

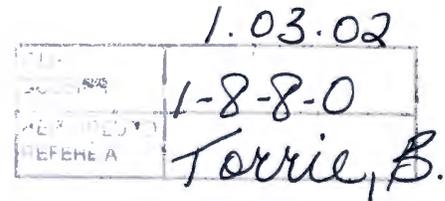


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### Canadian Nuclear Association Comments on REGDOC 1.1.3; Licence Application Guide: Licence to Operate a Nuclear Power Plant

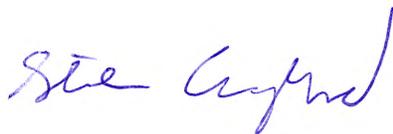
The Canadian Nuclear Association (CNA) is pleased to have the opportunity to comment on REGDOC 1.1.3. Our members include the operators of Canada's existing Nuclear Power Plants and the CNA is aware that those members intend to submit a list of detailed comments. This submission will limit itself to highlighting a few key points.

- While the CNA is supportive of the CNSC's attempt to provide guidance and clarity for this critical element of nuclear safety, we feel that the attempt to provide guidance for both new and renewing applications in a single document has inadvertently complicated this draft. It is our view that the CNSC and industry would be better served by creating two distinct documents. One a simplified version of this guide for renewals of existing nuclear power plants and the other a more detailed guide for first-time applicants.
- One of our concerns with the draft REGDOC is that there are numerous occasions within the document when the regulatory requirements listed are paraphrased from the Regulations, various REGDOCs and CSA standards. These requirements should not be paraphrased. It would be much simpler and clearer if the guidance document simply referred to the specific REGDOC or CSA standard without paraphrasing. This would make compliance easier and avoid confusion. This comment could be applied as a general rule for all guidance documents.
- In addition, this guide contains numerous examples where the CNSC has inappropriately created new regulatory requirements through a guidance document. A guidance document should not set requirements. Requirements should be set through regulations. Guidance documents should provide advice on the interpretation of the regulations. The two types of documents serve two distinct and different purposes and regrettably there is an increasing blurring of the roles of the two documents.

- While, the CNA supports the CNSC's attempt to ensure open and transparent submissions there is clearly some information that needs to remain protected or otherwise confidential. The REGDOC should recognize this and exempt this information from the guidelines. Similarly, the CNA feels it is inappropriate to give out direct contact information for senior staff to the public. Corporate contact information should be sufficient.
- Our members clearly acknowledge the need to comply with all applicable laws however we feel that the final paragraph of Section 1.3 needs to be revised. The way the paragraph currently reads, the onus is on the licensee to resolve conflicts between agencies. This put licensees in a difficult and unfair position as they clearly do not have the authority to do this. Our members are willing to work in a collaborative manner (and have historically done so) when jurisdictional issues arise but the onus should be on the CNSC to ensure new regulatory requirements are not in conflict with existing federal and provincial laws and regulations.
- CNA members feel REGDOC 2.3.2 Accident Management Version 2 needs to be removed from this guide. This version of the REGDOC inappropriately groups design basis events with severe accidents. These are two distinct entities and should not have combined requirements. Our members see no path to compliance with this document and suggest a workshop to discuss a path forward.
- The CNA would like to request a workshop to review industries comments. We believe that with some streamlining and clarifications this REGDOC can serve as a valuable tool for new licensees.

Thank you for providing us an opportunity to provide comments. Please feel free to contact me at 613-237-4262 should you require additional information.

Sincerely,



Steve Coupland  
Director, Regulatory and Environmental Affairs