

Canadian Nuclear Safety Commission

2005-2006 Estimates

Part III – Report on Plans and Priorities

R. John Efford
Minister of Natural Resources Canada

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SECTION I – OVERVIEW

Message from the President and Chief Executive Officer



It is my pleasure to submit to Parliament, the Canadian Nuclear Safety Commission's Report on the Plans and Priorities for the years 2005-2008. This report represents a milestone for the Canadian Nuclear Safety Commission (CNSC) as it incorporates an integrated planning framework to guide our programs and activities in future years. In fact, the three year planning horizon in this report is actually significantly shorter than the horizon required by the CNSC to respond to the demands of regulatory oversight of the changing nuclear industry in Canada.

The mission of the CNSC is to regulate the use of nuclear energy and materials to protect health, safety, security and the environment and to respect Canada's international commitments on the peaceful use of nuclear energy. The importance of this mission has become even more important as the nuclear industry in Canada stands on the verge of rapid expansion. From the nuclear power reactors that produce electricity, to the mining and refining industry that produces uranium products, through to waste management facilities that handle all levels of radioactive waste, and to the health uses of radioactive sources, including cancer clinics, there is unprecedented demand across virtually all sectors of the Canadian nuclear industry for regulatory decision and oversight. At the same time, the CNSC is reinforcing its regulatory activities to respond to growing international concerns about nuclear proliferation and to assist in the implementation of Canada's steadfast commitment to the peaceful uses of nuclear energy and materials.

The first priority of the CNSC is to deliver an effective regulatory regime. This report reflects our plans, through an associated logic model, to address this priority. In each of the activity areas, this document outlines specific areas where we intend to allocate resources to achieve an effective and efficient approach to regulation. Among current federal government priorities is Smart Regulation. The CNSC has assessed itself against the recommendations of the *External Advisory Committee on Smart Regulation* and we believe that we demonstrate good practices against this priority. The CNSC has also subscribed to the National Quality Institute Model for Public Service Excellence which will provide us with the framework to work towards excellence in regulatory oversight.

As a federal agency, the CNSC wishes to demonstrate its commitment to transparent accountability in its management of resources. We have been working under the requirements for reporting on our Management Accountability Framework (MAF), including commitments to good governance and principles of modern management. Our plans in this report also include a renewed commitment to internal audit and a new values and ethics strategy.

As I enter the fifth year of my presidency, I foresee a vigorous and challenging agenda for the CNSC. In undertaking to become one of the best nuclear regulators in the world, the CNSC made a commitment that our country, with respect to nuclear energy, will be healthy, safe and secure. To this end, I can assure Parliament and Canadians of the presence of a strong independent and effective regulator of nuclear safety.

Linda J. Keen, M.Sc.

Raison d'Être

Mandate

Under legislation enacted by Parliament, policies and international commitments of the federal government, the CNSC:

- regulates the development, production and use of nuclear energy in Canada;
- regulates the production, possession, use and transport of nuclear substances, and the production, possession and use of prescribed equipment and prescribed information;
- implements measures respecting international control of the development, production, transport and use of nuclear energy and nuclear substances, including measures respecting the non-proliferation of nuclear weapons and nuclear explosive devices; and
- disseminates scientific, technical and regulatory information concerning the activities of the CNSC and the effects on the environment and on the health and safety of persons, of the development, production, possession, transport and use of nuclear substances.

Mission

The CNSC's mission is *to regulate the use of nuclear energy and materials to protect health, safety, security, and the environment and to respect Canada's international commitments on the peaceful use of nuclear energy.*

Vision

The CNSC is working toward its vision *to be one of the best nuclear regulators in the world.*

To realize its vision, the CNSC is committed to:

- the effectiveness of its regulatory regime;
- operating with a high level of transparency;
- attracting and retaining excellent staff; and
- efficiency.

Participation in domestic and international regulatory fora, benchmarking our activities against other regulators and sharing best practices, provides the organization with a global context in which to assess the achievement of this vision.

Regulatory Policy

The CNSC's Regulatory Policy states that those persons and organizations that are subject to the *Nuclear Safety and Control Act* (NSCA) and regulations are directly responsible for managing regulated activities in a manner that protects health, safety, security, and the environment, while respecting Canada's international obligations. The CNSC is responsible to the public, through Parliament, for assuring that these responsibilities are properly discharged.

Program Delivery

The CNSC is a departmental corporation under Schedule II of the *Financial Administration Act* and a separate employer under the authority of the *Public Service Staff Relations Act*. It is both an independent quasi-judicial administrative tribunal and a national regulatory agency responsible for establishing policies on matters relating to the health, safety, security and the environment; making licensing decisions based on laws and regulations; conducting compliance and enforcement activities; as well as meeting international obligations. The CNSC reports to Parliament through the Minister of Natural Resources. This independence is critical in order to ensure that the CNSC is able to maintain an arm's length relationship with government when making legally binding regulatory decisions. The CNSC is not an advocate of nuclear science or technology. Rather, its mandate and responsibility is to regulate users of nuclear energy or materials to ensure their operations will not pose unreasonable risks to Canadians. Canadians are the sole clients of the CNSC.

Smart Regulation principles, highlighted in the October 2004 Speech from the Throne, are fundamental to the way the CNSC manages its business. The CNSC's regulatory effectiveness is dependent upon extensive consultation and collaboration with stakeholders, including licensees, to ensure that the desired results are clearly understood and accepted to the degree possible by those concerned.

The CNSC's operations are funded through an annual appropriation from Parliament. Most costs incurred for the CNSC's regulatory activities are recovered from licensees under the Canadian Nuclear Safety Commission Cost Recovery Program as per the *Treasury Board Cost Recovery and Charging Policy* (1997), which states that fees are charged for CNSC activities that provide tangible benefits to licensees. Some licensees are exempt from paying fees, such as hospitals and universities which represent approximately 10 percent of total CNSC operational costs. The CNSC recovers approximately 70 percent of its total cost of operations. The revenue collected is deposited to the Consolidated Revenue Fund and is not available directly for use by the CNSC.

Fees are not chargeable for activities that result from CNSC obligations that do not provide a direct benefit to identifiable licensees. This includes activities with respect to Canada's international obligations, including the non-proliferation of nuclear weapons, public responsibilities such as emergency preparedness and public information programs, and maintenance of the NSCA and its supporting regulations. This work amounts to approximately 20 percent of the CNSC's program costs.

The CNSC also administers the *Nuclear Liability Act*, including designating nuclear installations and prescribing basic insurance to be carried by the operations of such nuclear installations, as well as the administration of supplementary insurance coverage premiums for these installations. The

CNSC receives premiums paid by the operators of nuclear installations for the supplementary insurance coverage and credits these to the Nuclear Liability Reinsurance Account in the Consolidated Revenue Fund.

The CNSC's workload is largely driven by the level of demand for licensing and oversight and by the nature of Canada's international commitments. When its workload increases, the CNSC applies to Treasury Board for either permission to increase its cost recoverable expenditures and related fee revenues accordingly or receive new program funding. The CNSC expects its workload to increase substantially in most areas of its responsibility during the 2005 to 2008 time period and will be seeking the funds required to fulfil its mandate.

In 2005-2006, the CNSC's planned expenditures will be approximately \$71 million and expected fees will be approximately \$52.4 million.

The CNSC and Results for Canadians

The CNSC is a key contributor to the Government of Canada's Performance. The Treasury Board of Canada's annual report, *Canada's Performance 2004*, provides a government-wide view of results in key areas of federal responsibility as follows:

- Health of Canadians
- Canadian environment
- Canada's place in the world
- Society, culture and democracy
- Aboriginal people
- Canada's economy

The CNSC contributes directly to assuring the Health of Canadians, the Protection of the Environment and the Protection of Canadian society from potentially harmful effects of nuclear materials, substances and processes.

The CNSC also plays a significant role in bringing Canada's expertise and perspective to the world. This includes safeguards related activities with the International Atomic Energy Agency (IAEA) to verify that nuclear energy and nuclear material are used solely for peaceful purposes. The CNSC works closely with multilateral nuclear export control organizations and bilateral partners to assure that Canada's nuclear exports are not misused. This international role also includes the development and advancement of international standards on nuclear safety, radiation protection, waste management, transportation and security. As a well-established, independent, world-class regulator covering the full nuclear cycle, the CNSC's expertise is sought regularly by countries throughout the world.

The CNSC is the Canadian lead on many international Conventions and serves as the focal point to prepare, deliver and monitor Canadian compliance with these undertakings. Important conventions such as the Convention on Nuclear Safety, the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management and the Convention on the Physical Protection of Nuclear Material will require review reports in this planning period.

CNSC Priorities

The CNSC's ultimate or strategic outcome is the long-term difference it makes to Canadians.

Safe and secure nuclear installations and processes solely for peaceful purposes; and public confidence in the nuclear regulatory regime's effectiveness.

The CNSC uses an established strategic framework, based on a logic model (Section III, Figure 2) for developing its plans and priorities. The model includes intermediate as well as immediate outcomes. The strategic outcome is not entirely within the CNSC's control nor is it the CNSC's sole responsibility. The level of direct impact resulting from the CNSC's activities is greatest on the immediate outcomes.

The five immediate outcomes which represent the CNSC's five strategic priorities are:

1. A clear and pragmatic regulatory framework
2. Individuals and organizations that operate safely and conform to safeguards and non-proliferation requirements
3. High levels of compliance with the regulatory framework
4. CNSC cooperates and integrates its activities in national/international nuclear fora
5. Stakeholders' understanding of the regulatory program

Underlying the CNSC's strategic framework is its management and enabling infrastructure. This infrastructure consists of management, human resources, finance, information services and infrastructure processes and programs that enable the CNSC to perform the activities required and to meet the requirements of good governance with a high level of accountability.

This CNSC strategic framework is consistent with the CNSC Program Activity Architecture that complies with the Treasury Board's common reporting approach.

Summary Planning Information

Financial Resources (\$ thousands)

2005-2006	2006-2007	2007-2008
\$71,095	\$66,000	\$65,287

Human Resources

2005-2006	2006-2007	2007-2008
526	504	500

CNSC Outcomes (\$ thousands)

#	Outcomes	Planned Spending		
		2005-2006	2006-2007	2007-2008
1	A clear and pragmatic regulatory framework	\$7,829	\$7,700	\$7,700
2	Individuals and organizations that operate safely and conform to safeguards and non-proliferation requirements	\$17,226	\$16,981	\$16,981
3	High levels of compliance with the regulatory framework	\$30,388	\$29,955	\$29,955
4	CNSC cooperates and integrates its activities in national/international nuclear fora	\$11,252	\$7,031	\$6,318
5	Stakeholders' understanding of the regulatory program	\$4,400	\$4,333	\$4,333

Strategic Challenges and Risks

In 2004, the CNSC conducted a comprehensive environmental scan to identify pressures and risks that the CNSC will have to address over the course of the next 10 years. Licensees contributed to this scan. The scan revealed that the future will involve substantial initiatives and changes in the Canadian nuclear industry (particularly concerning nuclear power plants), changes in requirements for our safeguards program as well as changing expectations of government oversight and Canadians.

Looking broadly, governments and industry are faced with a number of decisions across the nuclear cycle: whether to invest in nuclear power to meet projected electricity demands; choices regarding reactor technology; the exploitation of domestic uranium resources; the management of nuclear waste; the use of nuclear technologies to promote the health of Canadians; and international and national concerns regarding the security of nuclear materials and nuclear substances.

The size and complexity of the anticipated changes will have a significant impact on the level and types of activity that the CNSC will need to undertake in order to continue to provide assurance that Canada has safe and secure nuclear installations and processes.

The following are the CNSC's key strategic risk areas and some of the associated risks. This work is evolving into a corporate level integrated risk management framework and process.

Key Strategic Risk Areas

1. Aging of Nuclear Facilities

The most pressing decision facing the nuclear power industry is the refurbishment of Canada's existing fleet of 22 nuclear reactors. Operators are currently considering the technical feasibility and economic viability of refurbishment, and the CNSC expects decisions to be made on these facilities starting in 2005. The alternatives would be to extend their operating lives through aging-management programs, or to move to shutdown and decommissioning.

2. New Reactors

There are prospects for new reactors in Ontario arising from increased electricity demands associated with economic growth and from plans on the part of the Ontario government to shut down coal-fired power plants. Any new nuclear power plants would be the first to be built in Canada in over 20 years, and significant effort on the part of the CNSC would be needed to regulate the construction and operation of these new facilities.

3. New Reactor Technology

New reactor designs would pose additional challenges to the CNSC. The introduction of Generation III reactor designs, whether they be Atomic Energy of Canada Limited's Advanced CANDU Reactor (ACR), Advanced Pressurized Water Reactor (PWR) or Boiling Water Reactor (BWR) designs, will require extensive technical review before the Commission can hear any application to license the construction and operation of such a reactor.

4. Expansion at Uranium Mines, Refineries and Processing Facilities

Production at existing uranium mines and mills is expected to be accelerated and new mines could be developed to meet world-wide uranium demands. Uranium conversion facilities, refineries and fuel fabrication facilities could also expand to accommodate the increases in fuel supply needed to support a larger fleet of reactors. New processing facilities may be needed to handle alternative fuel fabrications for new reactor designs.

5. New Waste Management Facilities

Within the next few years, the CNSC may be asked to license the first permanent radioactive waste disposal site in Canada, near Kincardine, Ontario. This facility will provide a permanent deep geologic repository for low- and medium-level radioactive waste currently stored above ground at Ontario Power Generation's Western Waste Management Facility. In addition, the Port Hope Area Initiative to move contaminated soil from the communities of Port Hope, Welcome and Port Granby into storage in engineered mounds, is currently undergoing an environmental assessment, to be followed by a licensing review. The design, construction and operation of these facilities will require significant CNSC oversight.

6. Long-Term Nuclear Waste Management

The long-term management of nuclear fuel waste will need to be addressed by all stakeholders. The Nuclear Waste Management Organization (NWMO) will file its report and recommendations on the long-term management of spent fuel with the Minister of Natural Resources by mid-November 2005. The CNSC may be requested to comment on the regulatory implications of any proposals, and will be responsible for regulating any facilities designed and constructed for spent fuel storage or disposal. Other waste management projects, such as the clean-up of historic sites, will also require regulatory oversight by the CNSC.

7. Research Facilities

Atomic Energy of Canada Limited's National Research Universal (NRU) reactor will either require refurbishment or replacement and decommissioning. Outstanding issues with regards to the NRU's replacement — the MAPLE reactors, designed to produce radioisotopes for industrial and medical applications — will need to be addressed.

8. Significant Growth in Nuclear Medicine

There will be significant growth in the use of nuclear medicine, from cancer treatments to diagnostic procedures, partly in response to an aging population, but also in response to governments' commitments to reduce wait times for these procedures. Specifically, therapy treatment centres (Class II facilities) are forecasted to increase an average of 15 percent per year in each year of this plan. In addition to licensing and compliance activities associated with the construction and operation of new cancer treatment facilities, the CNSC needs to license the refurbishment of existing cancer treatment facilities. Increased effort on compliance will be needed to ensure that the growing number of licensees authorized to use nuclear substances and devices are meeting their regulatory requirements.

9. Increased Scrutiny of International Trade and IAEA Safeguards Requirements

On the international scene, recent activities on the part of some States to acquire or develop nuclear weapons, and revelations of sophisticated covert illegal procurement networks have highlighted the need for:

- strengthened international safeguards resulting in expanded safeguards activities and nuclear export controls in Canada; and
- increased scrutiny of international trade in nuclear-related dual-use materials equipment and technology.

The CNSC expects the IAEA to draw a broader safeguards conclusion for Canada. This will require the CNSC to move towards significantly enhancing its role in implementing safeguards at Canadian nuclear facilities.

10. National security and Emergency Preparedness

It is expected that national security and emergency preparedness will remain government priorities. The CNSC will need to continuously verify, through its regulatory compliance program, that licensees maintain the enhanced physical security measures that have been implemented since September 2001. These measures reduce the risk of theft and sabotage at nuclear facilities and ensure the security of high-risk sealed sources. The CNSC is working closely with officials in other agencies in Canada, the United States and internationally to be an effective partner in the world-wide nuclear security network. The CNSC will also need to work closely with other federal, provincial and municipal government departments and agencies, as well as industry, to strengthen the nuclear emergency management network.

The CNSC expects heightened public interest in nuclear matters as governments and licensees make decisions related to nuclear power plant refurbishment, investments in new nuclear plants, and waste management. The CNSC will need to ensure that adequate information is available to the public and that transparency in decision making is evident.

The CNSC's regulatory capacities and framework must remain up-to-date and consistent with international best practices, through advanced training of the CNSC's regulatory staff, including international training; regular and substantive participation in international fora; and staff

exchanges. The CNSC must also invest in on-line regulatory processes to ensure communications with stakeholders is as effective and efficient as possible.

One of the CNSC's critical challenges will be to ensure it has an adequate number of staff, with the appropriate mix of scientific, technical and other professional knowledge and skills, to meet these challenges while continuing to ensure that existing licensing and compliance activities are carried out. With the expected increase in industry demand for these skilled resources, the CNSC will be increasingly challenged to attract and retain the requisite expertise to achieve its mandate in a timely manner.

The CNSC has identified a number of significant potential risks that will require additional resources in order to ensure the health and safety of Canadians, the protection of the environment, the peaceful use of nuclear substances, material and technology and overall public confidence in the nuclear regulatory system.

Planning Assumptions

The strategic plan for 2005-2006 to 2007-2008 is based on a number of planning assumptions. As changes in the CNSC's operating environment occur, these assumptions are reviewed and the plans are adjusted accordingly. The planning assumptions are as follows:

1. Although resource levels are currently fixed at the 2005-2006 level, additional resources will be requested for increased cost recoverable regulatory work. Additional resources will also be requested for increased non-cost recoverable regulatory work related to fee exempt licensees e.g. health clinics; and for increased efforts required to fulfil international commitments made by the Government of Canada.
2. No changes in the structure of the cost recovery program with respect to exemptions from fees and with respect to activities related to international obligations.
3. The Commission Tribunal structure and functions remain as currently established, and the number of hearings is at current levels.
4. Resources allocated to infrastructure activities related to human resource management, information technology, finance and administration, and communications remain at 2004-2005 levels.
5. The delivery of changes to align the CNSC with Smart Regulation continues at the current level of 10 percent of total spending.
6. The CNSC is able to attract and retain knowledgeable and skilled staff and is able to absorb the impact of losing knowledge through retirement. This assumes that the existing compensation levels are adequate to meet this requirement.
7. Security policy and requirements internationally and nationally remain the same.

A detailed and comprehensive review of operational plans for the 2005-2006 fiscal year based on the previously-mentioned environmental scan indicates that the current resource levels are insufficient to meet the demands on the CNSC. In light of this analysis, the CNSC will be requesting additional resources to address increased demands. Any approved increases in appropriation will be significantly offset by increased revenues from fees, as provided by the cost recovery regime.

SECTION II – PLANS AND PRIORITIES

The CNSC's Strategic Plan 2005-2008

During the planning process, the CNSC assesses its operating environment and the issues and risks affecting the achievement of its outcomes. The following plan reflects the strategic priorities that need to be addressed, the range of activities to be undertaken and the respective resource implications for each of CNSC's immediate outcomes discussed in the CNSC Logic Model (Section III, Figure 2).

1. A clear and pragmatic regulatory framework

The CNSC has budgeted approximately \$7.8 million and 45 FTEs of its 2005-2006 budget to fund activities related to this outcome.

The CNSC's regulatory framework is composed of:

1. The *Nuclear Safety and Control Act* (NSCA), regulations and regulatory documents
2. The *Safeguards Agreement* and *Additional Protocol* between Canada and the International Atomic Energy Agency (IAEA); and Canada's bilateral Nuclear Cooperation Agreements
3. The *Canadian Environmental Assessment Act* (CEAA)

The cornerstone of the CNSC's regulatory framework is the NSCA, which was passed into law in 2000. This legislation is comprehensive and world class.

The Government of Canada has entered into bilateral agreements with the IAEA on nuclear safeguards verification and with numerous countries on nuclear non-proliferation frameworks for nuclear trade. The CNSC is the national authority on these matters. The Government of Canada has also made multilateral commitments through treaties, conventions and arrangements on transportation, nuclear export controls, physical protection, power reactor safety as well as spent fuel and radioactive waste management safety. The CNSC, as the competent technical authority, collaborates with Foreign Affairs Canada (FAC) in the negotiation and implementation of multilateral nuclear treaties, conventions and arrangements as well as bilateral nuclear cooperation agreements with nuclear trading partners. Under the NSCA, the CNSC is mandated to implement Canada's bilateral and multilateral commitments on the peaceful use of nuclear energy in each of these areas.

The CEAA requires all federal departments and agencies to ensure that an environmental assessment is conducted for projects for which they have a specified decision-making authority. In the CNSC context, environmental assessments are required when the CNSC, pursuant to certain subsections of the NSCA, issues or amends a licence or grants an approval under a licence for the purpose of enabling a project to proceed.

With respect to protecting the environment, both the CNSC (under NSCA) and Environment Canada (under the *Canadian Environmental Protection Act*) have the mandate to prevent or

control the amount of uranium and uranium compounds released to the environment from uranium mines and mills. Under an agreement between these parties, the CNSC has been designated primary responsibility to ensure that preventive or control measures are developed and implemented in a manner that is consistent with and comparable to the *Canadian Environmental Protection Act*.

The CNSC has the following five priorities to achieve a clear and pragmatic regulatory framework over the planning period:

1. A *Nuclear Safety and Control Act (NSCA)* which incorporates adequate powers to protect health and safety, security, the environment and to respect Canada’s international commitments on the peaceful use of nuclear energy
2. Regulatory strategies and regulations that are effective, aligned with national regulatory policies, consistent with Smart Regulation principles, and incorporate international recommendations where appropriate
3. An integrated and consistent set of regulatory documents (Policies, Standards, and Guides) that clarify regulatory requirements and expectations
4. A modernized safeguards framework for Canada, including safeguards regulations, standards and guides as well as an enhanced CNSC role in safeguards implementation
5. Contribute to any changes to the *Canadian Environmental Assessment Act (CEAA)*

Each priority has plans that are either to be completed in a specific timeframe (**indicated by a line**) or are in the nature of ongoing work (**indicated as an arrow**). These plans are detailed in the following tables:

1.1 A <i>Nuclear Safety and Control Act (NSCA)</i> which incorporates adequate powers to protect health and safety, security, the environment and to respect Canada’s international commitments on the peaceful use of nuclear energy			
Plans	05-06	06-07	07-08
Review the effectiveness of the NSCA on an ongoing basis and assess aspects for possible improvement	●—————●		

There is no statutory review period for the NSCA and the Commission has no plans to request such a review by the government in the period of this plan. However, in line with good governance, the CNSC continuously monitors the NSCA to ensure that it provides a sufficiently vigorous mandate, regulation-making powers and the administrative tools required to achieve the CNSC’s outcomes. If it becomes clear that the NSCA fails to meet these expectations, the CNSC will recommend to the Minister of Natural Resources, that changes to the NSCA be implemented.

1.2 Regulatory strategies and regulations that are effective, aligned with national regulatory policies, consistent with Smart Regulation principles, and incorporate international recommendations where appropriate

Plans	05-06	06-07	07-08
Develop new nuclear safeguards regulations based on the requirements of the <i>Safeguards Agreement</i> and <i>Additional Protocol</i>	●—————●		
Revise the following existing regulations:			
• <i>Nuclear Security Regulations</i>	●—————●		
• <i>Nuclear Substances and Radiation Devices Regulations</i>	●—————●		
• <i>Class II Nuclear Facilities and Prescribed Equipment Regulations</i>	●—————●		
• <i>Nuclear Non-Proliferation Import and Export Control Regulations</i>	●—————●		
• <i>Canadian Nuclear Safety Commission Rules of Procedure</i> and <i>Canadian Nuclear Safety Commission By-laws</i>	●—————●		
Review on an ongoing, systematic and consultative basis, all regulations under the NSCA and regulatory practices codified in regulatory documents	●—————→		

The CNSC has completed a risk-informed review of existing and potential new regulations and will focus on amendments to those regulations of greatest benefit to protecting health and safety, security and the environment and to respecting Canada’s international commitments on the non-proliferation of nuclear weapons. Consistent with the Government of Canada’s *Regulatory Policy*, the development and amendment of regulations will be performance-based and, where practical, in line with international recommendations on nuclear regulations. This approach, which is consistent with the principles of Smart Regulation, is risk-informed and includes broad consultation.

Heightened concerns on the part of the international community, including the IAEA, regarding the scope and possible intent of nuclear programs in a number of other countries, has led to further strengthening of the international nuclear non-proliferation regime. This will have implications for the CNSC’s regulatory framework.

In addition, recommendations from international bodies such as the International Commission on Radiological Protection (ICRP) and the IAEA can be expected to exert pressure on the CNSC to remain in conformity with the international community on regulations affecting the nuclear industry and the public. The CNSC regularly contributes to and reviews international standards and recommendations for their applicability to our regulatory framework.

1.3 An integrated and consistent set of regulatory documents (Policies, Standards, and Guides) that clarify regulatory requirements and expectations

Plans	05-06	06-07	07-08
Develop regulatory policies, standards and guides	●—————▶		
Influence and adopt international standards where applicable to the Canadian context	●—————▶		
Strengthen the multilateral guidelines and export control lists on nuclear supply to counter contemporary nuclear proliferation threats	●—————▶		

In the last two years there has been and will continue to be sustained effort in the development of regulatory documents that elaborate on requirements in the NSCA and the supporting regulations. The CNSC *Regulatory Document Framework and High Priority Regulatory Documents*, available at http://www.nuclearsafety.gc.ca/eng/regulatory_information/pdf/FrameworkRev8_e.pdf identifies thirty-five priority documents to be developed. In addition to the priority documents, the CNSC will develop a new standard for reporting requirements to satisfy IAEA safeguards and Canadian non-proliferation commitments. This will be added to a revised framework.

CNSC staff are involved in contributing to and evaluating international and national standards and guides that are relevant to the regulation of the Canadian nuclear industry. CNSC staff will participate where appropriate in the development of external standards and guides to influence emerging safety practices.

The CNSC, in collaboration with Foreign Affairs Canada, will work to promote a more effective and comprehensive international nuclear non-proliferation regime. This will include strengthening the multilateral nuclear supply guidelines and control lists.

1.4 A modernized safeguards framework for Canada, including safeguards regulations, standards and guides as well as an enhanced CNSC role in safeguards implementation

Plans	05-06	06-07	07-08
Enhance cooperation with the IAEA in the development and introduction of an integrated safeguards approach for Canada	●—————▶		

The CNSC will continue to cooperate with the IAEA to fulfil all of Canada’s international safeguards commitments. This cooperation will lead to a modernized safeguards approach for Canada as a whole. This will require the CNSC to grow even further as the federal safeguards authority with increased safeguards implementation responsibilities. At the same time, the IAEA will be able to reduce its level of verification effort in Canada and shift its resources to areas of greater proliferation risk.

1.5 Contribute to any changes to the *Canadian Environmental Assessment Act (CEAA)*

Plans	05-06	06-07	07-08
Work with the Canadian Environmental Assessment Agency on any changes which impact either the CNSC's role as a regulatory authority or its environmental planning oversight responsibilities under the NSCA			

The CNSC, in consultation with various stakeholders, is leading a detailed review of how it fulfils its responsibilities under the CEAA. The CNSC is working with the Canadian Environmental Assessment Agency to ensure that the overall program objectives continue to be achieved as effectively and efficiently as appropriate. An environmental assessment under the CEAA is often required before the CNSC's licensing process on a proposal can proceed.

2. Individuals and organizations that operate safely and conform to safeguards and non-proliferation requirements

The CNSC has budgeted approximately \$17.2 million and 133 FTEs of its 2005-2006 budget to fund activities related to this outcome.

The NSCA gives authority to the CNSC to issue licences or certify persons to conduct nuclear-related activities in Canada. In order to issue a licence or certification, the CNSC must obtain evidence of the licensees' ability to operate safely and conform to safeguards and non-proliferation obligations.

The CNSC has the following three priorities to ensure that licensing and certification is only granted for individuals and organizations that operate safely and conform to safeguards and non-proliferation requirements over the planning period:

1. Improve the licensing and certification processes
2. Improve the effectiveness and efficiency of the Commission Tribunal licensing process
3. Implement the licensing and certification processes in accordance with the CNSC's regulatory regime

Each priority has plans that are either to be completed in a specific timeframe (**indicated by a line**) or are in the nature of ongoing work (**indicated as an arrow**). These plans are detailed in the following tables:

2.1 Improve the licensing and certification processes

Plans	05-06	06-07	07-08
Implement a consistent, risk-informed methodology for licensing across all licensing areas			

Formulate strategies for licensing of new nuclear power plants and possible waste management solutions	●	—————	●
Formulate an approach for the regulatory oversight of aging nuclear power facilities	●	—————	●
Clarify licensing and certification expectations through improved documentation of processes and clear communication with licensees	●	—————	●

The CNSC will continue to improve the consistency, clarity and balance of the licensing and certification process in order to be as effective and efficient as possible in its licensing and certification activities. The methodology will take a risk-informed approach across a licensee base that represents a very broad risk spectrum from power reactors to uranium mines to radiography. Risk-informed regulatory programs have been successfully implemented in nuclear substance regulation.

The introduction of risk-informed regulatory programs into the licensing and compliance of complex power reactors will be a challenge and is an important element of the CNSC’s Power Reactor Regulation Improvement Program (PRRIP) launched in May 2004. The Program will be the vehicle to establish systematic approaches to delivering the core functions of licensing and compliance.

There will be continued effort in developing an updated licensing basis for new power reactors. This licensing basis will be applied to any proposed nuclear reactor designs. Initial regulatory oversight will follow the established process for the licensing of new facilities. This will commence with an environmental assessment followed by staged licensing for successive phases of the project. In addition, a strategy will be developed for regulatory oversight of activities leading up to the eventual construction and operation of long-term waste management and disposal facilities, whether they are low-, medium- or high-level waste management and disposal facilities. The strategy will include a review of the scope of the CNSC’s regulatory requirements in this area. Any gaps or inconsistencies will be addressed as part of the continuing effort on regulatory documents.

Canadian nuclear power plants are aging and some are coming close to the end of their “useful” life. Aging affects nuclear plants in many ways, by changing material properties and equipment characteristics. It is essential to have in place an approach that provides for systematic regulatory oversight of aging facilities, as aging affects various aspects of plant performance.

Finally, the CNSC is clarifying licensing and certification steps by mapping key processes, and resolving inconsistencies or unclear steps. Communication of these expectations will improve licensing efficiency.

With the expectation that there will be increased demands put on the CNSC due to new and expanded uses of nuclear substances, materials, equipment and devices in virtually all areas of licensing, the CNSC will leverage the use of information technology to strategically improve licensing and certification. This will require investment in costly new systems that will be

coordinated with licensee systems and be appropriately secure. To date, the CNSC has only been able to implement less than 2 percent of its on-line licensing of radioactive substances, resulting in inefficiencies and delays.

2.2 Improve the effectiveness and efficiency of the Commission Tribunal licensing process

Plans	05-06	06-07	07-08
Undertake an evaluation of and implement continuous improvements to the tribunal process	●—————▶		

During the 2003-2004 reporting period, the Commission Secretariat began an analysis benchmarking the Commission’s hearing and meeting processes against those of 13 other Canadian federal and provincial administrative tribunals. The results of this analysis will inform the identification and implementation of innovative improvements. The Secretariat is also conducting a review of the *CNSC Rules of Procedure* and *CNSC By-laws*. The findings will be evaluated by the Commission and the Secretariat. An example of an improvement initiative is the review of the role of the tribunal component in the CEAA process (discussed previously in Priority 1.5). The Commission will be considering recommendations for improving the CNSC’s CEAA process in early 2005.

2.3 Implement the licensing and certification processes in accordance with the CNSC’s regulatory regime

Plans	05-06	06-07	07-08
Prepare, and implement after decision, licensing recommendations for Commission hearings or Designated Officer consideration	●—————▶		
Continue independent and transparent assessment by the Tribunal of applications for licences in accordance with the NSCA and regulations	●—————▶		

In the context of the anticipated challenges and risks previously discussed in this document, the level of work in licensing and certification will likely expand substantially. Most of the growth will be in activities for which fees are charged.

3. High levels of compliance with the regulatory framework

The CNSC has budgeted approximately \$30.4 million and 231 FTEs of its 2005-2006 budget to fund activities related to this outcome.

Achieving this outcome is fundamental to the CNSC and therefore has the largest allocation of resources. Effective oversight of compliance with the regulatory framework is critical to providing assurance to Parliament and Canadians of the safety and security of nuclear installations and processes.

The CNSC’s regulatory framework also includes international commitments made by the Government of Canada. An important aspect of the CNSC’s compliance work involves ensuring that Canada meets these commitments.

The ongoing achievement of this outcome represents a significant challenge for the CNSC given the evolution of the industry sectors it regulates. As described in the section on Challenges and Risks, the aging of nuclear facilities, the potential refurbishments of some facilities, the expansion of uranium mines to meet world-wide demand, the significant growth in nuclear medicine and heightened international concerns regarding the proliferation of nuclear weapons are only some of the significant pressures already facing the CNSC. This rapid evolution of the CNSC’s regulated sectors already has, and will continue to have, a significant impact on the level and type of compliance activity that the CNSC must conduct. The growth will require an increase in the level of resources that the CNSC will need in order to continue to provide an appropriate level of assurance to Canadians. Most of the incremental resources will be recoverable from licensees.

The CNSC has the following three priorities to ensure high levels of compliance with the regulatory framework over the planning period:

1. Complete the implementation of risk-informed compliance strategies to guide compliance activities in all regulated sectors
2. Provide regulatory assurance to Canadians of the continuing compliance and safety performance of licensees
3. Provide regulatory assurance to international agencies that the use of nuclear material, substances and technologies in Canada complies with the Government of Canada’s international commitments

Each priority has plans that are either to be completed in a specific timeframe (**indicated by a line**) or are in the nature of ongoing work (**indicated as an arrow**). These plans are detailed in the following tables:

3.1 Complete the implementation of risk-informed compliance strategies to guide compliance activities in all regulated sectors			
Plans	05-06	06-07	07-08
Continue the implementation of a consistent, risk-informed approach for the selection of level and type of compliance verification required, with a focus on power reactor regulation	●	●	

Risk-informed approaches are systematically applied by the CNSC in the planning and conduct of compliance activities in most regulated sectors. A focus for the CNSC for the planning period is to expand its systematic risk-informed approach to the area of power reactor regulation. This will help ensure that resources for the CNSC’s compliance activities are allocated to activities that will result in the greatest benefit to Canadians.

3.2 Provide regulatory assurance to Canadians of the continuing compliance and safety performance of licensees

Plans	05-06	06-07	07-08
Conduct ongoing compliance promotion, verification and enforcement activities	●—————▶		
Develop and implement a licensee information management system for CNSC staff to record, report and access current compliance information, inspection results and trends	●—————●		
Strengthen the CNSC’s safety performance rating system through more consistent application, as well as better communication of the rating basis to licensees and the Canadian public	●—————●		
Finalize the development and implementation of a revised baseline compliance program for nuclear facilities which reflects the evolving nuclear context and is risk-informed	●—————●		

The CNSC rigorously enforces its regulatory framework through a range of compliance strategies such as compliance promotion, audits, inspections and timely enforcement actions. Regulatory activity work plans are developed and are shared with the licensees before each fiscal year. These plans include the level and mix of verification methodologies that the CNSC will apply to obtain the required level of assurance. Regular reviews are undertaken i.e. at least quarterly, so that the plan is in constant evolution to address issues as they arise.

With the increase in workload, the complexity and volume of information maintained about licensees is increasing. The CNSC must invest in an effective licensee information management system across the various regulated sectors to consistently capture compliance information and inspection results and to integrate information from licensees. This will improve the CNSC’s ability to identify emerging issues and sectoral trends, increase its responsiveness and enable proactive resolution of potential hazards to the health and safety of Canadians.

CNSC staff reviews and reports on results from the CNSC compliance program. The safety performance and compliance of major licensees are reported in public meetings before the Commission Tribunal, are published in report cards and annual reports in paper format and on the CNSC Web site, and detailed information is made available upon request. This transparency provides the public assurance concerning the state of the safety and security of nuclear facilities, devices and materials as well as builds confidence in the CNSC’s nuclear regulatory regime. An example is the power reactor report card published on the CNSC Web site (http://www.nuclearsafety.gc.ca/eng/safety/RC_NPPP.cfm).

The baseline compliance program represents the minimum regulatory effort required to maintain and confirm performance levels for a “reference” facility/licensee deemed to consistently meet safety performance expectations. The baseline program is risk-informed where decreasing safety performance by a facility/licensee would typically result in additional compliance activities above the baseline.

3.3 Provide regulatory assurance to international agencies that the use of nuclear material, substances and technologies in Canada complies with the Government of Canada’s international commitments

Plans	05-06	06-07	07-08
Apply the requirements of multilateral conventions and arrangements	●	→	→
Exercise controls with bilateral partners using formal administrative arrangements and continue to reconcile nuclear inventories	●	→	→
Implement the requirements of the Canada-IAEA <i>Safeguards Agreement</i> and <i>Additional Protocol</i> for the verification of the peaceful use of nuclear energy in Canada	●	→	→

The CNSC applies the requirements of multilateral conventions related to the physical protection of nuclear material, nuclear power reactor safety, spent fuel and radioactive waste management safety, and the safe transportation of radioactive material. Reports on compliance with the obligations in these multilateral conventions such as the Convention on Nuclear Safety and the Joint Convention on Spent Fuel and Radioactive Waste Management will be submitted by the CNSC for peer review at regular meetings of Contracting Parties. The CNSC is an active and transparent participant in these review meetings, usually as the head of a Canada-wide delegation.

Annual inventory reports are prescribed in bilateral arrangements and agreements. Exchanges of these reports are not an option unless these arrangements/agreements are re-negotiated. It is only through reconciliation of these inventories that CNSC is able to provide assurance to the Canadian public of compliance. As it stands, the number of reports is limited to those countries/partners where bilateral trade occurs and not the full spectrum of countries for which there are agreements.

The CNSC will continue to fulfill its role as the State System of Accounting and Control for nuclear material in Canada and meet requirements for reporting on nuclear activities and nuclear material; facilitating and managing IAEA safeguards inspector access; and ensuring that safeguards inspections and inspector access are consistent with agreed approaches. The CNSC will also continue to assure compliance by the nuclear industry with CNSC safeguards requirements established in facility licences.

4. CNSC cooperates and integrates its activities in national/international nuclear fora

The CNSC has budgeted approximately \$11.3 million and 86 FTEs of its 2005-2006 budget to fund activities related to this outcome.

The CNSC has the following three priorities to ensure cooperation and integration of its activities in national/international nuclear fora over the planning period.

1. Effective, efficient and cooperative CNSC Emergency Preparedness framework and infrastructure
2. Strengthen the effectiveness and improve the efficiency of the IAEA safeguards system
3. Effective cooperation with international, federal and provincial organizations, departments and agencies

The CNSC works cooperatively, on an ongoing basis, with a number of other national and international organizations.

At the national level, the CNSC’s mandate is clearly outlined in the NSCA, which specifies that nuclear regulatory activities are a federal responsibility. However, there are areas where other federal and provincial departments have legislated parallel or complementary responsibilities. These include security, emergency preparedness and mining.

At the international level, the CNSC’s cooperation and involvement in international nuclear organizations includes the IAEA and the Nuclear Energy Agency of the Organization for Economic Co-Operation and Development (OECD). The CNSC’s role is to promote Canadian interests and evaluate international recommendations, standards and guides for adoption in the CNSC’s regulatory framework.

Each priority has plans that are either to be completed in a specific timeframe (**indicated by a line**) or are in the nature of ongoing work (**indicated as an arrow**). These plans are detailed in the following tables: (The CNSC’s resources for developing, implementing and maintaining national and international engagement are very limited.)

4.1 Effective, efficient and cooperative CNSC Emergency Preparedness framework and infrastructure			
Plans	05-06	06-07	07-08
Maintain and continuously improve the CNSC’s emergency response capacity and influence on other federal, provincial and municipal participants			

There are a number of federal departments and agencies with defined responsibilities under the Federal Nuclear Emergency Plan. There are also provincial and municipal departments with legislated responsibilities for emergency preparedness and response. Jurisdictional issues need to be carefully considered and respected when establishing formal cooperative emergency preparedness arrangements in Canada.

The CNSC has evaluated its current program and will implement improvements to the CNSC Nuclear Emergency Management Program by April 2007. The central element of this program is the Nuclear Emergency Management Policy. This regulatory policy will provide guiding principles and direction for CNSC activities relating to nuclear emergencies. In 2004, a first draft of the Nuclear Emergency Management Policy was prepared. The CNSC is seeking stakeholder comments, feedback and suggestions. Once the policy is in place, the details, including a

response plan, detailed response procedures and program-related documents will be developed. Until a revised Emergency Preparedness Plan has been completed and implemented, the CNSC's current Emergency Preparedness Plan will remain in effect.

4.2 Strengthen the effectiveness and improve the efficiency of the IAEA safeguards system

Plans	05-06	06-07	07-08
Provide technical support and other resources necessary to the IAEA for its safeguards program	→		

Through the Canadian Safeguards Support Program, the CNSC will support Canada's domestic and IAEA safeguards system requirements by funding the development of advanced safeguards equipment, technical support, safeguards systems studies and inspector training. The funding of these developments is designed to improve the effectiveness and efficiency of safeguards measures, thereby enhancing international confidence in the assurance provided by the IAEA.

4.3 Effective cooperation with international, federal and provincial organizations, departments and agencies

Plans	05-06	06-07	07-08
Establish and review cooperative arrangements with federal and provincial organizations, departments and agencies, and foreign nuclear regulators on an evergreen basis	→		
Determine, evaluate, track and report CNSC participation in international activities on nuclear-related matters	→		

Cooperation by the CNSC with appropriate federal, provincial and private sector organizations contributes to more effective and efficient nuclear regulation. Such cooperation makes the best use of relevant expertise on specific regulatory issues, while at the same time minimizes the potential for duplication of regulatory effort. At a national level, these organizations include Environment Canada, the Labour Program at Human Resources and Skills Development Canada, Health Canada, Public Safety and Emergency Preparedness Canada, Foreign Affairs Canada, International Trade Canada and the Canadian Standards Association, among others.

Internationally, the CNSC has cooperative relationships with a number of foreign nuclear regulators for the sharing of regulatory information and best practices and to conduct training in other countries on the CNSC's regulatory approach to the use of nuclear technology and materials. These activities require coordination of a number of CNSC staff with technical expertise across the fields of nuclear science.

In addition, as part of the Government of Canada's broader priority to strengthen Canada-U.S. relations, the CNSC continues to work closely with its counterpart, the United States Nuclear Regulatory Commission, on a range of issues of mutual interest. These include cooperation on physical security and emergency preparedness, regulatory assessment, licensing and compliance approaches for existing and new designs of nuclear power reactors and on controlling the use, export and import of radioactive sources. There are several initiatives where the CNSC's

programs in security, especially of sources and materials, will require modification to meet international expectations, including those of the United States.

5. Stakeholders’ understanding of the regulatory program

The CNSC has budgeted approximately \$4.4 million and 31 FTEs of its 2005-2006 budget to fund activities related to this outcome.

The CNSC is committed to operating with a high level of transparency. This involves engaging stakeholders through a variety of appropriate consultation processes, effective information sharing and communications. The CNSC has the following two priorities to ensure stakeholders’ understanding of the regulatory program over the planning period.

1. Awareness by stakeholders of the process to become an active intervenor in the licensing process (e.g., participation in Commission Hearings)
2. Improvement in communication and consultation to build sustained, consistent relationships with key stakeholders directly affected by the CNSC’s regulatory regime

Each priority has plans that are either to be completed in a specific timeframe (**indicated by a line**) or are in the nature of ongoing work (**indicated as an arrow**). These plans are detailed in the following tables:

5.1 Awareness by stakeholders of the process to become an active intervenor in the licensing process (e.g., participation in Commission Hearings)			
Plans	05-06	06-07	07-08
Explore processes for Commission proceedings			

Through the public hearing process, citizens are encouraged to participate in licensing hearings for major nuclear facilities to ensure the CNSC’s regulatory system reflects the diverse concerns of Canadians. Notices of upcoming public hearings are posted on the CNSC Web site and are publicized in the area surrounding the facility. The notice announces the hearing’s purpose, date, time, location and any deadlines for filing documents prior to hearings. Members of the public are welcome to observe hearings, and are encouraged to participate orally or in writing in the official language of their choice.

All hearing documentation such as notices, agendas, transcripts of the proceedings, news releases, Records of Decisions, the hearing process and the *CNSC Rules of Procedure* can be found on the CNSC Web site at www.nuclearsafety.gc.ca. However, at the request of stakeholders, we will explore other methods including web-casting. Adoption of these other methods will be determined based on financial implications.

5.2 Improvement in communication and consultation to build sustained, consistent relationships with key stakeholders directly affected by the CNSC's regulatory regime

Plans	05-06	06-07	07-08
Conduct a well-structured and sustainable Outreach Program	●	→	→
Monitor the public environment and issues and develop and implement proactive and reactive communications plans for external stakeholders.	●	→	→
Implement a strategic communications plan	●	→	●

In considering stakeholder relations, the CNSC must address two groups of stakeholders: (i) the Canadian public, the CNSC's client in whose interest the CNSC regulates the Canadian nuclear industry, and (ii) stakeholders, including licensees, who have a direct interest in, or are directly affected by the Canadian nuclear industry and its regulation. The first group is largely unaware of the CNSC's ongoing activities, whereas the second group has knowledge of the CNSC's role.

A formalized Outreach Program was implemented in 2004 to ensure that the CNSC's outreach activities are focused, effective and make the best use of limited resources. Outreach activities include meetings with town councils, public hearings of experts at the tribunal, consultations with licensees and other stakeholders, presentations by the CNSC and participation in international conferences. The CNSC will continue these activities during this planning period. In addition, an active communications program uses various tools such as an up-to-date Web site and general, plain-language brochures about the CNSC to increase Canadians' level of awareness of the CNSC and its role as Canada's nuclear regulator and to enhance public confidence.

In parallel with the Outreach Program, the CNSC will continue to monitor the public environment and issues. Implementation, over the planning period, of a strategic communications plan for external stakeholders will proactively inform Canadians. The CNSC also maintains the capacity to provide information in reaction to media or other inquiries.

The most significant challenge facing the CNSC with respect to meeting this outcome is how to communicate effectively with the Canadian public. Previous focus group and survey work has shown that public awareness of the CNSC and its role as Canada's nuclear regulator is low.

6. Management and Enabling Infrastructure

The CNSC's management and enabling infrastructure ensures that the Commission Tribunal and CNSC staff have the necessary leadership, resources, information, processes and infrastructure to perform the activities required to achieve the CNSC's strategic outcomes.

In 2003, the CNSC adopted a Management Model (Section III, Figure 1). This model is based primarily on the National Quality Institute's *Canadian Quality Criteria for Public Sector Excellence*. This model and the underlying CNSC management improvement agenda address the elements of Treasury Board's *Management Accountability Framework*, a framework that translates the vision of modern public service management, as established in *Results for Canadians*, into a set of management expectations. Over the planning period, the CNSC will implement management improvements within the context of strengthening its management system under this model.

The CNSC has the following five areas of priority for the management and enabling infrastructure over the planning period:

1. Governance, Accountability and Stewardship
2. Values and Ethics
3. Results and Performance
4. Risk Management
5. People

Each priority has plans that are either to be completed in a specific timeframe (**indicated by a line**) or are in the nature of ongoing work (**indicated as an arrow**). These plans are detailed in the following tables:

6.1 Governance, Accountability and Stewardship			
Plans	05-06	06-07	07-08
Ongoing good governance and strategic direction	●—————▶		
Implement a Quality Management system	●—————▶		
Ongoing maintenance of the internal control regime	●—————▶		

In 2004, the CNSC assessed its governance framework. It will continue to actively pursue better practices to meet central agency requirements for accountability and stewardship. In 2004-2005, the CNSC proactively undertook a self-assessment against the ten elements of Treasury Board's Management Accountability Framework (MAF) using indicators provided by the Secretary of Treasury Board. Consistent with findings in a 2002 Modern Comptrollership Capacity Assessment, governance, accountability and stewardship are strong at the CNSC. Over the planning period, the CNSC will be following a structured approach to implement continuous improvement in all elements of management.

The CNSC issued a Management System Manual in 2004 which describes the CNSC's core and enabling processes and situates them in relation to both the CNSC's Management Model and Logic Model. In this planning period, the CNSC will continue to implement process management practices, starting with the mapping and documenting of key underlying processes. An integral part of this will be the determination of in-process measures to assess performance and upon which to base further improvements.

6.2 Values and Ethics

Plans	05-06	06-07	07-08
Implement a modernized Values and Ethics Program	●—————●		

A Values and Ethics Strategy was launched in November 2004 and will be implemented throughout the CNSC in 2005-2006 and 2006-2007. Under the theme “Helping good people do the right things”, the Values and Ethics Strategy fits well into the CNSC’s culture of professionalism, integrity and service to Canadians. The Values and Ethics Strategy will advocate personal commitment and engagement on the part of all leaders and their employees and will include practical tools and techniques for building ethical actions, habits and bias.

6.3 Results and Performance

Plans	05-06	06-07	07-08
Implement an integrated information management improvement plan including electronic records management using the required information technology tools	●—————●		
Ongoing preparation and use of results and performance information to make decisions and report in a transparent and effective manner	●—————→		
Establish key performance standards	●—————●		
Complete implementation of a performance measurement framework including key corporate measures of performance	●—————●		

Through an Information Management Capacity Assessment, the CNSC has taken a strategic look at its information management capabilities and has developed an action plan to integrate this function with the overall management system. In order to continuously improve effectiveness and efficiency, information technology solutions will be integrated into this improvement initiative. This initiative has critical linkages to a number of operational improvements for all of the CNSC’s outcomes.

Following its 2003 modern management agenda, the CNSC has been implementing significant improvements to its planning and performance information. Financial and non-financial information are integrated in an activity-based planning and costing system. This is continuously being improved as information needs change or new requirements are identified. The changes are driven by the need for better informed decisions as well as the need to provide Canadians and the public with transparent and clear information.

The CNSC is committed to strengthening its performance measurement framework to demonstrate the effectiveness and efficiency of its programs. This plan includes both performance standards for outputs to stakeholders and outcome measures for CNSC regulatory performance measurement. Implementation of these standards and measures is described in greater detail in the Measures of Performance section of this document.

6.4 Risk Management			
Plans	05-06	06-07	07-08
Complete implementation of a risk management framework in the Corporate Services Branch	●————●		
Ongoing strategic environmental scanning	●————→		

The CNSC is deploying a formal risk management methodology throughout its operational and corporate areas. The Risk Management Framework for the Corporate Services Branch was initiated in 2004 and will be implemented in 2005-2006.

The CNSC’s environmental scanning framework is continuously improving. As noted in the previous discussion of challenges and risks, a new approach was instituted in 2004 and will be augmented in future years. Linked to risk management, the CNSC will develop a process to maintain evergreen documentation of the potential changes, risks and opportunities that may affect the CNSC and will measure the potential impacts and drive changes to plans as required.

6.5 People			
Plans	05-06	06-07	07-08
Strengthen leadership and management capacities	●————→		
Provide ongoing support for recruitment and retention initiatives	●————→		
Negotiate and implement the first collective agreement	●————→		
Address the needs of non-unionized employees	●————→		

It is important that the organization has excellent managers and leaders to design and implement the policies and programs for the staff. In order to strengthen leadership and management capacities, a Leadership Development Program is in place. The program consists of courses in both leadership skills and management subjects such as resourcing, financial management, contracting, privacy, staff relations, health and safety. Other aspects of the program include armchair discussions, access to coaching, 360 degree evaluation and a robust reference library. In addition, the leadership team assembles 2-3 times per year to address timely issues of leadership importance; for example - management improvement; values and ethics; and communications.

Staff, with their specialized knowledge, is the main resource of the CNSC. Many knowledgeable individuals with specific scientific expertise are expected to retire over the next ten years. Forecasts indicate continuing industry growth which will intensify the competition for the same diminishing workforce. The CNSC is addressing this issue through an increased focus on knowledge management, training and recruitment of skilled people and the recruitment of

interns, as part of the workforce sustainability strategy. In addition, an Internal Communications and Consultation Working group that reports to the Corporate Committee on Communications is advising the Executive Committee and managers about ways to best consult and communicate with staff on a wide range of initiatives.

A human resource planning tool is under development. The tool will assist managers in anticipating staff requirements related to short and long term environmental factors. It will also help in the assessment of risk and the development of plans related to knowledge management and attrition.

In 2004, the Professional Institute of the Public Service of Canada (PIPSC) was certified to represent part of the CNSC workforce. The rest of the employees remain non-unionized. CNSC's management is in negotiations with the PIPSC for the first collective agreement with employees in the bargaining unit. In addition, an Interim Committee of Non-Unionized Employees has been created to explore governance and communications for non-unionized employees.

Measures of Performance

The CNSC recognizes the importance of being able to measure both the effectiveness and the efficiency of its programs and has initiated the development of an integrated performance management framework. Effectiveness will be measured by way of selected **outcome measures** relating to the collective impact of the activities on meeting the mandate of the CNSC. Efficiency, on the other hand, will be measured through ongoing monitoring of the CNSC's performance against external and internal **performance standards** relating to individual activities undertaken and their associated outputs.

Performance Standards

Performance standards have been developed for both external and internal stakeholders. It is very important to note that as an independent regulator, it is inappropriate for the relationship between licensees and the CNSC to be considered a service; hence there are no service standards. A list of performance standards focusing on the needs and expectations of external stakeholders has been developed and work is progressing on implementing such standards. Internal performance standards have been put in place to monitor and report on the ability of corporate service functions to meet the needs and expectations of internal clients in supporting the delivery of the overall regulatory program. Performance against all standards will be monitored on a regular basis to ensure continual progress is made and that all performance standards accurately reflect the operational reality.

External performance standards to be formally implemented during the planning period include:

Activity	Performance standard	Target (Percentage of time the standard is carried out)
Compliance		
Verification: upon completion of the verification activity, the CNSC will:		
Issue Type I Inspection Report	within 60 business days	80%
Issue Type II Inspection Report ¹	within 40 business days	80%
Issue Desktop Review Report	within 60 business days	90%
Enforcement: upon an order being made, the CNSC will		
Confirm, amend, revoke or replace the order (see Regulatory Guide – G-273)	within 10 business days	100%
Licensing – for requests pertaining to an <u>existing</u> licence, the CNSC will		
Screen the request for completeness and issue notification that the licensing request is / is not complete	within 20 business days	90%
Issue a licensing decision when a public hearing is not required (assuming an environmental assessment under the CEAA is not required)	within 80 business days	80%
Issue a licensing decision when a public hearing is required (assuming an environmental assessment under the CEAA is not required) (see INFO-0715)	within 160 business days	90%
Publish the Records of Proceedings, including Reasons for Decisions, upon conclusion of the public hearing	within 30 business days	90%
Access to Information (ATI)		
Respond to requests under the ATI and Privacy Acts	within legislated time periods as stated in the Acts	90%
Response to public inquiries		
Acknowledge request	within same business day	100%
Complete request - low complexity	within same business day	100%
Complete request - medium complexity	within 5 business days	100%
Complete request - high complexity	within 10 business days	100%
External Communications		
Post President's speeches to Internet	within 4 working hours of completion of final copy in both official languages	95%
Place Public Hearings Advertisements	within deadlines stipulated in the regulations	100%
External Reporting to Central Agencies		
File annual RPP and DPR	within required timelines	100%
Invoice Processing		
Pay supplier invoices	within 30 calendar days of receipt of invoice or goods, whichever is the latest	100%

¹ In Power Reactors, unless major issues arise, findings from Field Inspections and Control Room Inspections will be reported on a quarterly basis, within 40 business days of end of quarter

Outcome Measures

The CNSC is committed to providing an appropriate balance of financial and non-financial performance indicators at the outcome level. The development of the CNSC Logic Model (Section III, Figure 2) was a major step in clarifying the CNSC's desired outcomes. In addition, a Performance Measurement Framework Project team, which commenced work in 2003-2004, identified potential indicators for each outcome identified in the logic model. The objective is to provide the tools necessary for the CNSC to better demonstrate the achievement of its desired outcomes through program delivery. The development of outcome measures is a modern management improvement initiative.

In 2005-2006, the CNSC will implement an initial set of seven non-financial indicators based on feasibility, relevance and availability of data. The measures will be clearly defined, base level data will be collected and potential target levels will be explored. The framework will be expanded over this three-year planning period to include additional information for other outcomes contained in the logic model. The initial set of indicators to be implemented is as follows:

Outcome	Indicator
Stakeholders' understanding of the regulatory program	<ul style="list-style-type: none"> • Level of understanding by stakeholders of the regulatory program
High levels of compliance with the regulatory framework	<ul style="list-style-type: none"> • Number and significance of non-compliances
	<ul style="list-style-type: none"> • Proportion of licensees meeting expectations (by safety area where applicable)
	<ul style="list-style-type: none"> • Number of non-authorized activities detected/identified
Low levels of exposure to humans and the environment	<ul style="list-style-type: none"> • Levels of radiation doses to workers and to the public
	<ul style="list-style-type: none"> • Levels of releases of hazardous substances from licensees to the environment
	<ul style="list-style-type: none"> • Number of times regulatory limits are exceeded (workers, public, environment)

SECTION III – SUPPLEMENTARY INFORMATION

Management Representation Statement

I submit for tabling in Parliament, the 2005-2006 Report on Plans and Priorities (RPP) for the Canadian Nuclear Safety Commission (CNSC).

This document has been prepared based on the reporting principles contained in the *Guide to the preparation of Part III of the Estimates: Reports on Plans and Priorities*.

- It adheres to the specific reporting requirements outlined in the TBS guidance;
- It is based on the department's approved accountability structure as reflected in its Management, Resources and Results Structure (MRRS);
- It presents consistent, comprehensive, balanced and accurate information;
- It provides a basis of accountability for the results achieved with the resources and authorities entrusted to it; and
- It reports finances based on approved planned spending numbers from the Treasury Board Secretariat in the RPP.

Linda J. Keen, M.Sc.
President & Chief Executive Officer

Organizational Information

The CNSC operates as two separate organizations as follows:

- (i) a Commission of up to seven members; and
- (ii) a staff of approximately 530 employees.

(i) Commission

The Commission, supported by the Secretariat, functions as a quasi-judicial administrative tribunal, setting regulatory policy direction on matters relating to health, safety, security and environmental issues affecting the Canadian nuclear industry; making independent decisions on the licensing of nuclear-related activities in Canada; and establishing legally-binding regulations. The Commission takes into account the views, concerns and opinions of interested parties and intervenors. The Commission delegates to Designated Officers the authority to render licensing decisions for certain categories of nuclear facilities and activities in accordance with the requirements of the *Nuclear Safety and Control Act* (NSCA) and its associated regulations while holding public hearings on major facility licensing matters.

The NSCA provides for the appointment of up to seven Commission members by the Governor in Council (GIC). Part-time members serve as permanent members for a term not exceeding five years. One member of the Commission is designated as the President of the Commission. This position is currently held by Linda J. Keen.

(ii) CNSC Staff

The staff organization consists of a headquarters in Ottawa, site offices located at each of the five nuclear generating stations in Canada, and five regional offices. CNSC staff is permanently located at each nuclear generating station in Canada to assess performance against regulations and specific conditions of operating licences. Regional offices conduct compliance activities for nuclear substances, transportation, radiation devices and equipment containing nuclear substances as well as respond to unusual events involving nuclear substances.

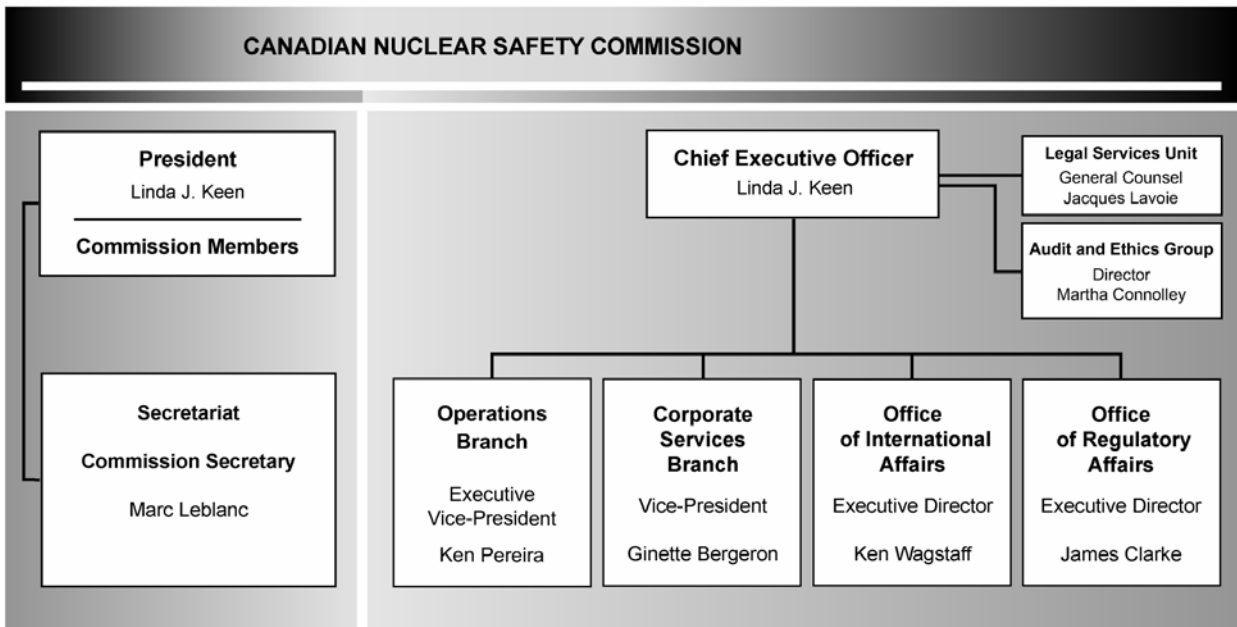
CNSC staff supports the Commission by developing regulatory frameworks, carrying out licensing, certification, compliance inspections and enforcement actions, coordinating the CNSC's international undertakings, developing CNSC-wide programs in support of regulatory effectiveness, maintaining relations with stakeholders and providing administrative support to the organization.

In addition, staff prepares recommendations on licensing decisions, presents them to the Commission for consideration during public hearings and subsequently administers the Commission's decisions. Where authority has been delegated, staff renders licensing decisions.

CNSC Locations



CNSC Organization Chart



Governance at the CNSC

The separation of the Commission from the CNSC staff is fundamental to their independence and therefore good governance of the regulatory regime. Both are transparent and independent. The CNSC is known as one of the most open and transparent nuclear regulators in the world.

The Commission has implemented a number of innovative governance measures for an administrative tribunal. Commission members participate in periodic evaluations of the performance of the tribunal. They also take part in training sessions on technical content and have attended an ethics seminar designed specifically for tribunal members. The Commission is conducting a benchmarking study comparing the practices of 13 leading Canadian tribunals in 11 key areas of performance, including client satisfaction, official languages, performance indicators, turnaround times, use of technology and GIC governance-related matters. The President and CEO of the CNSC co-chairs the Governance component of the Heads of Federal Agencies and is an active member of the Tribunal Heads group and the Conference Board's Public Enterprise Governance Network.

The CNSC's governance also includes a clear vision with articulated outcomes, a focused mission and mandate, strong leadership as well as strong and professional corporate services providing information and internal controls that enable good stewardship of resources.

Integrated planning and performance management is an important aspect of the CNSC's governance model. It is about vigorous and responsible management of resources with an emphasis on results. The CNSC defines the desired results, delivers regulatory programs and activities, evaluates performance and makes the necessary adjustments. The CNSC conducts mid-year and year-end corporate reviews of results achieved against plans and reallocates resources to the highest priorities. In addition, regulatory activities are reviewed and monitored quarterly.

Performance management contracts that are specific, results-based, and clearly identify accountability are in place for the top two levels of management. The next level of management will prepare 2005-2006 performance management contracts. Performance management contracts include Modern Management, Workforce Sustainability as well as commitments under the business planning and budgeting process. In 2005-2006, Values and Ethics Accountability will be added to the Performance management contracts.

Finally, a strong independent internal audit program, complemented by regular audits by the Office of the Auditor General (financial and performance) and other officers of Parliament including the Canadian Human Rights Commission (employer obligations under the *Employment Equity Act*) and the Privacy Commissioner of Canada (*Privacy Act*), provide a high level of oversight and scrutiny. The CNSC also abides by a "Conflict of Interest and Post-Employment Code for the CNSC" modelled on the Values and Ethics Code for the Public Service.

The ACR-700 Special Project

Atomic Energy of Canada Limited (AECL) is developing a 700 Megawatt-electric Advanced CANDU® Reactor (ACR-700™). The ACR-700 is an evolutionary adaptation of current CANDU® reactors; the design is based on the technology of current operating CANDU reactors, but introduces a number of design innovations to enhance reactor safety and economics.

AECL requested that the CNSC undertake licensability reviews of the proposed design. A contractual agreement between the organizations was reached in May 2003 when a Memorandum of Understanding for the pre-licensing review of the ACR-700 design was signed. It was agreed that the review will be conducted according to a three-year project plan that defines goals and milestones, activities, schedules and resource requirements.

In January 2005, the AECL announced it will accelerate the development of a 1200-Megawatt-electric Advanced CANDU Reactor (ACR-1200™). The ACR-1200 will meet the preferences of customers for a larger reactor size in markets such as Canada, the United States, China and the United Kingdom. The CNSC will be evaluating AECL's plans for the ACR-700 and 1200 and will revise this project as required.

CNSC Review

The CNSC has begun performing a pre-licensing review of the ACR-700 to determine whether there are fundamental barriers that would prevent licensing of the ACR-700 in Canada under the *Nuclear Safety and Control Act*. The CNSC's review has been divided into two phases: Early Identification of Issues for Resolution and Assessment of Licensability.

In the first phase, the CNSC will identify the key licensing issues by assessing AECL's plans in the areas of safety methodology, design requirements, and research and development. It will then prioritize these issues in order of importance, and subsequently produce an Interim Screening Report which identifies issues and (where possible) agreed success paths.

During the second phase of the review, a detailed review of the ACR-700 design from the perspective of potential licensing issues identified in the Interim Screening Report will be carried out, and a Final Design Assessment Report will be produced. The Report is not a licence nor does it legally obligate the CNSC to issue a licence. It is only intended to give AECL reasonable assurance, if supported by the review findings, that the design is licensable in Canada or under what condition it would be licensable.

Figure 1: The CNSC Management Model

Introduction

The CNSC Management Model was adopted in 2003. The Model is based on the National Quality Institute’s *Canadian Quality Criteria for Public Sector Excellence*. It provides a common frame of reference and encourages a structured approach to continuous organizational improvement. The framework consists of the key elements to organizational effectiveness.

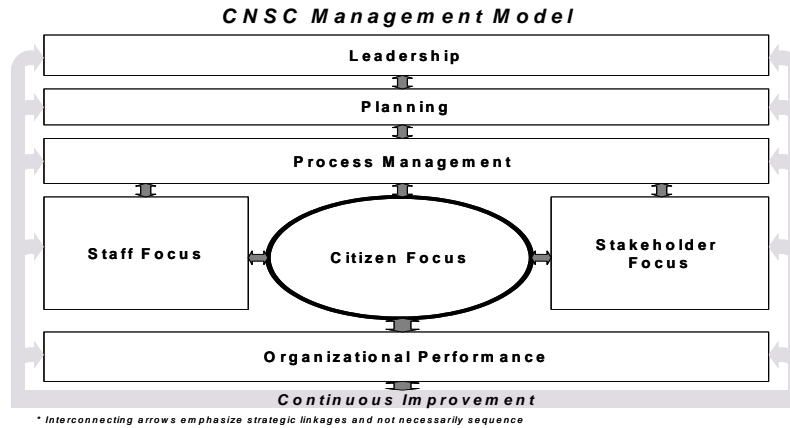
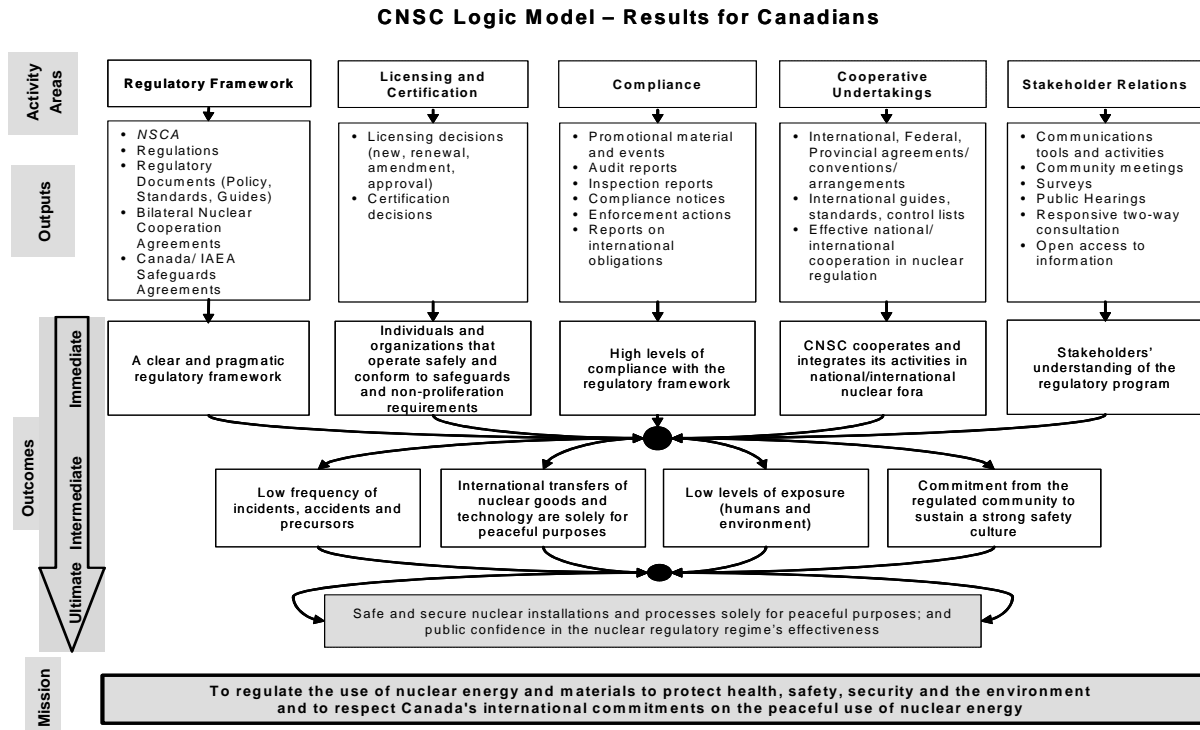


Figure 2: The CNSC Logic Model

The logic model is a tool for planning, for focusing activities and programs, for evaluating the contribution of initiatives to the CNSC outcomes and for illustrating the role of the CNSC as an agency in terms of achieving Results for Canadians.



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Table 1: Departmental Planned Spending and Full Time Equivalents

(\$ thousands)	Forecast Spending 2004-2005	Planned Spending 2005-2006	Planned Spending 2006-2007	Planned Spending 2007-2008
Nuclear Regulation	65,375	66,330	65,282	65,212
Budgetary Main Estimates (gross)	65,375	66,330	65,282	65,212
Nuclear Regulation	-	-	-	-
Non-Budgetary Main Estimates (gross)	-	-	-	-
Less: Respendable revenue	-	-	-	-
Total Main Estimates	65,375	66,330	65,282	65,212
<i>Adjustments:</i>				
Supplementary Estimates:				
Expenditure Review Committee Planned Procurement Reduction	-	(70)	-	-
Funding Allocations to Address Pressures – Power Generator	2,000	-	-	-
Advanced CANDU Reactors	5,100	4,760	643	-
Carry Forward	2,629	-	-	-
Cost Recovery Phase In	359	-	-	-
Other:				
TB Vote 15*	1015	63	63	63
Employee Benefit Plan (EBP)	202	12	12	12
<i>Total Adjustments</i>	11,305	4,765	718	75
Total Planned Spending	76,680	71,095	66,000	65,287
Total Planned Spending	76,680	71,095	66,000	65,287
Less: Non-Respendable revenue	50,195	52,396	50,820	50,813
Plus: Cost of services received without charge	7,943	7,948	7,768	7,761
Net cost of Program	34,428	26,647	22,948	22,235
Full Time Equivalents	526	526	504	500

*CNSC received confirmation in December 2004 of an additional \$75,000 funding for compensation. As this was past the date to be reflected in the ARLU and the subsequent Main Estimates, this item is reported under “Other” for all years.

Table 2: Program Activity

2005-2006							
Program Activity	Budgetary				Total Main Estimates	Adjustments (planned spending not in Main Estimates)	Total Planned Spending
	Operating	Grants and Contributions	Gross	Net			
Nuclear Regulation	66,130	200	66,330	66,330	66,330	4,765	71,095
Total	66,130	200	66,330	66,330	66,330	4,765	71,095

Table 3: Voted and Statutory Items listed in Main Estimates

2005-2006			
Vote or Statutory Item	Truncated Vote or Statutory Wording	Current Main Estimates	Previous Main Estimates
20	Program expenditures	58,713	57,414
(S)	Contributions to employee benefit plans	7,617	7,961
	Total Department or Agency	66,330	65,375

Table 4: Net Cost of Department for the Estimates Year

2005-2006	
(\$ thousands)	Total
Total Planned Spending	71,095
<i>Plus: Services Received without Charge</i>	
Accommodation provided by Public Works and Government Services Canada (PWGSC)	4,529
Contributions covering employers' share of employees' insurance premiums and expenditures paid by TBS (excluding revolving funds)	3,236
Worker's compensation coverage provided by Social Development Canada	12
Salary and associated expenditures of legal services provided by Justice Canada	171
	7,948
<i>Less: Non-responsible Revenue</i>	52,396
2005-2006 Net cost of Department	26,647

Table 5: Sources of Responsible and Non-Responsible Revenue**Responsible Revenue**

(\$ thousands)	Forecast Revenue 2004-2005	Planned Revenue 2005-2006	Planned Revenue 2006-2007	Planned Revenue 2007-2008
Total Responsible Revenue	-	-	-	-

Non-Responsible Revenue

(\$ thousands)	Forecast Revenue 2004-2005	Planned Revenue 2005-2006	Planned Revenue 2006-2007	Planned Revenue 2007-2008
Nuclear Regulation				
Cost Recovery Revenue	50,195	52,396	50,820	50,813
Total Non-Responsible Revenue	50,195	52,396	50,820	50,813

Total Responsible and Non-responsible Revenue	50,195	52,396	50,820	50,813
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Table 6: User Fees

Name of User Fee	Fee Type	Fee Setting Authority	Reason for Fee Introduction or Amendment	Effective date of planned change to take effect	Planned Consultation and Review process
Regulatory Service Fee	Regulatory Service (R)	<p><i>Canadian Nuclear Safety Commission Cost Recovery Fees Regulations, July 2003</i></p> <p><i>Nuclear Safety and Control Act</i></p> <p><i>Canadian Environmental Assessment Act</i></p>	No planned introduction of new fees or amendments to the fees regulations	The <i>Canadian Nuclear Safety Commission Cost Recovery Fees Regulations</i> came into effect on July 1, 2003.	<p>The CNSC has established the Cost Recovery Advisory Group (CRAG), consisting of representatives from different industry sectors, as a forum for ongoing communication and consultation with stakeholders or licensees regarding the CNSC's regulatory activities and resulting fees. There is at least one (1) CRAG meeting held annually.</p> <p>The CNSC has dispute resolution processes in place to address key issues arising out of the external charging activity. The process and contact information is published on the CNSC Web site.</p>

The CNSC has a page on its Web site dedicated to the cost recovery program that is updated with relevant information on an ongoing basis.

(http://www.nuclearsafety.gc.ca/eng/regulatory_information/licence_fees/index.cfm).

Table 7: Major Regulatory Initiatives

The preparation of regulations pursuant to the *Nuclear Safety and Control Act* is a key regulatory initiative undertaken by the CNSC. Specific regulations that the CNSC expects to submit for legal examination or final approval over the three-year planning period are:

Regulations	Expected Results
<i>Proposed Nuclear Safeguards Regulations</i>	Establish generic safeguards regulations in lieu of existing safeguards licence conditions to facilitate compliance with international safeguards agreements.
<i>Nuclear Security Regulations - Amendment</i>	Ensure that Canada's security requirements are compatible with international standards.
<i>Nuclear Substances and Radiation Devices Regulations - Amendment</i>	The changes are designed to address a number of errors that have been noted by the Parliamentary Standing Joint Committee on Regulations; to correct a number of regulatory deficiencies that have come to light since the regulations came into force on May 31, 2000; and to adopt the latest IAEA Basic Safety Standards exemption values.
<i>Class II Nuclear Facilities and Prescribed Equipment Regulations - Amendment</i>	The changes are designed to address a number of errors that have been noted by the Parliamentary Standing Joint Committee on Regulations and to correct a number of regulatory deficiencies that have come to light since the regulations came into force on May 31, 2000.
<i>Nuclear Non-proliferation Import and Export Control Regulations - Amendment</i>	Ensure that the export and import provisions and licensing requirements are compatible with developments in international agreements and guidance; address issues raised by the Parliamentary Standing Joint Committee on regulations; and clarify minor ambiguities.
<i>Canadian Nuclear Safety Commission Rules of Procedure and Canadian Nuclear Safety Commission By-laws</i>	Up-to-date <i>Rules of Procedure</i> and <i>By-laws</i> that reflect best practices in the area of administrative tribunals.

SECTION IV – OTHER ITEMS OF INTEREST

Information Sources

For further information or to request publications, contact:

Communications Directorate
Canadian Nuclear Safety Commission
280 Slater Street
P.O. Box 1046, Station B
Ottawa, Ontario
K1P 5S9
1-800-668-5284 (in Canada) or 613-995-5894
Fax: 613-995-5086
e-mail: info@cnsccsn.gc.ca

The following information is available on the CNSC Web site at www.nuclearsafety.gc.ca

Information on the plans, priorities, and activities of the CNSC may be found in:

Canadian Nuclear Safety Commission, *Annual Report*
Canadian Nuclear Safety Commission, *Report on Plans and Priorities*
Canadian Nuclear Safety Commission, *Departmental Performance Report*

The CNSC administers the following Acts and associated regulations:

Nuclear Safety and Control Act, 1997, c.9
Nuclear Liability Act, 1985, c. N-28

For further information you may also consult the CNSC Web site at www.nuclearsafety.gc.ca

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