



Canadian Nuclear  
Safety Commission

Commission canadienne  
de sûreté nucléaire

# Record of Proceedings, Including Reasons for Decision

In the Matter of

Applicant University of Toronto

Subject Application to Revoke the University of Toronto  
SLOWPOKE-2 Reactor Facility Abandonment  
Licence

Hearing  
Date February 24, 2012

## **RECORD OF PROCEEDINGS**

Applicant: University of Toronto.

Address/Location: 27 King's College Circle, Toronto, Ontario, M5S 1A1

Purpose: Application to Revoke the Univeristy of Toronto SLOWPOKE-2  
Reactor Facility Abandonment Licence

Application received: October 17, 2011

Date of hearing: February 24, 2012

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

Members present: M. Binder, Chair

Secretary: M. Leblanc  
Recording Secretary: D. Carrière

**Licence: Revoked**

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## **Introduction**

1. The University of Toronto has applied to the Canadian Nuclear Safety Commission<sup>1</sup> (CNSC) to revoke the Non-Power Reactor Abandonment Licence for the University of Toronto SLOWPOKE-2 Reactor Facility located on the St. George Campus in Toronto, Ontario.
2. The Decommissioning of the University of Toronto SLOWPOKE-2 Reactor Facility was completed in January 2001. Following a Public Hearing of the Commission on February 8, 2001, the University of Toronto was issued a Licence to Abandon. The University of Toronto is requesting that the Commission revoke the Licence to Abandon in order to release the facility from regulatory oversight.

## Issue

3. In considering the application, the Commission was requested to revoke the Abandonment Licence, pursuant to subsection 24(2) of the *Nuclear Safety and Control Act*<sup>2</sup> (NSCA).

## 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 February 24, 2012 in Ottawa, Ontario. During the hearing, the Commission considered written submissions from the University of Toronto (CMD 12-H105.1) and CNSC staff (CMD 12-H105).

## **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, pursuant to section 24 of the *Nuclear Safety and Control Act*, revokes the Non-Power Reactor Abandonment Licence NPRAL-SLP2-2017.00 issued to the University of Toronto for its SLOWPOKE-2 Reactor Facility located on the St. George Campus in Toronto, Ontario.

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<sup>1</sup> 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.

<sup>2</sup> Statutes of Canada (S.C.) 1997, chapter (c.) 9.

### **Issues and Commission Findings**

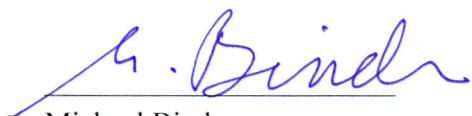
6. The University of Toronto has requested the revocation of their Licence to Abandon, as suggested by CNSC staff following identification that the licence remained in effect. CNSC staff explained that the intent of a Licence to Abandon is to release a decommissioned facility from regulatory oversight. CNSC staff reported that Licence Condition SG2 requires that the licence remain in effect until a written confirmation that access is no longer required by the IAEA is issued by the CNSC. CNSC staff stated that the IAEA confirmed the decommissioned status of the facility in 2001, but that CNSC staff never issued a letter to fulfill this licence condition.
7. CNSC staff reported having reviewed the licensee's application and reported that the University of Toronto has met the requirements of the NSCA and its Regulations for this proposal.
8. CNSC staff has determined that revoking the licence will have no adverse impact on potential or established Aboriginal or Treaty rights. CNSC staff stated that the duty to consult does not arise.

### **Application of the *Canadian Environmental Assessment Act***

9. Before making a licensing decision, the Commission must be satisfied that all applicable requirements of the *Canadian Environmental Assessment Act*<sup>3</sup> (CEAA) have been fulfilled.
10. 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**

11. The Commission has considered the information and submissions of the University of Toronto and CNSC staff and is satisfied that the University of Toronto has met the requirements of the NSCA and its Regulations. The Commission revokes the Licence to Abandon to release the University of Toronto SLOWPOKE-2 Reactor Facility from regulatory oversight.
12. The Commission is also satisfied that aboriginal consultation is not necessary in relation to the proposed licence revocation and that all applicable requirements of the CEAA have been fulfilled.



Michael Binder  
President,  
Canadian Nuclear Safety Commission

FEB 24 2012

Date

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<sup>3</sup> S.C. 1992, c. 37.