



Canadian Nuclear
Safety Commission

Commission canadienne
de sûreté nucléaire

Record of Proceedings, Including Reasons for Decision

In the Matter of

Applicant New Brunswick Power Nuclear Corporation

Subject Application to Amend the Point Lepreau Nuclear
Generating Station Power Reactor Operating
Licence

Hearing
Date August 26, 2011

RECORD OF PROCEEDINGS

Applicant: New Brunswick Power Nuclear Corporation

Address/Location: 122 County Line Rd., Maces Bay, New Brunswick, E5J 1W1

Purpose: Application to Amend the Point Lepreau Nuclear Generating Station Power Reactor Operating Licence

Applications received: December 31, 2009; August 20, 2010; September 3, 2010; September 21, 2010

Date of hearing: August 26, 2011

Location: Canadian Nuclear Safety Commission (CNSC) 280 Slater St., Ottawa, Ontario

Members present: M. Binder, Chair

Secretary: K. McGee

Recording Secretary: D. Major

Licence: Amended

Table of Contents

Introduction	1
Decision	1
Issues and Commission Findings	2
<i>Qualifications and Protection Measures</i>	2
Application of the <i>Canadian Environmental Assessment Act</i>	3
Conclusion	3

Introduction

1. New Brunswick Power Nuclear Corporation (NBPN) has applied to the Canadian Nuclear Safety Commission¹ (CNSC) for amendments to the Power Reactor Operating Licence for its Point Lepreau Nuclear Generating Station (PLNGS) located on the Lepreau Peninsula in New Brunswick. The current licence, PROL 17.00/2012, expires on June 30, 2012.
2. NB Power requested that the following updated documents be included in the licence: “Station Security Report”, “Nuclear Management Manual”, and “Point Lepreau Nuclear Generating Station Safety Report”. NB Power also requested that licence condition 13.8 be removed and one piece of equipment be deleted from Appendix H: Nuclear Substances and Prescribed Equipment, since it achieved certification and will be transferred to another licensee.

Issue

3. In considering the application, the Commission was required to decide, pursuant to subsection 24(4) of the *Nuclear Safety and Control Act*² (NSCA):
 - a) if NBPN is qualified to carry on the activity that the amended licence would authorize; and
 - b) if in carrying on that activity, NBPN 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.

Hearing

4. Pursuant to section 22 of the NSCA, the President of the Commission established a Panel of the Commission to review the application. The Commission, in making its decision, considered information presented for a hearing held on August 26, 2011 in Ottawa, Ontario. During the hearing, the Commission considered written submissions from CNSC staff (CMD 11-H117) and NBPN (CMD 11-H117.1).

Decision

5. Based on its consideration of the matter, as described in more detail in the following sections of this *Record of Proceedings*, the Commission concludes that New Brunswick Power Nuclear Corporation has met the conditions of subsection 24(4) of the NSCA. Therefore,

the Commission, pursuant to section 24 of the *Nuclear Safety and Control Act*, amends the Power Reactor Operating Licence PROL 17.00/2012 issued to New Brunswick Power Nuclear Corporation for its Point Lepreau Nuclear Generating Station located on the Lepreau Peninsula in New Brunswick. The amended licence, PROL 17.01/2012, is valid until June 30, 2012.

6. The Commission includes in the licence the conditions as recommended by CNSC staff in CMD 11-H117.

Issues and Commission Findings

Qualifications and Protection Measures

7. CNSC staff received a submission from NBPN requesting a licence amendment to Appendix B of the Point Lepreau PROL, to incorporate Revision 12 of the NBPN document "Station Security Report". CNSC staff reported that the proposed changes involve an update to contact names to reflect personnel changes and an update to the equipment listing to reflect normal purchases. CNSC staff suggested further changes to NBPN for future submissions. CNSC staff noted that NBPN implemented some of the changes to Revision 12, which are administrative only, and that two changes were reserved for a future revision. CNSC staff considers that the Security Report continues to be adequate.
8. Another change to Appendix B of the Point Lepreau PROL requested by NBPN is to incorporate Revision 6 of the NBPN document "Nuclear Management Manual". CNSC staff reported that the proposed changes are administrative in nature and included an update of the NB Power mission and vision statements, assignment of new incumbents to certain positions, deletion of one executive process and changes in the responsibilities and authorities to align with organizational changes. CNSC staff considers the proposed changes to be acceptable and the updated manual to be adequate.
9. CNSC staff received a request from NB Power for a licence amendment to transfer a radiation device to another licensee. CNSC staff noted that licence condition 13.8 relating to this request should have been removed when the device achieved certification. This licence condition became redundant at that time. The transfer of prescribed equipment listed in Appendix H of the licence is permitted as a licensed activity. Also, CNSC staff noted that reference to the radiation device in Appendix H of the licence should be deleted, since the device will be transferred once the licence condition is deleted.

10. NB Power requested an amendment to Appendix A of the Point Lepreau operating licence to incorporate the 2009 edition of the NBPN document "Point Lepreau Nuclear Generating Station Safety Report". CNSC staff noted that this change is administrative in nature. CNSC staff added that Regulatory Standard S-294 "Probabilistic Safety Assessment (PSA) for Nuclear Power Plants" requires the licensee to update the PSA models at least once every three years, and that the most recent models are described in the proposed Safety Report. CNSC staff completed its review of the Safety Report and considers the Report to be acceptable. CNSC staff noted that some analyses are still under detailed review, but CNSC staff acknowledges that the on-going Safety Report Improvement initiatives will resolve these issues. The Safety Report Improvement initiatives are conducted by a CANDU industry forum to identify improvements in safety analysis tools and methods requested by the CNSC.
11. CNSC staff has determined that the requested licence amendments are administrative in nature and that these changes will have no adverse impacts on Aboriginal or treaty rights. CNSC staff concluded that the Crown Duty to consult did not arise in relation to the proposed licence amendments.

Application of the *Canadian Environmental Assessment Act*

12. Before making a licensing decision, the Commission must be satisfied that all applicable requirements of the *Canadian Environmental Assessment Act*³ (CEAA) have been fulfilled.
13. CNSC staff reported that it had completed an Environmental Assessment (EA) determination. CNSC staff stated that there was no requirement for an EA pursuant to subsection 5(1) of the CEAA.

Conclusion

14. The Commission has considered the information and submissions of CNSC staff and NBPN and is satisfied that the requested amendments are administrative in nature and will not adversely impact the safety of the PLNGS. The Commission is also satisfied that aboriginal consultation is not necessary in relation to the proposed amendments.
15. The Commission is also satisfied that all applicable requirements of the CEAA have been fulfilled.



Michael Binder
President,
Canadian Nuclear Safety Commission

AUG 26 2011

Date