



2017 September 28

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

COMPLIANCE  
Regulatory Affairs  
145-CNNO-17-0027-L

Dear Mr. Torrie:

**Canadian Nuclear Laboratories Comments on Draft REGDOC-3.2.1, Public Information and Disclosure**

Canadian Nuclear Laboratories (CNL) has reviewed the proposed REGDOC-3.2.1, Public Information and Disclosure and has consulted with its industry partners to produce a set of consolidated comments, which are presented in Attachment A.

CNL appreciates the opportunity to provide comments during the development of this regulatory document.

If you require further information or have any questions regarding this submission, please contact me as indicated below.

Yours sincerely,

Solly Karivelil, Manager  
Regulatory Affairs  
Phone: 613-584-3311, ext. 48021  
Email: [solly.karivelil@cnl.ca](mailto:solly.karivelil@cnl.ca)

SK/mj  
Attachment (1)

Canadian Nuclear Laboratories

Chalk River Laboratories  
286 Plant Road  
Chalk River, Ontario  
Canada K0J 1J0  
Telephone: 613-584-3311  
Toll Free: 1-866-513-2325

Laboratoires Nucléaires Canadiens

Laboratoires de Chalk River  
286, rue Plant  
Chalk River (Ontario)  
Canada K0J 1J0  
Téléphone: 613-584-3311  
Sans frais: 1-866-513-2325



UNRESTRICTED

c	J. LeClair (CNSC)	Consultations (CNSC)		
	S. Cotnam	D. Cox	K. Daniels	S. Faight
	J.D. Garrick	K. Kehler	H. Khartabil	T. Preisig
	P. Quinn	J. Stone	R. Swartz	J. West
	>CR CNSC Site Office	>CR Licensing		



**Attachment A**  
**Canadian Nuclear Laboratories Comments on Draft REGDOC-3.2.1, Public Information and Disclosure**

#	Document /Excerpt of Section	Industry Issue	Suggested Change (if applicable)	Major Comment/ Request for Clarification	Impact on Industry, if major comment
1.	<b>Title</b>	<p>CNL recognizes the CNSC has added “<i>Public and Aboriginal engagement</i>” to the title of this document to identify it as one element in its series of regulatory documents on this subject.</p> <p>While appropriate, there is a potential for confusion and inconsistencies since requirements for Aboriginal interfaces are also detailed in <i>REGDOC-3.2.2: Aboriginal Engagement</i>.</p>	<p>Recognizing that potential confusion exists whenever requirements on a single subject are listed in more than one Regulatory Document, CNL encourages the CNSC to thoroughly map <i>REGDOC-3.2.1</i> against <i>REGDOC 3.2.2</i> to ensure requirements align and are not duplicated.</p> <p>A similar concern is expressed in comment #3.</p>	Request for Clarification	
2.	<b>2.2.2</b>	<p>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.</p>	<p>Amend the 1<sup>st</sup> sentence to read, “<i>The public information program shall define the target audiences, and the rationale utilized for their inclusion.</i>” <del><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.</i></del>”</p>	Request for Clarification	



UNRESTRICTED

#	Document /Excerpt of Section	Industry Issue	Suggested Change (if applicable)	Major Comment/ Request for Clarification	Impact on Industry, if major comment
		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.			
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 <i>REGDOC-2.4.2, 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 <i>REGDOC-2.4.2</i> to either delete <i>Section 5: Guidance on Public Disclosure</i> , or update it to strictly provide guidance on the contents of the PSA summary.	Request for Clarification	



UNRESTRICTED

#	Document /Excerpt of Section	Industry Issue	Suggested Change (if applicable)	Major Comment/ Request for Clarification	Impact on Industry, if major comment
4.	2.2.4	<p>CNL is concerned that the new requirement to post the full text of environmental risk assessments on licensee websites does not:</p> <ol style="list-style-type: none"> <li>1. Properly address the public's need for contextual information in a usable, reader-friendly format.</li> <li>2. Meet the very intent of this REGDOC, which the 3<sup>rd</sup> bullet on page 5 describes as ensuring "information is presented in a manner that is understandable to the public, preferably using plain, non-technical language."</li> <li>3. Respect the disclosure obligations licensees have with regard to protected or security-sensitive information.</li> </ol>	<p>Amend the 2<sup>nd</sup> sentence in the 1<sup>st</sup> paragraph to read, "As part of this program, if a licensee is required to conduct an environmental risk assessment (ERA) and/or a probabilistic safety assessment (PSA), <del>the ERA and a summaries of the PSA</del> <b>these assessments</b> must be posted on the licensee's website."</p> <p>This would ensure the consistent application of posting requirements and public access to contextual, reader-friendly summaries of highly-technical material.</p> <p>As appropriate, licensees could provide fuller versions of the assessments - redacted to satisfy any legal disclosure obligations - to individual stakeholders upon request.</p>	<b>MAJOR</b>	<p>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.</p> <p>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.</p> <p>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 "using plain, non-technical language".</p>



UNRESTRICTED

#	Document /Excerpt of Section	Industry Issue	Suggested Change (if applicable)	Major Comment/ Request for Clarification	Impact on Industry, if major comment
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 inquires, which confirms most information requests are related to subjects like employment opportunities or how nuclear energy is produced.</p>	<p>CNL 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"> <li>• Employment opportunities</li> <li>• Safety initiatives/milestones</li> <li>• Emergency preparedness initiatives, including KI pill distribution.</li> <li>• How a nuclear power plant works</li> <li>• Sponsorship opportunities</li> <li>• Tour/visit inquiries</li> <li>• Site activities impacting traffic</li> </ul>	Request for Clarification	



UNRESTRICTED

#	Document /Excerpt of Section	Industry Issue	Suggested Change (if applicable)	Major Comment/ Request for Clarification	Impact on Industry, if major comment
6.	<b>Glossary terms</b>	Several terms defined in this document's Glossary are inconsistent with the definitions in <i>REGDOC-3.6. Glossary of CNSC Terminology</i> . For example, "Event" is defined in a preferable manner in <i>REGDOC-3.6</i> , which describes it as, "Any occurrence...potential consequences of which <u>may be significant</u> from the point of view of protection or safety."	Remove the Glossary from this document and refer to the definitions in <i>REGDOC-3.6. Glossary of CNSC Terminology</i> .	Request for Clarification	