

1999-02-25

Minutes of the 286th Meeting of the Atomic Energy Control Board held in the Public Hearing Room, AECB Offices, 280 Slater Street, Ottawa, Ontario, Wednesday, February 24, 1999, beginning at 8:30 a.m.

Present:

Dr. A.J. Bishop, Chair
Dr. C.R. Barnes
Dr. Y.M. Giroux
Mr. A.R. Graham

Mr. P. Marchildon, Secretary
Mrs. A. Nowack, Acting Senior Counsel
Mrs. C. Ellyson, Recording Secretary

Absent:

Dr. A. J. Carty

Board staff advisers were J.D. Harvie, R.M. Duncan, R.E. Irwin, R.H. Cawthorn, M.B. Zgola, G.C. Jack, G. Bergeron, D. Enns, P. Nelson, J.G. Waddington, G.R. Schwarz, N.J.D Sawyer and G. Turcotte.

Chair and Secretary

1. The President took the chair and the Secretary of the Board acted as Secretary of the meeting with the Board Operations Officer acting as recording secretary.

Constitution

2. Notice of meeting having been properly given (BMD 99-15) and a quorum of Members being present, the meeting was declared to be properly constituted for the transaction of any business that might be brought before it.

3. The Secretary noted that since the meeting of January 28, 1999 Board Member Documents BMD 99-15 to BMD 99-27 had been distributed to Members. These documents are further detailed in Annex A of these minutes.

Adoption of Agenda

4. The updated agenda, BMD 99-16.1, was adopted as presented.

DECISION

Preliminary List of Agenda Items for the March 25, 1999, Board Meeting

5. Members received for information the preliminary list of agenda items for the next meeting of the Board, March 25, 1999. The Chair noted that the presentation of the Update on the radiography incident which occurred near Dryden, Ontario has been withdrawn and will be placed on the Agenda for the April 22, 1999 meeting; reference BMDs 99-17 and 99-17.1

Minutes of the 285th Meeting of the Board, January 28, 1999

6. On motion duly moved and seconded the Board approved the draft minutes of the 285th meeting with two amendments ; reference BMD 99-18:

DECISION

a) item 12 now reads:

“The Chair stated that Mr. Graham declared to her a possible perception of bias concerning NB Power since he was Minister of Natural Resources and Energy in the New Brunswick government from 1991 to 1998.

The Chair indicated that she has reviewed Mr. Graham’s declaration and agreed that he would not participate in discussions or decisions regarding any NB Power facilities until May 2000, when two years will have elapsed since he was Minister. (Mr. Graham left the meeting.)”

b) item 16, paragraph 4, sentence 6 now reads:

“The Chair indicated a concern expressed by nuclear regulators in Western nations about the effects of deregulation of electricity markets and that the ensuing competition will not result in a reduction in resources available for safety-related issues.”

Business Arising

7. The Board received for information the report on business arising from the previous minutes, as itemized in BMD 99-19.

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Significant Development Report

8. Members reviewed Significant Development Report No. 1999-2 with staff who provided updates; reference BMDs 99-20, 99-20.1 and attached overheads.

Uranium Facilities: AECB staff reported that the assessment and construction of the filter drain relating to the McClean Lake Project operated by COGEMA Resources Inc, Saskatoon, Saskatchewan has been reviewed by Board staff and accepted. A letter authorizing COGEMA Resources Inc. to initiate the proposed drain construction was issued February 22, 1999. AECB staff expect that the application for the licence amendment to allow the construction of the remainder of the tailings and water handling facilities at McClean Lake, which did not proceed on December 17, 1998, will be brought forward at the March 25, 1999 Board meeting .

Status of Legal Issues

9. Members reviewed with Acting Senior Counsel the report on the Status of Legal Issues; reference BMD 99-21.

Next meetings of the Board

10. The next meetings of the Board will be held, March 25, 1999, in Ottawa, Ontario, with a March 4 deadline for submissions and, April 22, 1999, in Ottawa, with an April 1 deadline for submissions.

Denison Mines Limited - Denison Mine Site Mining Facility

11. Members received for initial consideration a presentation from AECB staff on the request of Denison Mines Limited to amend the Mining Facility Decommissioning Licence for the Denison Mine Site located in Elliot Lake, Ontario, to reflect changes in the site boundary and outline the decommissioning work performed at the Denison Mine Facility; reference BMD 99-22.

The Chair noted that Denison Mines Limited will make a presentation on the subject at the April 22, 1999 Board meeting.

Members received for consideration a submission from B. Lloyd of Northwatch on the subject request; reference BMD 99-22.1

(Continued in item 17)

Denison Mines Limited - Stanrock Mine Site Mining Facility

12. Members received for initial consideration a presentation from AECB staff on the request of Denison Mines Limited to amend the Mining Facility Decommissioning Licence for the Stanrock Mine Site, Elliot Lake, Ontario, to amend the site boundary to encompass the area requiring continued regulation under the decommissioning licence; reference BMD 99-23.

Members received for consideration a submission from, B. Lloyd, Northwatch, on the subject request; reference BMD 99-23.1.

(Continued in item 18)

Cancer Care Ontario

13. Members received for initial consideration a presentation from AECB staff on the request of Cancer Care Ontario, Toronto, for an Accelerator Construction Approval; reference BMD 99-24.

(Continued in item 19)

AECB Cost Recovery Fees Regulations

14. Members reviewed with AECB staff their report and recommendation to give Approval in Principle to *Regulations Amending the AECB Cost Recovery Fees Regulations, 1996*; reference BMD 99-27 and attached overheads.

(Continued in item 20)

Radioactive Contamination of an Oil Lease in Alberta

15. Members received for information an update report on the radioactive contamination of an oil lease in Alberta which was first reported to the Board November 5, 1998; reference BMD 99-25 and attached overheads.

Advisory Committee on Nuclear Safety (ACNS)

16. Members received for information a presentation from A. Natalizio, ACNS, on the Review of Utility Staff Training and Certification; reference BMDs 99-26 and attached overheads.

(The meeting recessed from 10:20 a.m. to 10:35 a.m.)

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AECB staff gave a presentation on the AECB response to the ACNS report and outlined the training and certification regime for nuclear power plant operators; reference BMD 99-26.1 and attached overheads.

Responding to a question from the Chair, J. Brewer, Ontario Hydro, stated that the competency evaluation of individuals also includes competency to work in teams. Crew members not demonstrating competency were given training and if necessary removed from the team.

(The meeting continued in camera at 11:25 a.m.)

Denison Mines Limited - Denison Mine Site Mining Facility
(Continued from item 11)

17. Having received and heard the presentation and submission of AECB staff and submission of an intervenor, the Board accepted the AECB staff's conclusion that the proposal for amending the licence satisfactorily implements the Government of Canada response to the Federal Review Panel's assessment and recommendations, meeting the intent and purpose of the *Canadian Environmental Assessment Act*, and gave initial consideration to the application of Denison Mines Limited for an amendment to the existing Mining Facility Decommissioning Licence for the Denison Mine near Elliot Lake, Ontario.

INITIAL
CONSIDERATION

Denison Mines Limited - Stanrock Mine Site Mining Facility
(Continued from item 12)

18. Having received and heard the presentation and submission of AECB staff and submission of an intervenor, the Board accepted the AECB staff's conclusion that an environmental assessment under the *Canadian Environmental Assessment Act* is not required and gave initial consideration to the application of Denison Mines Limited for an amendment to the existing Mining Facility Decommissioning Licence for the Stanrock Mine near Elliot Lake, Ontario.

INITIAL
CONSIDERATION

Cancer Care Ontario (Continued from item 13)

19. Having received and heard the presentation of the AECB staff, the Board gave initial consideration to the application of Cancer Care Ontario, Toronto, for an Accelerator Construction Approval for the Windsor Regional Cancer Centre, Windsor, Ontario.

INITIAL
CONSIDERATION

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AECB Cost Recovery Fees Regulations (Continued from item 14)APPROVAL IN
PRINCIPLE

20. Having received and heard the presentation of the AECB staff, the Board approved in principle the *Regulations Amending the AECB Cost Recovery Fees Regulations, 1996*.

Next Meeting of the Board

21. The next meeting of the Board will be held in Ottawa, March 25, 1999.

Closing

22. The meeting closed on consensus at 11:50 a.m.

Chair

Recording Secretary

Secretary