Reporting Timelines: Section 29(2) of the GNSCR specifies that a full report regarding a situation referred to in section 29(1) must be provided within 21 days, unless otherwise specified in the licence. Table A of the REGDOC identifies situations and events for which a report or notification is required under Section 29 of the GNSCR as requiring a full report within 60 days. Clarification is required as to whether reference of the REGDOC in a facility’s licence satisfies the specification clause allowing licensees to adopt reporting periods stated in the REGDOC.

AREVA appreciates the effort to consolidate and clarify reporting requirements, but the REGDOC should go further in risk-informing reporting to the commission. If you have any questions, please contact the undersigned at [dale.huffman@areva.com](mailto:dale.huffman@areva.com) or (306) 343-4058.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Dale Huffman'.

Dale Huffman  
VP Health, Safety, Environment and Regulatory Relations