

September 25, 2017

NK21-CORR-00531-13849
NK29-CORR-00531-14511
NK37-CORR-00531-02849

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

Dear Mr. Torrie:

Bruce Power comments on REGDOC-3.2.1, Public Information and Disclosure

The purpose of this letter is to provide feedback on REGDOC-3.2.1, which sets requirements for public information disclosure for licensees and applicants.

Although this is largely a rebranding of RD/GD-99.3 into a Regulatory Document as part of the CNSC's document migration project, we appreciated the opportunity to cast fresh eyes on the document along with our industry peers. The republication of this document is an opportune time for the CNSC to consider refinements and improvements and have offered several suggestions for your consideration in the attachment to this letter.

If you require further information or have any questions regarding this submission, please contact Steve Cannon, Senior Strategist, Nuclear Oversight and Regulatory Affairs, at (519)-361-6559, or steve.cannon@brucepower.com.

Yours truly,



Frank Saunders
Vice President Nuclear Oversight and Regulatory Affairs
Bruce Power

cc: CNSC Bruce Site Office (Letter only)
K. Owen-Whitred, CNSC Ottawa
S. Simic, CNSC, Ottawa

Attach.

Attachment A

Bruce Power comments on REGDOC-3.2.1, Public Information and Disclosure

Bruce Power comments on REGDOC-3.2.1, Public Information and Disclosure

#	Document/ Excerpt of Section	Industry Issue	Suggested Change (if applicable)	Major Comment/ Request for Clarification ¹	Impact on Industry, if major comment
1.	Title	Industry recognizes the CNSC has added 'Public and Aboriginal engagement' to the title of this document to identify it as one element in its series of regulatory documents on this subject.	Recognizing that potential confusion exists whenever requirements on a single subject reside in more than one regulatory document, industry encourages the CNSC to thoroughly map REGDOC-3.2.1 against REGDOC 3.2.2 to ensure requirements align and are not duplicated.	Request for Clarification	
		While appropriate, there is a potential for confusion and inconsistencies since requirements for Aboriginal interfaces are also detailed in REGDOC-3.2.2: <i>Aboriginal Engagement</i> .	A similar concern is expressed in comment #3.		
2.	2.2.2	This republication is an opportune time for the CNSC to refine this section, which requires licensees to define target audiences and the rationale for their <i>inclusion</i> while also providing the rationale for <i>excluding</i> groups interested in becoming part of the target audience. Excluding groups may have been necessary when <i>RD/GD-99.3</i> was first introduced and public information programs were in development. However, most of today's programs are mature and the need for exclusions seems unnecessary and unintentionally confrontational. If a target audience is properly identified and the criteria for doing so accepted by the CNSC, it should be readily apparent which audiences meet the criteria and why.	Amend the 1 st sentence to read, " <i>The public information program shall define the target audiences, and the rationale utilized for their inclusion.</i> " The program shall also document the rationale for exclusion of public sectors who explicitly have expressed interest in becoming part of the target audience.	Request for Clarification	

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3.	2.2.4	This document adds the requirement to post a summary of probabilistic safety assessments on licensee websites. This requirement is also included as guidance under Section 5 of REGDOC 2.4.2, <i>Safety Analysis: Probabilistic Safety Assessment</i> . Listing identical requirements in two different REGDOCs can result in inconsistencies and confusion.	It is suggested that a parking lot item be noted for the next update to REGDOC 2.4.2 to either delete Section 5: <i>Guidance on Public Disclosure</i> , or update it to strictly provide guidance on the contents of the PSA summary.	Request for Clarification	
4.	2.2.4	Industry is concerned the new requirement to post the full text of environmental risk assessments on licensee websites does not: <ol style="list-style-type: none"> 1. Properly address the public's need for contextual information in a usable, reader-friendly format. 2. Meet the very intent of this REGDOC, which the 3rd bullet on page 5 describes as ensuring "<i>information is presented in a manner that is understandable to the public, preferably using plain, non-technical language.</i>" 3. Respect the disclosure obligations licensees have with regard to protected or security-sensitive information. 	Amend the 2 nd sentence in the 1 st paragraph to read, " <i>As part of this program, if a licensee is required to conduct an environmental risk assessment (ERA) and/or a probabilistic safety assessment (PSA), the ERA and a summary of the PSA these assessments must be posted on the licensee's website.</i> " This would ensure the consistent application of posting requirements and public access to contextual, reader-friendly summaries of highly-technical material. As appropriate, licensees could provide fuller versions of the assessments - redacted to satisfy any legal disclosure obligations - to individual stakeholders upon request.	MAJOR	For some facilities, environmental risk and probabilistic safety assessments contain information that is either classified, discusses export-controlled nuclear technology or protected from disclosure under the <i>Access to Information Act</i> . In some cases, this material may provide a source of information that fosters a threat or informs a malicious act. As a result, this information would need to be redacted from the full document. In addition, ERAs and PSAs are highly technical and hundreds of pages in length. This makes them of little value to the general public and could lead to undue concern and confusion without further explanation or perspective. If licensees were to post summaries of both assessments, the technical information would be consistent, condensed and contextualized. This would help mitigate potential safety concerns and meet the REGDOC's intent to inform the public " <i>using plain, non-technical language</i> "

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5.	2.3.2	<p>This section encourages licensees to “gain an understanding of what information the public wishes to know,” but most of the examples provided as guidance come from a negative premise. This incorrectly suggests the public is primarily interested in information regarding unplanned events such as fires, earthquakes, industrial accidents, etc.</p> <p>This is not reflected in industry data on public inquiries, which confirms most information requests are related to subjects like employment opportunities or how nuclear energy is produced.</p>	<p>Industry suggests a more balanced list of examples be provided that accurately reflects “information the public wishes to know” and the need to provide information “linked to the public’s perception of risk.”</p> <p>In addition to the examples already provided in this REGDOC, the CNSC is encouraged to add some of the information requests licensees most often receive. These include:</p> <ul style="list-style-type: none"> • Employment opportunities • Safety initiatives/milestones • Emergency preparedness initiatives, including KI pill distribution. • How a nuclear power plant works • Sponsorship opportunities • Tour/visit inquiries • Site activities impacting traffic 	Request for Clarification	
6.	Glossary terms	<p>Several terms defined in this document’s Glossary are inconsistent with the definitions in REGDOC-3.6. <i>Glossary of CNSC Terminology</i>. For example, “Event” is defined in a preferable manner in REGDOC-3.6, which describes it as, “Any occurrence...potential consequences of which may be significant from the point of view of protection or safety.”</p>	<p>Remove the Glossary from this document and refer to the definitions in REGDOC-3.6. <i>Glossary of CNSC Terminology</i>.</p>	Request for Clarification	