

Record of Proceedings, Including Reasons for Decision

In the Matter of

Applicant Bruce Power Inc.

Subject Application to Amend the Power Reactor
Operating Licences for the Bruce A and B
Nuclear Generating Stations to Reflect
Administrative Changes

Hearing
Date May 2, 2008

RECORD OF PROCEEDINGS

Applicant: Bruce Power Inc.

Address/Location: P.O. Box 1540, B10, 4th Floor W., Tiverton, Ontario, N0G 2T0

Purpose: Application to Amend the Power Reactor Operating Licences for the Bruce A and B Nuclear Generating Stations to reflect administrative changes

Application received: January 4, 2008

Date of hearing: May 2, 2008

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

Members present: M. Binder, Chair

Secretary: K. McGee

Recording Secretary: M. Young

Licence: Amended
Date of release of Reasons for Decision: May 9, 2008

Table of Contents

Introduction	1
Decision	2
Issues and Commission Findings	2
<i>Qualifications and Protection Measures</i>	3
Application of the <i>Canadian Environmental Assessment Act</i>	4
Conclusion	4

Introduction

1. Bruce Power Inc. (Bruce Power) has applied to the Canadian Nuclear Safety Commission¹ (CNSC) for an amendment to its Power Reactor Operating Licences (PROLs) for its Bruce A and Bruce B Nuclear Generating Stations (NGSs), located in Tiverton, Ontario. The current licences are PROL 15.11/2009 for the Bruce A NGS and 16.12/2009 for the Bruce B NGS.
2. Bruce Power requested several administrative changes to Appendices A and B for both licences. The requested changes, which apply to either one or both licences, include the following:
 - correcting a typographical error in the reference to the Security Report in Appendix B of the Bruce A licence;
 - changing the phrase “level 3 security fence” to “protected area barrier” in Appendix A of both the Bruce A licence and the Bruce B licence;
 - formatting Parts II and III of Appendix A of the Bruce B licence to be consistent with the Bruce A licence;
 - updating Section 3.1 of Appendix B of the Bruce B licence to refer to Revision 11 of BP-OPP-00001, Operating Policies and Principles (OP&P) – Bruce B; and
 - changing the revision number of “BPMS Structural Change”, BP-PROC-00001 from Revision 8 to Revision 9 in Appendix B of both the Bruce A licence and the Bruce B licence.

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:
 - a) if Bruce Power is qualified to carry on the activity that the amended licence would authorize; and
 - b) if, in carrying on that activity, Bruce Power 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.

¹ The *Canadian Nuclear Safety Commission* is referred to as the “CNSC” when referring to the organization and its staff in general, and as the “Commission” when referring to the tribunal component.

² S.C. 1997, c. 9.

Hearing

4. The Commission, in making its decision, considered information presented for a hearing held on May 2, 2008 in Ottawa, Ontario. The hearing was conducted in accordance with the *Canadian Nuclear Safety Commission Rules of Procedure*³. During the hearing, the Commission considered written submissions from CNSC staff (CMD 08-H110) and Bruce Power (CMD 08-H110.1).

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 is of the opinion that Bruce Power is qualified to carry on the activity that the amended licences will authorize. The Commission is satisfied that Bruce Power, in carrying on that activity, will 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. Therefore,

the Commission, pursuant to section 24 of the *Nuclear Safety and Control Act*, amends PROL 15.11/2009, issued to Bruce Power Inc. for its Bruce A NGS, and PROL 16.12/2009, issued to Bruce Power Inc. for its Bruce B NGS, located in Tiverton, Ontario. The amended licences, PROL 15.12/2009 and PROL 16.13/2009, remain valid until March 31, 2009.

6. The Commission includes in the licence the conditions as recommended by CNSC staff in CMD 08-H110.

Issues and Commission Findings

7. In making its licensing decision, the Commission considered a number of issues relating to Bruce Power's qualification to carry out the proposed activities and the adequacy of the proposed measures for protecting the environment, the health and safety of persons, national security and international obligations to which Canada has agreed.

³ S.O.R./2000-211.

Qualifications and Protection Measures

Bruce A and Bruce B: Appendices A and B

8. Bruce Power requested that a typographical error be corrected in the reference to the Security Report in Appendix B of the Bruce A licence. CNSC staff noted that the current and correct reference to the Bruce A Security Report is NK21-REP-08160-00003, Revision 4.
9. Bruce Power also requested to change the phrase “level 3 security fence” in Part 1 of Appendix A of both the Bruce A licence and the Bruce B licence to “protected area barrier.” CNSC staff stated that the reason for this change was to update the licences with the current terminology used in the NSCA.
10. In addition, Bruce Power requested a minor formatting change to Appendix A, Parts II and III of the Bruce B licence in order to be consistent with the Bruce A licence. Bruce Power proposed that the list format be changed from letters (i.e., a), b), etc.) to bullets.

Bruce B: Appendix B, BP-OPP-00001

11. Bruce Power requested that Appendix B, Section 3.1 of the Bruce B licence be updated to refer to Revision 11 of BP-OPP-00001, Operating Policies and Principles (OP&P) – Bruce B. CNSC staff noted that the revisions to the OP&P included changes required to support the Demonstration Irradiation phase of the Bruce B New Fuel Project. CNSC staff stated that it approved the revisions.

Bruce A and Bruce B: Appendix B, BP-PROC-00001

12. Bruce Power requested to change the revision number of “BPMS Structural Change”, BP-PROC-00001, from Revision 8 to Revision 9. CNSC staff stated that the inclusion of the reference to Bruce Power’s change control procedure was necessitated by a previous licence amendment⁴.
13. CNSC staff stated that all of the requested changes are minor and administrative in nature.

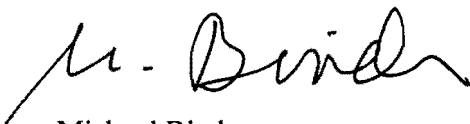
⁴ Refer to the Record of Proceedings on *Application to Amend the Power Reactor Operating Licences for the Bruce A and Bruce B Nuclear Generating Stations to Reflect the Removal of Organizational Documents and the Addition of Three New Licence Conditions*, hearing date January 15, 2008.

Application of the *Canadian Environmental Assessment Act*

14. Before making a licensing decision, the Commission must be satisfied that all applicable requirements of the *Canadian Environmental Assessment Act*⁵ (CEAA) have been fulfilled.
15. 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, as there is no "project", within the meaning of the CEAA, related to this amendment.
16. Therefore, the Commission is satisfied that all applicable requirements of the CEAA have been fulfilled.

Conclusion

17. The Commission has considered the information and submissions of Bruce Power and CNSC staff as presented in the material available for reference on the record.
18. The Commission is satisfied that the applicant meets the requirements of subsection 24(4) of the *Nuclear Safety and Control Act*. That is, the Commission is of the opinion that Bruce Power is qualified to carry on the activity that the amended licences will authorize and that it will 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.
19. The Commission therefore amends, pursuant to section 24 of the *Nuclear Safety and Control Act*, PROL 15.11/2009, issued to Bruce Power Inc. for its Bruce A NGS, and PROL 16.12/2009, issued to Bruce Power Inc. for its Bruce B NGS, located in Tiverton, Ontario. The amended licences, PROL 15.12/2009 and PROL 16.13/2009, remain valid until March 31, 2009.
20. The Commission includes in the licence the recommendations made by CNSC staff in CMD 08-H110.



Michael Binder,
President
Canadian Nuclear Safety Commission

Date of release of Reasons for Decision: May 9, 2008

⁵ S.C. 1992, c. 37.